

BRADLEY POND HOMEOWNERS ASSOCIATION, INC.

Architectural Criteria

Adopted – November 12, 2020

This Architectural Criteria is subject to change from time to time at the discretion of the (Developer/Declarant) while (Developer/Declarant) owns one (1) or more unfinished lots within the community. It is intended to be distributed as a helpful guide for members of the community considering modifications to their homes or lots and to provide guidance to any architectural control committee members throughout the decision-making process. **All amendments will contain deletions identified by a ~~cross through~~ and additions via underline.**

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SECTION I - INTRODUCTION

- A. Welcome.** This Pulte community is designed to respect the intended visual character of its site and strives to minimize its environmental impact while maximizing water and energy conservation principles, all to the extent feasible. To preserve and enhance these principles, these architectural criteria (“**Architectural Criteria**”) were established to maintain certain standards by which the community may grow and develop.

This Architectural Criteria has been prepared by the Declarant pursuant to the communities governing documents, (“**Governing Documents**”) and local and county ordinances. This Architectural Criteria may be changed and amended by the Declarant for so long as the Declarant owns any Lot within the Community or thereafter by the Board of Directors to serve the needs of an evolving community pursuant to the procedures set forth in the Governing Documents and in the Architectural Criteria.

The Architectural Criteria provides an overall framework to allow the community to develop and progress in an orderly manner, by implementing planning concepts, philosophy, and requirements of regulatory agencies. This Architectural Criteria includes minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping, and relevant criteria for the construction and modification of improvements of any type. They also establish a process for a fair review of proposed new developments and changes within the community.

For purpose of this Architectural Criteria, the “**Reviewing Body**” refers to the Declarant, the modifications committee, the architectural review committee, or any other committee as defined in the Governing Documents which is authorized to review and approve owner or builder architectural modification applications on behalf of the association.

- B. Governmental Requirements.** Any individual(s) or entity owning a lot within the community (“**Owner**”) has the responsibility of complying with all governmental requirements and obtaining all necessary permits and approvals from the appropriate federal, state, county, or municipal governmental agencies (“**Governmental Agencies**”) before beginning approved work on a project. For example, Duval County may require certain permits, depending on the proposed change, alteration, or addition. The Owner shall provide copies of any such required permits or approvals to the Reviewing Body if so requested.

To the extent that any Governmental Requirement requires a more restrictive standard than those found in this Architectural Criteria or the Declaration, the Governmental Requirement shall prevail. To the extent that the Governmental Requirement is less restrictive than this Architectural Criteria, or the Declaration, the Declaration and this Architectural Criteria shall prevail. In the event there is any conflict between the Declaration and this Architectural Criteria, the Declaration shall prevail.

- C. Required Approval for Modification Activity.** All Owners are required to submit an application to the Reviewing Body and request a review of plans for any modification, addition, or improvement to the exterior of the home, lot or landscaping (“**Modification Activity**”) prior to beginning the Modification Activity. Modification Activities, shall include by way of example, but are not limited to:
- The removal or addition of any tree.
 - Constructing, placing or erecting improvements on any portion of the Lot.

- Modifying or adding to existing improvements (*other* than repainting, reroofing, or re-mulching an improvement or area using the original color).
- Installing a fountain, pool, spa, or other water feature.
- Constructing or installing fences, walls, decks, fireplaces, firepits, outdoor kitchens or barbecues [other than portable ones that are on wheels], or other hardscape, such as walks, driveways, paving, brick, masonry, railroad ties, wood trim, concrete, rocks, flagstone, or any inert material.
- Modifying landscaping, irrigation, alteration of grades, or drainage.
- Placing any object, ornament, monument, statue, sign, or similar accessory on a lot that is visible from the street or by neighbors, including, but not limited to, lighting, satellite dishes, flag poles, or lawn ornaments.

These guidelines recognize that there may be permitted exceptions dependent upon the particular situation and Lot configuration.

All applications shall be submitted to the Reviewing Body for approval prior to commencing work on the Modification Activity. The fact that similar Modification Activity may exist or has been approved for another site does not automatically set a precedent for similar Modification Activity and does not constitute approval. Beginning or completing the Modification Activity prior to approval by the Reviewing Body does not mean that the approval requirement is waived. An Owner may be required to remove or correct any Modification Activity if not approved.

- D. Fees.** Applications may be subject to an application review fee (“**Application Review Fee**”) as determined by the management company for the Association. All fees are subject to change and should be included in the duly executed management agreement between the Association and management company. The Application Review Fee shall be submitted with the owner’s application as a check payable to the management company. The Application Review Fee may be waived at the discretion of the management company.

Additionally, applications may be subject to a completion deposit (“**Completion Deposit**”) as determined by the Reviewing Body. A refundable Completion Deposit of One Thousand Dollars (\$1,000.00) is required from any party installing a pool or doing concrete work. The purpose of the deposit is to safeguard against any damage or debris removal on Association Property. If damages or debris clean-up exceed the deposit amount the owner will be responsible to pay the difference. The Completion Deposit shall be submitted with the owner’s application as a check payable to the HOA. The Completion Deposit will be refundable upon inspection by the management company or Reviewing Body confirming that the Association Property, including but not limited to, all roadways, landscaping, and common areas are restored to the original state.

Any Application Review Fees and Completion Deposits shall be submitted with the owner’s application as two (2) separate checks. Nonpayment of any fees or deposit shall result in automatic denial of any application. The Reviewing Body may require that Owner pay the submission and review costs associated with submission and review of plans by an architect or engineer. The Reviewing Body may also require that the Owner deposit funds to cover the cost of periodic inspection during the work, to ensure proper cleanup of the work site during and after completion of the work, or to provide reasonable security that a condition of approval will be met.

If the Owner does not submit an application or alters the plans after application has been approved by the Reviewing Body, the Owner may be assessed by the Association a One Hundred Dollar (\$100.00) no-permit fee (“**No-Permit Fee**”) and be required to submit a new application and Application Review Fee. The new application is subject to approval. The No-Permit Fee shall be treated as an unpaid benefitting Assessment and shall be subject to collection efforts, including lien rights and lien foreclosure rights, as an unpaid Assessment as set forth by Florida Statute 720 and the Association’s Governing documents.

- E. Inspections.** The Reviewing Body may appoint members or representatives to conduct inspections of any Modification Activity in progress as well as the completed work. These inspections may be conducted after the approval of an application, prior to the commencement of the Modification Activity, and at completion of Modification Activity in order to ensure that the work complies with the approved application. However, the Reviewing Body shall have no obligation to ensure that the work is done in compliance with approved plans or Government Requirements.

- F. Conditions for Commencement of Work. NO WORK SHALL COMMENCE ON ANY CONSTRUCTION OR MODIFICATION ACTIVITIES UNTIL AN APPLICATION FOR THE WORK HAS BEEN SUBMITTED ALONG WITH FULL PAYMENT OF FEES AND REQUIRED DEPOSITS AND APPROVED IN WRITING BY THE REVIEWING BODY.**

- G. Applying for Approvals from Government Agencies.** Unless otherwise expressly approved in writing by the Reviewing Body, prior to submittal of a request for a permit or approval from any Government Agency, the Owner must obtain the approval of the Reviewing Body for the Modification Activity for which the permit or approval will be requested. If the permit or approval from the Government Agency differs from the approval of the Reviewing Body, the Owner must re-submit the proposed change to the Reviewing Body. Unless required by applicable law, approval by a Government Agency shall not bind the Reviewing Body with respect to a permit or approval from the Government Agency which differs from the approval by the Reviewing Body.

SECTION II - APPLICATION REQUIREMENTS

- A. Applications.** All applications shall include the following:
 - 1. Completed Application. Containing the name of owner(s) and owner(s) contact information, Lot number, phase number, and street address.
 - 2. Site Plan. Recorded site plan showing owners’ lot and all improvements.
 - 3. Modification Activity Information. Appropriate information for the particular type of Modification Activity, as summarized below.
 - 4. Contractor Information. Name, street address, and contact information of contractor doing the proposed work (if known).

- B. Landscaping or Site Work Affecting Landscaping.** Such applications shall include the following:
 - 1. Name of Landscape Designer. Name and address of any landscape designer or firm involved in preparing the landscaping plans, including the landscape designer’s street address and contact information.
 - 2. Landscape Plans. Two (2) hard copies or one (1) digital copy of the landscape plans (unless otherwise expressly approved by the Reviewing Body):

- a. North arrow; scale of drawing; existing site features; existing trees (type and diameter at five feet above existing grade); significant shrubs; property lines; adjacent land uses; (examples: residential Lot, common area, lagoon, etc.); and location or edge of streets, walks, walls, fences, houses, service areas, decks, patios, walks and drives. Minimum scale of drawings to be 1 inch = 20 feet.
- b. Proposed changes to items listed above, including any additional hardscape that Owner desires to install, such as brick, masonry, wood edging, concrete, rocks or other inert materials; and existing plantings to be removed. (Proposed changes should be clearly identified by color, shading, or other contrasting technique). Color pictures, brochures, and color samples of products shall be submitted with application to assist the Reviewing Body in understanding the application.
- c. Existing site drainage, including drainage structures, direction and slope of flow and any proposed alterations to this drainage.
- d. Proposed plantings, with plant list and plant key for any abbreviations used, varieties, quantities, sizes, and spacing. Locations of proposed trees, shrubs, ground covers, mulching, and grassing (clearly labeled). Plant symbol to be to scale and show mature size (diameter) of the proposed plant with a circle. Indicate center of proposed plant with a “+” and the center of an existing plant with an “o”.
- e. Plan for any irrigation system modifications (preferably on a separate drawing) to include location of automatic timer box and any rain sensor, and approximate location of valves, sprinkler heads, irrigation lines and sizes.

C. Changes or Additions to Structures. Such applications shall include the following:

- 1. Name of Architect/Builder. Name and address of any architect or builder involved in preparing the proposed plans, including the architect or builder’s street address and contact information
- 2. Proposed Plans. Two (2) hard copies or one (1) digital copy of the proposed plans (unless otherwise expressly approved by the Reviewing Body):
 - a. Site drawings showing North arrow; scale of drawing; existing site features; trees (type and diameter at five feet above existing grade); significant existing shrubs; property lines; adjacent land uses (examples: residential lot, common area, lagoon, etc.); and location or edge of streets, walks, walls, fences, houses, service areas, utility equipment, decks, patios, walks, and drives.
 - b. Existing and proposed floor plan.
 - c. Existing elevation (photograph may be acceptable) and elevation of any proposed exterior modification. (If Owner has a photograph of another house or a picture from a magazine or brochure such photo does not replace the requirement for plans and details of changes to Owner’s property.)
 - d. Proposed material and color samples, including location of proposed use.
 - e. If the change or addition affects the roof or roofline, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition.

D. Property Management Review of Selected Modifications. The Developer, the Board of Directors and/or the Reviewing Body may delegate authority to the property manager to review and automatically approve specific routine modifications for the convenience of Owners (i.e. repainting the home the same exterior colors, installation of satellite dish or flagpoles). If the automatic approval decision is not clear-cut, the property manager will forward the application to the Reviewing Body for a decision.

E. Review Procedure and Notice of Pending Application. The Reviewing Body shall review each application at a duly noticed and open meeting and shall make their decision based on the information contained within the application, as well as any additional information provided at the open meeting by the applicant or any other Member who wishes to give input regarding the Modification Activity. If the Modification Activity is, in the opinion of the Reviewing Body, likely to be controversial or a matter of substantial community interest, the Reviewing Body may require additional notice or an on-site sign in a form approved by the Reviewing Body such that it is placed on the Lot for a reasonable time [as determined by the Reviewing Body] to give additional notice to the community regarding the pending application.

Reasonable efforts shall be made by the Reviewing Body to review and respond to an application within forty-five (45) days of receipt of all required information.¹ Any Owner whose application is denied by the Reviewing Body may request an appeal and hearing before the Board of Directors, but the decision as to whether an appeal and hearing shall be granted, and the form of such hearing shall be determined solely by the Board of Directors. If the Reviewing Body fails to respond within Forty-Five (45) day period, the Modification Activity shall be deemed denied by the Reviewing Body.

F. Notice of Decision of Reviewing Body. Upon completion of review by the Reviewing Body, if possible, one set of plans will be returned to the Owner accompanied by a letter indicating the Reviewing Body's decision. The action of the Reviewing Body shall be stated in one of the following ways:

1. "Approved." The entire application submitted is approved in total.
2. "Approved as Noted." This is a conditional approval. The application submitted is partially approved or approved with conditions. Strict, not substantial compliance, with the conditions is required. An Owner may only proceed with the work to be performed if it complies strictly with all conditions set forth in the letter from the Reviewing Body, or on or in any document enclosed with the letter.
3. "Not Approved" (Denied). The entire application submitted is not approved and no work shall commence.

G. Effect on Building Permit or Other Government Approval. If the application for a Modification Activity submitted by an Owner requires a building permit or other Governmental Requirement, approval by the Reviewing Body is not a guarantee that such permit or other Government Requirement will be approved by the appropriate Governmental Agency. If the appropriate Governmental Agency requires modification to the plans approved by the Reviewing Body, such modifications must also be approved by the Reviewing Body in order for the Owner to proceed with the Modification Activity. Proof of Governmental Approval is required for any and all applications and Owner shall provide the Reviewing Body with a copy of such permit or approval prior to commencement of any work.

H. Effect of Modifications on House Warranties. Owners are responsible for verifying the effect of any proposed modifications against any existing warranties for nullification concerns.

¹Forty-Five (45) days starts from the date the Reviewing Body acknowledges receipt of an application containing all the required documentation as defined in this Architectural Criteria and related to the Modification Activity. In the event the information submitted to the Reviewing Body is, in the Reviewing Body's opinion, incomplete or insufficient in any manner, the Reviewing Body may request and require the submission of additional or supplemental information. The Applicant shall, within Fifteen (15) days thereafter, comply with the request.

I. Owner Responsibilities. It is the responsibility of each Owner to comply with all requirements of this Architectural Criteria in addition to the Declaration and any applicable supplemental declarations.

SECTION III – RESIDENTIAL ARCHITECTURAL CRITERIA

A. Architectural Character. Original home styles are to be maintained except as approved by the Reviewing Body.

B. Architectural Impact on Nearby Property. Applications for additions to a structure shall be reviewed for proximity to setback lines, impact on drainage, significant buffering foliage, and access for drainage and utilities. Where the Reviewing Body determines that there is a significant adverse impact, the application will be “not approved” or “approved as noted” or conditional words of similar effect.

C. Standards May Vary. Design or exterior changes appropriate for Lots in one area may not be applicable to another area.

D. Waiver of Standards. The Reviewing Body shall have the right, in its sole discretion, to waive, in writing, specific standards as they apply to an application if the Reviewing Body determines, in its sole discretion, that such waiver is warranted as a result of special conditions or factors not commonly encountered and such waiver will not have a material adverse impact on this Architectural Criteria and the community. Any waiver shall be limited to the maximum extent feasible while responding to the special conditions or factors.

E. Exterior of Home & Lot Modifications.

1. Approved Materials. Unless expressly approved by the Reviewing Body, all materials used in maintenance, repair, additions, and alterations shall match those used in the original construction of the dwelling unit as to color, composition [size and shape], type, and method of attachment. When storm, or hurricane windows are added or replaced with new materials, the description, trim color and glazing specifications on those materials and related materials shall be included with the application for addition or replacement to ensure that the long-term appearance will be compatible and will not degrade with long term exposure to the elements. The Reviewing Body may allow substitute materials.
2. Architectural Design. The architectural design of any and all additions, alterations, repainting, and renovations to the exterior of an existing home shall conform to, or be compatible with, the design of the original home in style, detailing, materials, and color. Any such addition, alteration, or renovation shall be made only after application to, and written approval by, the Reviewing Body.
3. Setback Lines. Setback lines for the community are usually defined by both the Developer and the county and recorded on the applicable lot plan or stated in the applicable Declaration for the purpose of protecting against overbuilding a property site and imposing improperly on neighboring properties. All additions to homes shall be built within the established setback lines for the community regardless of more lenient requirements of any local Governmental Authority. The minimum setbacks are set forth in part in **Exhibit A**. If a Lot has more stringent setbacks than those in **Exhibit A**, more stringent setbacks shall apply, and county setback approval is not considered Association approval.
4. Arbors/Archway/Trellises. Refer to Section IV – Landscape and Hardscape Guidelines (D) of this Architectural Criteria.

5. *Basketball Goals (Portable & Inground)*. No portable or permanently fixed basketball backboards are permitted without the prior written approval of Reviewing Body. If permitted, Owner shall ensure that the basketball goals are not positioned in a manner that results in use of the street or right of way as part of the playing court or play area. All portable and permanently fixed basketball goals must be maintained in good working condition (i.e. ripped or torn nets, cracked or damaged backboards and rusty or broken posts must be repaired or replaced). For all other sports equipment refer to Section III (E) of this Architectural Criteria.
6. *Covered Patios*. Homes with a covered rear patio may later enclose the patio with screening or a combination of windows, doors, and screening with the prior written approval by the Reviewing Body. All screened structures must be constructed using dark bronze aluminum framing and black or charcoal screening [but not a combination of the two]. Any renovation of a covered patio to a screened patio (or a window/screen combination) or patio addition, extension, etc. shall be made only after application to, and prior written approval by, the Reviewing Body. Conversion to an air-conditioned living space may void warranties the Owner has from the Developer or original builder and may be a violation of county code or ordinance. Association approval is not proof of or tantamount to approval by the county.
7. *Decorations*. No decorative objects including, but not limited to, bird baths, light fixtures, sculptures, statues, or weathervanes shall be installed without the prior written approval of the Reviewing Body. Decorations such as potted plants or flowers attached to walls or suspended from a covered structure are acceptable if the decorative features are in harmony with the property's frontal view. For ground mounted landscape accessories refer to Section IV (D) of this Architectural Criteria.
8. *Decorative Outdoor Furniture*.
 - a. *Patio Furniture* -Decorative outdoor patio furniture shall be in harmony with the frontal view of the home in style and color. The maximum height of permissible furniture is three (3) feet and the maximum width is five (5) feet. Decorative outdoor patio furniture in the front of the home may only be placed in the covered front porch area. All decorative outdoor patio furniture must be designated as outdoor furniture and shall be subject to prior written approval by the Reviewing Body. Furniture normally used for indoor only use shall not be permitted as outdoor furniture.
 - b. *Yard Furniture* - Yard furniture (e.g., lawn chairs, lounges, gliders, tables, and umbrellas) are not permitted in front yards, including courtyards. Yard Furniture in rear yards shall be placed no closer than seven and half (7.5) feet to the nearest property line and must be placed on hardscape material adjacent to the house. Furniture normally used for indoor only use shall not be permitted as outdoor furniture.
9. *Driveway Extensions & Redesigns*. All driveway extensions and redesigns must be submitted to the Reviewing Body for prior written approval. Widening of driveways shall be limited to a maximum of two (2) feet on each side of the driveway for a total of four (4) additional feet. All other driveway modifications shall be reviewed on a case by case basis by the Reviewing Body. The driveway extension shall be of the same material, finish and color as the driveway.
10. *Exposed Rafters*. Exposed rafter type covers shall match the house material and color when the patio is attached or has a common side with the home and shall be installed only after application to, and prior written approval by, the Reviewing Body.
11. *Exterior Doors*. Exterior doors must be a solid color and shall be compatible with the color scheme of the house and surrounding community. Front door material shall be suitable for front door installations. Storm doors shall be of manmade material such as fiberglass (no wooden storm doors). Glass inserts with storm-safety ratings are permitted with prior written approval by the Reviewing Body.

12. Exterior Paint and Trim. Changes to the exterior paint and trim of the house must be submitted to the Reviewing Body for prior written approval. The proposed colors scheme should be in compliance with this Architectural Criteria and aesthetically in harmony with the community design. Monotony rules will apply.
13. Fence/Gates. Refer to Section IV(F) of this Architectural Criteria.
14. Firepits. Firepits are permitted if structurally sound, permanently constructed and with a maximum diameter of five (5) feet, and no closer than (20) feet from any existing structure. Wood fuel storage is to be no closer than twenty (20) feet to the firepit, and no closer than ten (10) feet from any constructed dwelling. Prior written approval indicating the location, material, color and dimensions of the fire pit are required.
15. Flags. No flag or banner shall be exhibited, displayed, inscribed, painted or affixed in, or upon any part of the community that are visible from the outside without prior written approval of the location of the flag by the Reviewing Body other than: one (1) American Flag per Lot; one (1) freestanding flagpole that is not more than twenty feet (20') high on any portion of such Owner's Lot if not erected within or upon any easement. The flagpole may not be installed any closer than then (10') from the back of the curb, or within ten feet (10') of any lot boundary line. Additionally, Owners shall be permitted to fly flags that will be approved by the Reviewing Body which include (1) official flag of the State of Florida displayed in a respectful manner, and one (1) portable, removable, official flag, not larger than 4 ½ feet by 6 feet and displayed in a respectful manner, which represents the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or POW-MIA flag. All flags shall be maintained in good condition and should not be displayed on days when the weather is inclement. Proper lighting is required for nighttime display of the American Flag. However, flags or signs for colleges or professional sports teams may be displayed one day before, the day of, and one day after a sporting event (a maximum of three (3) days). Flags and signs for sports teams cannot exceed twelve (12) square feet.
16. Front Area and Courtyard. Front courtyards with fence structures are not permitted unless they are part of the original design of the home as installed by the Declarant. No part of the front entry/porch/courtyard shall be enclosed by screen or full walled (floor to ceiling) structure.
17. Front Entryway and Porch. Modifications to the front entryway and porch which are visible from the street must be in compliance with this Architectural Criteria and aesthetically in harmony with the individual and neighboring properties and shall be made only after application to, and written approval by, the Reviewing Body.
18. Garage. No garage shall be permanently enclosed so as to make such garage unusable by an automobile, and no portion of a garage originally intended for the parking of an automobile shall be converted into a living space or storage space and no garage opening shall have a permanent screen covering. All garage doors shall remain closed when vehicles are not entering or leaving the garage.
19. Generators. Temporary generators are permitted with prior written approval by the Reviewing Body. Temporary generators are to be stored in such a manner as not to be viewed from the street or adjacent neighbor when not in use. When use of a temporary generator is no longer required, then the generator is to be stored from sight. Permanent generators may be permitted with prior written approval by the Reviewing Body. Permanent generators are to be mounted on a fixed foundation and permanently connected to the house electric power circuit according to manufacturer recommendations and governmental body codes and regulations. Permanent generators are to be set back a minimum of fifteen (15) feet from the front of the house, and to be permanently fixed adjacent to the house. Fuel and exhaust are to be handled according to manufacturer recommendations and governmental body codes and

- regulations. Permanent generators are to be screened from street view with appropriate landscaping installed at the same time as the installation of the permanent generator.
20. Gutters and Downspouts. The location, type, and color of all gutters, downspouts, splashguards, and gutter guards, shall be approved by the Reviewing Body prior to installation. Location of all downspouts including the direction of water flow should be noted on the drawing submitted to the Reviewing Body. All gutters, downspouts, and splashguards shall be constructed of either aluminum or copper. All gutters must be maintained in a neat and attractive condition similar to that of when they were first installed.
- a. Gutters. All gutters shall be seamless, between 4” and 7” wide, and constructed of aluminum or copper. The color of all aluminum gutters shall match the color of any preexisting gutters installed by the builder, or if no gutters were installed by the builder, the color of the fascia, the home’s exterior body or trim, or may be white.
 - b. Splash Guards. All splash guards shall match the color of the approved gutters.
 - c. Gutter Guards. All gutter guards shall match either the color of the shingles or the approved gutters.
 - d. Downspouts. All downspouts shall be seamless (*unless a break or angle in the downspout is required*) and constructed of aluminum or copper. The maximum dimensions for all downspouts is 3”x 4”. The color of all aluminum downspouts shall match the color of approved gutters, the dwelling unit’ exterior color or trim, or they may be white. Homes with copper gutters shall have copper downspouts. Owners shall prevent downspouts from being installed on the front of the dwelling unit and shall divert to the side or rear of the home. The preferred location for downspouts shall be the sides or rear of the dwelling unit. However, the Reviewing Body understands that this is not always feasible and will approve a variance for a downspout on the front of the home based on the recommendation from the gutter installation company stating why the rear or side of the home is not a viable option.
 - e. Splash Blocks. All splash blocks should be placed or screened in such a way as to not be visible from the road and should blend in with the landscaping or exterior color of the dwelling.
21. Height of Building. The height of the roof-line of any addition to an existing home shall not be higher than the original roof-line.
22. Holiday Décor and Lighting
- a. All holiday lighting and decorations should be temporary in nature and shall be permitted to be placed upon the exterior portions of the home and lot.
 - 1. Commencing October 10th and shall be removed by November 5th of each year for Halloween lighting and decorations.
 - 2. Commencing Thanksgiving Day and shall be removed by January 5th the following year for winter holiday decorations.
23. Hurricane Protective Systems (Hurricane Shutters). Hurricane Shutters shall be used as a protection system only in the event of an oncoming storm and are not to be confused with decorative shutters. The system may not deviate from the aesthetic look of the homes. The system may not be implemented earlier than seventy-two (72) hours prior to a storm’s arrival and must be removed and stored no later than seventy-two (72) hours after the storm warning or storm watch has expired. Panel, accordion, and roll-up style hurricane shutters may not be left closed when there is no named storm within 100 miles of the Association. Manufacturers’ catalogs and the selected design shall be provided to the Reviewing Body.
24. Lot Drainage/Roof Drainage. As provided for in the Declaration, no person shall alter the drainage flow of the Surface Water or Storm Water Management System, including buffer areas or swales, without prior written approval of the local Water Management District and the Reviewing Body. All new or altered roofs shall drain to the ground solely within the deeded Lot area. No roof shall drain directly onto a

- neighboring property. Roof gutter downspouts shall be directed to splash blocks or other impervious surfaces, plastic flexible drain tubes, or to undersurface drainage lines within landscaping. Owners are responsible for their own drainage and may be required at their own expense to install French drains or similar devices.
25. Pergolas/Gazebos. Pergolas and gazebos are not permitted in front or side yards. The placement of pergola or gazebo structures shall be at least twenty (20) feet from any neighbor's Lot line, may not substantially obstruct a neighboring Lot's view of a pond or common green space [the Association is not a guarantor of any particular Lot's view], and may only be installed in the rear yard. Application for size, materials, and placement shall be submitted to and approved by the Reviewing Body prior to installation. Maximum height, width and overall area size are applicable.
 26. Plantings & Hedges. Refer to Section IV – Landscape and Hardscape Guidelines (B) of this Architectural Criteria.
 27. Play Structures/Skateboard Ramps/Sports Equipment/Tree Houses/Trampolines. Play structures, skateboard ramps, sports equipment, and trampolines are not permitted in front or side yards. The placement of play structures, skateboard ramp Sports Equipment, and trampolines shall be at least seven and a half (7.5) feet from any neighbor's Lot line, may not obstruct a neighboring Lot's view of a natural landscape features including, but not limited to, a pond or common green space [although the Association does not guaranty any Lot owner or resident any particular view, sightline or right], and may only be placed in the rear yard. Application for size, dimensions, materials, and placement shall be submitted to and approved by the Reviewing Body prior to installation. Trampolines should be properly secured per the manufacturer's recommendations. Owners are responsible for any damage caused by improperly securing a trampoline. Play structures may not exceed 10' in height. Tree houses or platforms are not allowed on any part of the lot. For Basketball Goals refer to Section III (E)(3) of this Architectural Criteria.
 28. Shade Devices. Man-made screens and shade devices must appear as an integral part of the building elevation and shall be made of materials that complement the home. Awnings or any other shading devices shall only be applicable to windows and doorways and not ancillary equipment. Such devices shall be in harmony as to size, style, and color with the house and application to shaded opening. Fabric awnings or similar shading devices may be permitted on the rear of the home when the color, which must be solid, is muted and consistent with the color of the home, roof, shutters and community-wide standards; and only upon prior written approval by the Reviewing Body. The color of the exterior shading devices shall complement the home. Awnings or such other devices shall have a retractable feature, either mechanical or manual, for storage in inclement weather. Fixed awnings are not permitted. Shading devices shall not extend over ten (10) feet. Any shade device that in the sole determination of the board of directors has deteriorated or dilapidated [i.e. holes, torn material, faded coloration, etc.] shall be replaced with a like kind shade device or removed upon written notification.
 29. Sheds, Outbuildings, Storage Buildings etc. No temporary or permanent utility or storage shed, storage building, tent, or other structure or improvement shall be permitted, and no other structure or improvement shall be constructed, erected, altered, modified or maintained upon any portion of the Lot.
 30. Shutters and Window Boxes. Upon approval by the Reviewing Body, shutters and/or window boxes may be installed. Shutter design and color and window box design and color shall be complimentary to the home design, shall match the home's exterior or trim color if painted, and overall aesthetic of the community.
 31. Slope of Roof. No alterations or improvements shall be made which provide a roof slope of not less than three (3) feet vertical to twelve (12) feet horizontal. All screened areas shall have roof designs with a

minimum pitch of three (3) feet vertical over a twelve (12) foot horizontal. Pitches can be broken to match the existing house roof, but no screened roof design shall appear as a flat pitched surface from any external elevation. Current dwelling designs will be considered.

32. Vegetable Gardens. Vegetable gardens may be permitted with prior written approval from the Reviewing Body. Vegetable gardens shall be no larger than ten (10) feet by twenty (20) feet and shall be no closer than seven and half (7.5) feet from any property boundary. No vegetable plants shall be allowed to grow taller than five (5) feet. Vegetable gardens shall be permitted in the rear of the home only and shall be weeded not less than weekly and maintain a neat manicured appearance. Once the growing season has ended the exhausted plants must be removed and the ground tilled and maintained during the non-growing season or replaced with season appropriate plants or sod. If unused for more than one year, the Owner shall revert the area to grassy area using sod.
33. Exterior Grading Relative to Wall or Door Height. All room additions and enclosures shall have a minimum interior wall height from finished floor to the lowest ceiling of the existing structure. Exterior doors shall open to a level structural landing if the step down to resulting grade exceeds eight (8) inches.
34. Waste & Recycling Containers. No Lot shall be used or maintained by an Owner as a dumping ground for rubbish, trash, or other waste. All trash, garbage, and recyclables shall be stored in covered containers, which shall be kept in the garage, or upon an exterior concrete or paver foundation using an approved privacy screen structure as determined acceptable by prior written approval of the Reviewing Body, except when they are being made available for collection, and shall be subject to any restrictions in the Declaration or Rules and Regulations promulgated pursuant to the Declaration. Trash and Recycling containers shall not be curbside for more than 24 hours and must be brought back to storage before end of trash or recycling collection day. No outside burning of trash or garbage shall be permitted.
35. Water Features. Water features may be permitted with prior written approval of the Reviewing Body. The maximum depth of a water feature (i.e., Koi pond) is two (2) feet. No water feature shall be visible from the front of the property and must be located wholly within the rear yard. For Decorative Fountains refer to Section IV – Landscape and Hardscape Guidelines (D) of this Architectural Criteria.
36. Window or Wall AC Units. No window or wall air conditioning units may be installed in any window or wall of any portion of the home, irrespective of whether it is visible or not.
37. Water Softeners & Filtration Equipment. Water softener or filtration equipment installed on the exterior of the home shall be on a concrete or paver foundation and properly screened from view from the street and from the neighbor's Lot in a manner approved by the Reviewing Body.

SECTION IV- LANDSCAPE AND HARDSCAPE GUIDELINES

- A. Landscaping.** All Owners shall be shall responsible for maintaining, repairing, and replacing at their own cost and expense all landscape and irrigation improvements originally installed by the Declarant or Builder on their Lot and for any additional landscaping items added by the Owner after prior written approval by the Reviewing Body. Replacement of individual plants or trees with the same species and quantity is permitted without prior approval by the Reviewing Body.
- B. Landscaping for Lots.** Landscaping must be consistent with the following minimum requirements which are subject to change via promulgated rule and restriction changes made by the board of directors:
 1. Commonly Used Plant Material. Refer to **Exhibit C** for a list and description of recommended plant materials. Yards shall be completely sodded with an approved turf variety. Lake lots must be completely

sodded to the property line. Use of artificial flowers or trees anywhere outside the roofed area of the house is prohibited. Use of annual plants in planting beds is acceptable without prior written approval by the Reviewing Body.

2. Irrigation Systems. All developed home sites and landscaped plantings shall be maintained by a fully automatic underground watering system. When using sprinklers, care should be taken to avoid over spray on patios, sidewalks, streets, and driveways ("**Hardscape**"), structures, windows, and adjacent properties
3. Landscape and Lawn Maintenance. Maintenance of the lawn shall include planting, sodding, and maintaining of the landscaping, shrubbery, lawn, mowing lawns, fertilization, weed and lawn pest control, weeding of landscape areas, keeping installed irrigation system functioning, and all related and/or affiliated activities as determined by the Association in its reasonable discretion.
4. Planting Beds. Upon written prior approval of the Reviewing Body, the planting beds that were provided by the Developer or Builder (or previously approved via the modifications process) may be planted with any plants from the list of the commonly used plants found in **Exhibit C**. Additionally, plants other than those listed in **Exhibit C** may be considered for approval by the Reviewing Body.
5. Plantings & Hedges. Landscaping in and next to the front entry, porch, or driveway areas shall be subject to prior written approval by the Reviewing Body. If approved, the plantings must be maintained to present a neat appearance with no overgrowth onto roofs. Plantings may be suspended or placed on pedestals or placed in decorative containers with applicable irrigation devices only after application to, and written approval by, the Reviewing Body. When decorative and plant items that were previously approved are to be changed to similar items and are in compliance with the Design Guidelines, re-application is not required. Except as otherwise permitted by Florida Law, no artificial grass, plants, or other artificial vegetation, or rocks or other landscape devices shall be placed or maintained upon the exterior portion of any lot. No hedges shall be permitted to extend more than three (3) feet in front of the front elevation of the home, and in no case shall any hedge irrespective of location be permitted to exceed five (5) feet in height.
6. Rocks. When substituting rocks for existing landscaping mulch, the average size of the rock shall not exceed two (2) inches in diameter and shall have a smooth surface. All landscaping rocks are to be same color scheme. Replacement of landscaping mulch with rock requires approval by the Reviewing Body.
7. Swales. Plants, flowers, topsoil, planter beds, shrubs, and trees shall not be installed in the swale so as to obstruct storm drainage along the side or rear portion of any Lot. Owners who install improvements to their Lot that result in any change in the flow and/or drainage of the surface water shall be responsible for all of the cost of drainage problems resulting from such improvements.

C. General Landscaping Criteria. Basic planting requirements should, at a minimum, address the following areas:

1. Approvals. The Reviewing Body may reject any proposed plant it considers inappropriate or invasive, such as invasive varieties of bamboo.
2. Permitted Ground Cover. The ground surfaces of all Lots except that occupied by hardscape or structures shall be covered with a combination of landscaping, sodded grass lawn, planted ground cover, and approved mulch materials as listed in **Exhibit B**. The percentage of sodded grass lawn area installed in the original landscape plan for each lot shall remain the same unless otherwise approved by the Reviewing Body. If a living ground cover is proposed in place of the sodded lawn, prior written approval shall be secured from the Reviewing Body prior to the commencement of work. For the purpose of this Architectural Criteria, topsoil or decomposed granite shall not be considered inert material. No artificially colored or painted rock shall be permitted. Ground cover or inert material shall not be used to spell out names, nicknames, names

of states, city athletic teams, slogans, states, emblems, geometric patterns, or any other communication. In order to prevent soil erosion and to maintain positive drainage, the original grades of the Lot shall be maintained during landscape and sod installation. For this reason, a minimum sod buffer equal to that of the original sod installation on the front curb and rear property line must be maintained as a drainage area. Lagoon top of slope and banks are included in the sod buffer. The Lot Owner shall hold harmless the Developer, the Association, and the Association's management company for any property damage, including damage to the house, caused by an alteration of the grades or changes in the drainage patterns in connection with the design, installation, or maintenance of Owner's landscaping done by Owner or hired landscape contractor.

3. Dead or Diseased Plantings. Dead, dying or terminally diseased plantings or trees shall be promptly removed by Owner and all material resulting from the removal must be disposed of properly. Removed plantings or trees shall be replaced by Owner with a planting or tree approved by the Reviewing Body unless otherwise authorized by the Reviewing Body.
4. Natural Vegetation. Natural vegetation shall be maintained in a neat and attractive manner. Vines are not permitted to climb fences or the structure.
5. Bamboo. Only noninvasive slow growing "clumping" bamboo may be used within the community. All species of "running" bamboo is strictly prohibited in the community including Phyllostachys genus and yellow-groove bamboo. The architectural committee will strongly scrutinize all requests for bamboo in the community and may place various restrictions on the bamboo type, location, and maintenance of the bamboo. Owners must ensure that bamboo is properly cut back and maintained to ensure it does not encroach on a neighboring lot. Failure to prevent such encroachment by the bamboo may result in the owner being in violation of governing documents as well as the owner being responsible for all costs, fines, and legal fees associated with the resolving the encroachment issue. Owner shall be solely responsible for damage and or removal of bamboo that extends behind their property line on to neighbor lots. The maximum height that bamboo is permitted to grow in the community is twelve (12) feet high.
6. Restrictions on Paved Cover. Walkways may be expanded to a maximum of sixty (60) inches wide including any decorative trim or edging upon prior written approval by the Reviewing Body. Other changes to walkways/driveways are limited to approved colors, patterns, texture, coatings and materials and extensions must match the walkway that is being expanded.

D. Landscape Accessories. Landscape accessories are considered any items placed in the Lot that have not already previously been discussed in this Architectural Criteria, including but not limited to lighting. All landscape accessories require prior written approval from the Reviewing Body. Placement and style of all landscape accessories shall be subject to prior written approval on an individual basis consistent with the overall aesthetic scheme of the community. No more than two (2) landscape accessories shall be approved on any Lot. No landscape accessory mounted on entryway columns or walls shall be in excess of eighteen (18) inches in height. Properties facing streets on two or more sides shall use landscaping to screen accessories. Applicants shall provide landscape plans that incorporate accessories to show how they are shrouded from the adjacent property owner's view.

1. Arbors. Arbor construction and installation shall be applied for and approved through the Reviewing Body and are considered a landscape accessory. The placement of arbor structures shall be at least seven and a half (7.5) feet from any neighbor's Lot line, may not obstruct a neighboring Lot's view of a natural landscape features including, but not limited to, a pond or common green space [although the Association does not guaranty any Lot owner or resident any particular view, sightline or right], and may only be placed

in the rear yard. The maximum size of any arbor shall not exceed the height of eight (8) feet, the width of three (3) feet, and the depth of two (2) feet with the wider dimension parallel to the rear Lot line. The arbor shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved for prior to installation by the Reviewing Body. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs, the side of the house or walkways.

2. *Bird Houses/Feeders*. Bat houses, butterfly houses, bird houses, and bird feeders shall be subject to review by the Reviewing Body, shall be designed and placed to be in harmony with the surrounding environment, and shall only be placed in the rear yard. Houses and feeders other than Martin houses shall not exceed six (6) feet above ground level. Martin houses shall not exceed two (2) levels and shall not exceed twenty (20) feet above ground level. No house or feeder shall constitute a hazard to neighboring properties or be a haven for pest animals. No domesticated or wild fowl livestock, including chickens, shall be permitted.
3. *Animals*. No non-domesticated animals shall be kept or housed on the property. No domesticated animals/pets shall be permanently housed outside of the primary dwelling. No animals/pets shall be left unattended outside the primary dwelling overnight. Beehives or apiaries shall be not be kept or housed on any portion of the Lot or Home. Dog houses and other animal dwellings are not permitted. Dog runs and other fencing or enclosures for pets is not permitted.
4. *Fountains*. Fountains shall be limited in height to four (4) feet six (6) inches above the natural grade of the Lot. Any fountain shall be of natural material, color, and design, each of which is compatible with the overall architectural theme of the community. Fountains shall be permitted in the front yard and rear yard of all residential homes. No more than one fountain shall be permitted in each yard. Fountains shall be subject to review by the Reviewing Body for style and placement. Fountains must be maintained in clean and operable conditions. For Water Features such as koi ponds refer to Section III (E) of this Architectural Criteria.
5. *Ground Mounted Landscape Accessories*. Ground mounted landscape accessories require prior written approval from the Reviewing Body. Ground mounted landscape accessories may not be in excess of three (3) feet in height. Examples include, but are not limited to, low ground flags, statues, sculptures, bird baths, plant stands, potted plants, lawn ornaments, lighthouses, and other miniature structures.
6. *Holiday Decorative Accessories*. Refer to Section III (E) of this Architectural Criteria.
7. *Trellises*. Trellis construction and installation shall be applied for and approved through the Reviewing Body and are considered a landscape accessory. The placement of trellises shall be in a planting bed and only in the rear or side yard. The maximum size of any trellis shall not exceed the height of eight (8) feet, the width of three (3) feet, and the depth of six (6) inches with the wider dimension parallel to the side or rear Lot line. The placement of a trellis in a side yard planting shall not be more than two (2) feet from the wall of the house. The trellis shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved for prior to installation by the Reviewing Body. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs or walkways.

E. Plastic Sheeting. The use of solid plastic sheeting or polyethylene over ground cover areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Weed control fabrics may only be used with prior written approval of the Reviewing Body. All weed control fabrics must be kept thoroughly covered with a three (3) to four (4) inch layer of approved mulch material.

F. Fencing.

1. Decorative Fences. Decorative fences are not permitted.
2. Visibility on Corners. No fences shall be placed or permitted on a corner Lot where such obstruction would create a visibility issue. All corner lot fences must be set back off of the sidewalk at least five (5) feet.
3. Fence Guidelines.
 - a. No fence shall be constructed on any Lot without prior written approval of the Reviewing Body. Only seventy-two-inch (72") white vinyl privacy fencing and forty-eight inch (48") two rail white vinyl picket fence is permitted within the community and each fence application will be approved.
 - i. Lots 1-40; 56, 57, 82-98, and 122-135 may only install seventy-two-inch (72") white vinyl privacy fencing
 - ii. Lots 44 – 55, 99 – 108, and 111 – 120 may only install seventy-two-inch (72") white vinyl privacy fencing on the side and front, but shall have the option of installing either seventy-two-inch (72") white vinyl privacy fencing or forty-eight inch (48") two rail white vinyl picket fence on the rear property line. ***If Owner chooses to transition 72" side yard privacy fence down to a 48" inch vinyl picket fence along the rear property line, the final 6 ft side yard fence panel must be a transition panel and must transition from 72" to 48" over the 6 ft span.***
 - iii. Lots 109, 110, and 121 shall be considered specialty water lots and fencing shall be approved on a case by case basis.
 - iv. Lots 58-81 fencing has not yet been determined by the Declarant.
 - b. Wood, vinyl fences in any color other than white, and chain link (or chicken wire or similar) fencing is not permitted.
 - c. All fencing shall be installed upon the property line along the interior rear and interior side yards and shall terminate at least 1/3 the length of the home measured from the rear corner of the Residence as shown on **Exhibit F** unless an easement prevents such installation.
 - d. The installation of parallel fencing is not permitted within the community (i.e. if a neighboring lot has existing side yard fence, applicant must tie into the existing fence with their fence.
 - e. Owner is responsible for any damage or drainage issues on their lot and that of any neighboring home(s) as a result of the fence installation.
 - f. Owners will be responsible to trim and maintain 6" along any installed fence line that abuts a common area.
 - g. All fences shall be pressure washed, repainted, or replaced when necessary to maintain original appearance. Gates shall be the same material and height as the fence and a minimum of forty-eight (48) inches in width unless the Association provides landscape maintenance to the homes in which case the gate must be fifty-four (54") inches in width.

G. Privacy Hedging/Plantings. Plantings used for screening or landscaping along property lines shall require prior written approval by the Reviewing Body and shall be located or designed to not interfere with drainage swales or neighboring fences. Plants should also be installed far enough away from the property line so that the owner can properly maintain both sides of the planting and so that the foliage does not significantly interfere with the neighboring owners use and enjoyment of their lot or land. No plant or other landscaping may be located on an easement. Privacy screening shall not be installed in the front yard which is any portion of the Lot between the right of way and the front elevation of the residence. **THE MAXIMUM HEIGHT FOR PROPERTY LINE HEDGE AND BAMBOO PLANTINGS SHALL BE TWELVE (12) FEET TALL.**

***Note:** All side yard property lines have a 3' drainage easement located over them.

****Note:** An owner's property rights only include the area within and above their property boundary. A property owner does not have a right to a view outside of their property boundary.

H. Ancillary Equipment.

1. *Antennas, Aerials, and Satellite Dishes.* No antenna, aerial, satellite dish, or other device for the transmission or reception of television, or radio (including amateur or ham radios) signals of any kind will be allowed outside the dwelling unit, except those antennas whose installation and use is protected under Federal Law or regulations (generally, certain antennas under one meter in diameter) provided that an application for such an antenna or other device shall be submitted to the Reviewing Body and such application will only be approved if:
 - a. The antenna or other device is designed to assure the minimal visual intrusion possible (i.e., is located in a manner that minimizes visibility from the street and preserves the community wide standard); and,
 - b. The antenna or other device complies with the maximum extent feasible with this Architectural Criteria within the confines of applicable Federal regulations, i.e., without precluding reception of a quality signal, or unreasonably increasing the cost of the antenna or device. The applicant shall provide reception readings taken by the installer or self for potential locations, which make the antennae least visible. The following are preferred locations:
 - Rear of the house, below the ridgeline.
 - Rear of the house attached to the roof or the fascia.
 - Side of the house, toward the rear, attached to the roof or fascia.
 - Side of the house, toward the rear, attached below the eave.
 - Ground mounted, rear yard, painted and screened with shrubs.
 - Ground mounted, side yard, toward the rear yard, painted and screened with shrubs.
2. *Exterior Appliances.* Installation of exterior water softeners, water filters, trash or compost containers/piles, gardening storage areas and any hardscape enclosed areas (other than pool/spa and filter equipment described in Paragraph 4.13) are permitted upon prior written approval from the Reviewing Body and with adequate screening.
3. *Exterior Sound Emitting Devices.* Any interior or exterior sound emitting devices (speakers, sound players, insect/animal repellent/chasers, chimes, etc.) shall not create an unreasonable audible nuisance to the neighbors.
4. *Interior Water Treatment.* All interior water treatment systems shall be connected to the sewage system prior to initial use and at all times thereafter.
5. *Mechanical Equipment.* Mechanical equipment or other service areas such as utility boxes shall be screened and allow for access to equipment for servicing.
6. *Roof Top Decorations.* Roof top decorations, cupolas and application of non-functional articles other than lighting, ventilating, solar panels, and antennas mentioned above are prohibited. Any changes to the rooftop design must be submitted in detail with the application to the Reviewing Body.
7. *Window and Roof Mounted Equipment.* Window and roof mounted equipment (including mechanical, air conditioning) shall not be allowed. Supplemental heating and cooling equipment may be installed in walls, and attic ventilation devices and solar panels may be installed on the roof with prior written approval of the Reviewing Body. A sound barrier may be required for added equipment.

I. Signage.

1. General Limitations. Posting of Signs of any kind shall not be displayed on a Lot, house (inside or outside), on or within a vehicle, or upon common Association areas except for those required by law. However, upon prior written approval from the Reviewing Body, an Owner may display one (1) "For Sale" sign in the front yard, either within five (5) feet to the left or right side of the driveway. Any such sign shall be removed within five (5) days from the date a binding agreement is entered into for the sale of the property.
2. No Soliciting Signs. Residents shall be permitted without prior written approval from the Reviewing body to post "no soliciting" signs near or on the front door, or in the front yard near the entrance to a courtyard. Such "no soliciting" signs shall be professionally prepared (no hand lettering) and shall not exceed 1 foot in height above grade if placed in the ground. Any such sign shall not exceed a size of thirty-six (36) square inches (i.e., three (3) inches by twelve (12) inches) whether placed in the ground, on the front door or in a window near the front door.
3. Security System Signs. Residents shall be permitted to post a sign from a security/alarm company providing services to such Resident or the home. One single-sided small security/alarm sign may be placed in the front yard where it is visible to persons approaching the house, and a sign may also be placed in the windows of the home. The sign shall be professionally prepared (no hand lettering) and shall not exceed two (2) feet in overall height from finished grade and/or seventy-two (72) square inches in size (i.e., eight (8) inches by nine (9) inches) if placed in the ground; or exceed sixteen (16) square inches in size (i.e., four (4) inches by four (4) inches) if placed in a window.
4. Exemption. Notwithstanding the above, Developer and its authorized designees shall be allowed to install any sign(s) necessary for purposes connected with the development of the community and/or as may be described in the Declaration.

- J. Other Prohibited Exterior Features.** The following features shall be prohibited from use in the community
- Clothes lines or clothes poles visible from the street or neighbors' lot, and any permissible clothesline must be removed when not in use
 - Outdoor electronic pest control devices (bug zappers)
 - Window A/C unit
 - Above ground swimming pools
 - Dog houses and other animal dwellings not identified in Section IV(D)(3) of this Architectural Criteria.
 - Dog runs and other fencing or enclosures for pets
 - Notwithstanding the above, Developer shall be allowed to install, or authorized its designees to install, any structure(s) necessary for purposes connected with the development of the community.

K. Lighting. The Owner is required to submit an application to the Reviewing Board for review for all exterior lighting modifications. No exterior lighting shall be permitted that constitutes a nuisance or hazard to any Owner or Resident.

1. Fence/Building Mounted. Exterior fence or building mounted light fixtures, including motion detector, spotlights and floodlights shall conform to the architecture of the house and shall be subject to approval of the Reviewing Body. Any enclosure of a light fixture shall be designed to conceal the lamp (bulb) and to direct the light downward.
2. Holiday Lighting. Refer to Section III (E) of this Architectural Criteria.
3. Lampposts. Lampposts (measured to the top of lighting fixture) shall not exceed eighty (80) inches in height, may have no more than two globes, and shall be subject to prior written approval by the Reviewing Body. Globes shall not create a lighting nuisance to surrounding properties. A lamppost is not considered

a landscape accessory. Black is the acceptable color for all lampposts or such other color as the Board of Directors may permit.

4. Landscape Requirements. Junction boxes shall be placed below grade, or screened by landscaping, to minimize day-time visibility of the hardware.
5. Landscape/Walkways. Illumination of landscaping (thirty-six (36) inches high or less), as well as for walks and driveways shall be accomplished with low wattage fixtures, ground mounted. Decorative low voltage/solar light fixtures for low-level landscape and path lighting are permitted. Fixtures shall be installed and maintained in a vertical position. A maximum quantity of twelve (12) low-voltage or solar lights may be installed in front yards. A maximum quantity of twelve (12) low-voltage or solar lights may be installed in rear and side yards (combined).
6. Large Bushes/Trees. Illumination of large bushes and trees is subject to the Reviewing Body's prior written approval and shall be accomplished with standard or low voltage (flood or spot) light fixtures, ground mounted and aimed vertically upward.
7. Spotlights/Floodlights. Exterior spotlight and floodlight fixtures shall be either non-motion or motion detector fixtures. Exterior spotlight and floodlight fixtures location(s), other than the original construction of the dwelling location(s), require prior written approval of the Reviewing Board.

L. Mailboxes. The Developer shall provide cluster mailboxes in a predetermined location. The color, size, appearance, and location of the mailboxes installed by Developer shall be preserved and shall not be altered, except that lettering with the name of the Owner may be affixed to the inside of the mailbox without obtaining prior written approval from the Reviewing Body. Costs for replacement and/or maintenance of mailbox clusters shall be shared by the Owners. Any single mailbox or mailbox replacement is subject to approval from the Reviewing Body and possibly by the United States Postal Service.

M. Pools, Spas, and Water Features. Above -ground spas and hot tubs are not permitted on a Lot. For installation of in-ground pool, in-ground spa, or water feature excavation, the Owner shall submit all plans including drawings, site plan, pool and decking material and color schemes to the Reviewing Body for written approval prior to commencing excavation. In most cases, it may be necessary to obtain approval from the appropriate Governing Authority. It will be necessary for a licensed and insured contractor to evaluate feasibility and manage the installation of pools and spas. A fence or screen structure shall be constructed around in-ground pools and in-ground spas in accordance with the provisions of these Guidelines. The excavation site shall be well maintained for safety purposes. Attention shall be given to the grading and drainage to prevent erosion. Owner accepts all potential liability related to changing of the Lot to install the pool, spa or water feature, such as drainage or water runoff issues that may impact the Lot or neighboring Lots and the Association shall be held harmless and indemnified by Owner as a condition for approval.

- a. The composition of the material must be thoroughly tested and accepted by the industry for such construction.
- b. Any swimming pool constructed on any Lot shall have an elevation at the top of the pool, hot tub or spa of not over two feet (2') above the natural grade.
- c. Swimming pools must include either screen enclosures or approved fencing. All screen structures must be constructed using dark bronze aluminum framing and black or charcoal screening. Screen structures shall be no higher than twelve feet (12'). Screen structures may not be higher than the roof line of the Home and shall not extend beyond the sides of the Home.

- d. Pool/spa mechanical equipment shall be positioned adjacent to the house and obscured from view with shrubs or other landscape features.
- e. Landscaping plans must accommodate any pool or spa application. Refer to Section IV(A-C) of this Architectural Criteria for landscaping requirements.

N. Outdoor Kitchens. Outdoor kitchens and built-in barbeques shall be subject to written approval by the Reviewing Body and upon approval may be placed in the rear yard only, adjacent to the house or patio and shall not extend laterally past the side wall of the house. The exterior surround shall match the color and finish of the house walls. Homeowners installing cooking equipment under a patio roof or inside a screen or glass enclosure should consider requirements for exhaust ventilation. Installation of roof mounted equipment is not permitted in accordance with Section IV(H) of this Architectural Criteria.

SECTION V - REVIEWING BODY SUBCOMMITTEES

The Reviewing Body shall be the Developer until such time as they appoint another party. The Reviewing Body may, as it deems necessary, establish and abolish subcommittees of the Reviewing Body whose role shall be to perform specific duties in aid of the Reviewing Body. Any authorized agent of the Reviewing Body, or of any Subcommittee established by the Reviewing Body, shall be authorized to perform the plan review and inspection of Lots as required pursuant to these Architectural Criteria. The operations and procedures of a Reviewing Body Subcommittee shall be established by the Reviewing Body upon its formation. The Reviewing Body Chairman shall appoint all members of a Reviewing Body Subcommittee. At least one Reviewing Body member shall be a member of the Reviewing Body Subcommittee. That member shall act as Chairman of the subcommittee. Appointees to the Reviewing Body Subcommittee need not be architects, owners, lessees, or residents and do not need to possess any special qualifications of any type except such as the Reviewing Body may, in its discretion, require. The Chairman will have authority to dismiss or replace Subcommittee members. At such time as the Developer owns no Lots within the Community, the Board of Directors may elect to serve as the Board and as the Reviewing Body without the need of an independent Architectural Review Committee or the like.

SECTION VI - ENFORCEMENT OF GUIDELINES AND REVIEWING BODY ACTIONS

In the event of a violation of this Architectural Criteria or any decision of a Reviewing Body, the Developer or the Board may take any enforcement action as deemed reasonable and appropriate. Any changes or amendments to the Architectural Criteria shall only apply to construction and modifications commenced after the date of such amendment. Changes shall not require modification or removal of structures previously approved once the approved construction has commenced. However, changes to, or replacement of, previously approved projects SHALL comply with the architectural criteria in effect at the time of the new modification application.

SECTION VII - AMENDMENTS TO ARCHITECTURAL CRITERIA

Developer may amend, modify, or supplement this Architectural Criteria at any time as long as it owns any portion of the Properties or has the right to annex additional property in accordance with the Declaration. Thereafter, the Reviewing Body, or if the Reviewing Body is not established, the Board of Directors shall have the authority to amend or change this Architectural Criteria. Any amendments, modification or supplements shall apply to

construction and modification commenced after the date of such amendment only and shall not require modification or removal of Modification Activity previously approved once the approved construction or modification has commenced.

SECTION VIII - DEVELOPER IMPROVEMENTS

As part of the planning and development of the community, the Developer has prepared a development plan and provided certain architectural designs, color palettes, landscaping design packages, parks, park preserves (open space), streets, and model home packages. Market conditions, styles, marketing strategies, or other factors may cause Developer to change the type of models, size of homes, color palette of homes, landscaping styles or plant materials, construction methods or materials, or the landscaping on the common area as they deem necessary.

EXHIBIT A: BUILDING SETBACKS

The building setbacks described below are recognized by the Reviewing Body. Notwithstanding any other provision of law, all building setbacks shall meet these requirements, except for such buildings which are built by Developer pursuant to approvals obtained from the county, as applicable.

Lot Setbacks:

<i>Front Yard (Sidewalk):</i>	<i>25 feet minimum from sidewalk</i>
<i>Front Yard (No Sidewalk):</i>	<i>20 feet from ROL to face of garage</i>
<i>Side Yard:</i>	<i>5 feet minimum</i>
<i>Side Street:</i>	<i>10 feet minimum</i>
<i>Rear Yard (Front Entry):</i>	<i>10 feet minimum</i>
<i>Rear Yard (Rear Entry):</i>	<i>20 feet minimum</i>

EXHIBIT B: APPROVED INERT MATERIALS

Approved inert landscape materials shall include: bark, hardwood mulch. Rock and/or stone of naturally pigmented color (i.e., as found in native form), rubber mulch, and other materials as may be approved by the Reviewing Body from time to time. Pine straw may be approved for reasonable use in bedding, around shrubs and trees, and along the exterior walls of the dwelling. Pine straw, mulch and/or stone are not acceptable as a sod substitute. Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the Reviewing Body and shall be in writing.

Approved inert driveway, sidewalk, and porch paving, covering and coating materials shall include: concrete, brick, textured/painted covering, natural pebble stone/epoxy coating, other previously installed surfaces, and other materials that may be found to be acceptable.

EXHIBIT C: COMMONLY USED PLANT MATERIALS

Canopy Trees:

Live Oak
Sweetbay Magnolia
Drake Elm
Sweet Bay
River Birch
Dahoon Holly

Palms:

Cabbage Palm
Sylvester Palm

Buffer Trees (full to ground):

Little Gem Magnolia
Eagleston Holly
East Palatka Holly

Flowering Trees:

Magnolia ssp.
Crape Myrtle
Redbud
Dogwood

Accent Trees:

Red Maple
Crape Myrtle
Ligustrum (Patio Tree form)
Little Gem Magnolia
Nellie Stevens Holly
East Palatka Holly

Specimens/Palms

European Fan Palm
Chinese Fan Palm
Windmill Palm

Plant Bed Material (Earth Tone)

Mulch
Pine Straw
Pine Bark

Shrubs

Wax Myrtle
Gallberry (Ilex glabra)
Azalea sp.
Florida Anise
Gardenia
Schillings Holly
Ligustrum (shrub form)
Indian Hawthorne
Podocarpus
Muhley Grass
Spartina
Fakahatchee Grass
African Iris
Lily of the Nile
Burford Holly
Lorapetulum
Viburnum suspensum
Indian Hawthorn
Liriope

Groundcovers

Mexican Heather
Lantana
Dwarf Asian Jasmine
Confederate Jasmine
Shore Juniper
Mondo Grass

Ground Covers/Grasses/Accents

Shore Juniper
Sand Cordgrass
Liriope sp.
Daylily
Dwarf/Asiatic Jasmine
Mondo Grass

Turfgrass/Sod

St Augustine Grass 'Floritam'

NOTE: *This list is to be used a recommendation and is not an all-inclusive list. However, all plants (even plant listed on this list) must be approved by the ARC prior to planting.*

EXHIBIT D: APPROVED FENCE MATERIAL AND SPECIFICATIONS

6 ft White Vinyl Privacy Fence Specifications



6 ft to 4 ft Transition Panel



4 ft White Vinyl Picket Fence Specifications

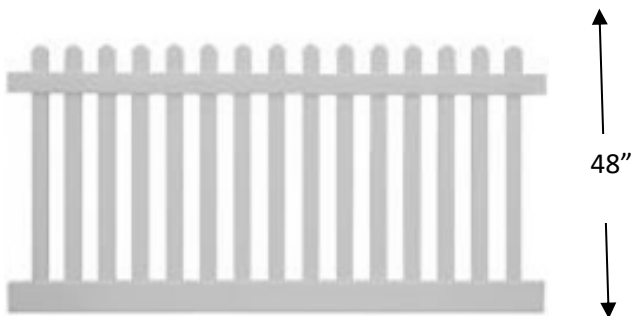


EXHIBIT E: APPROVED FENCE STYLE PER LOT

- White vinyl privacy fence only
- ▲ Fencing type yet to be determined
- ★ Speciality water lots
- White vinyl on sides and front and either white vinyl privacy or white picket on rear property line

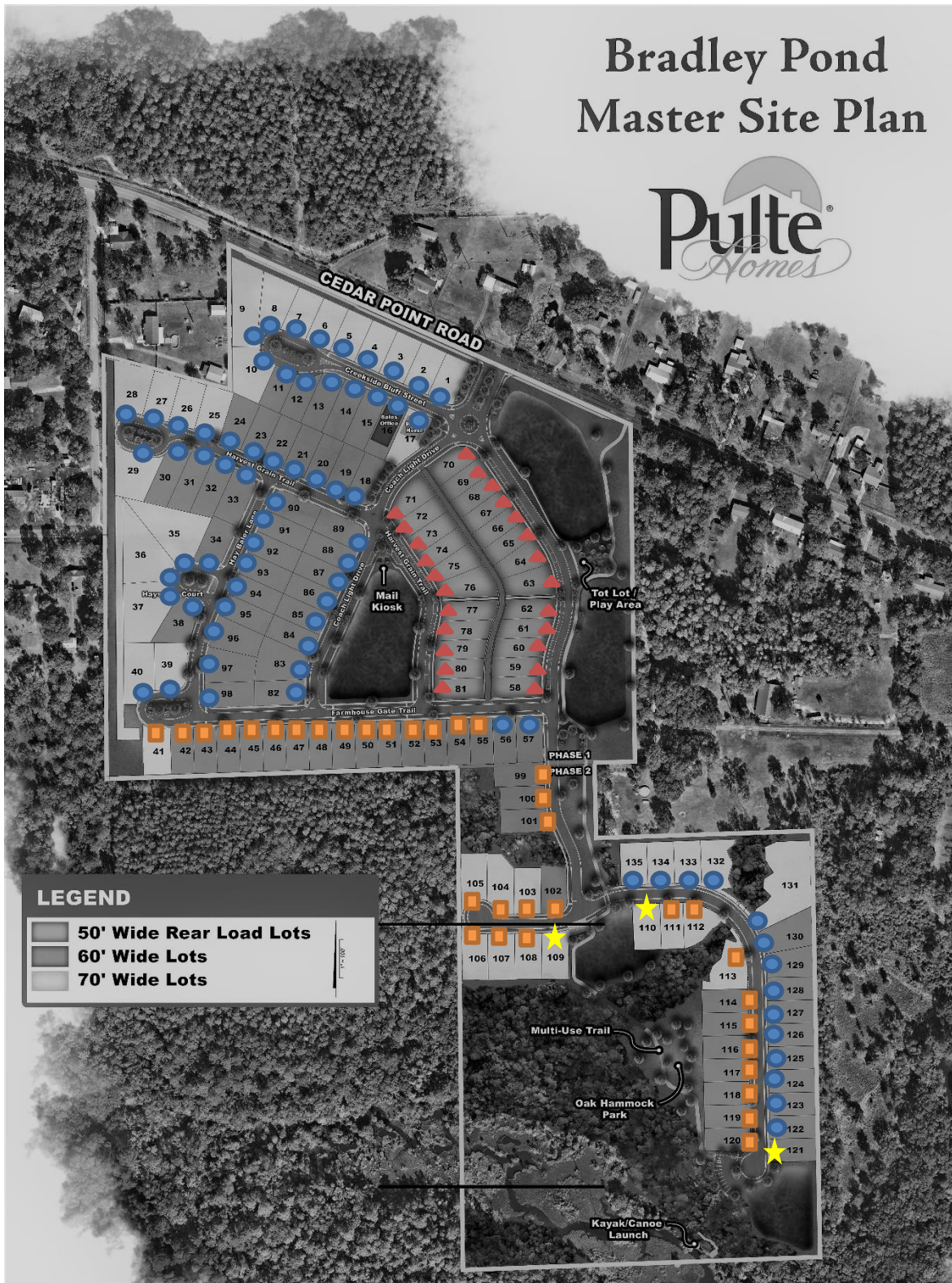
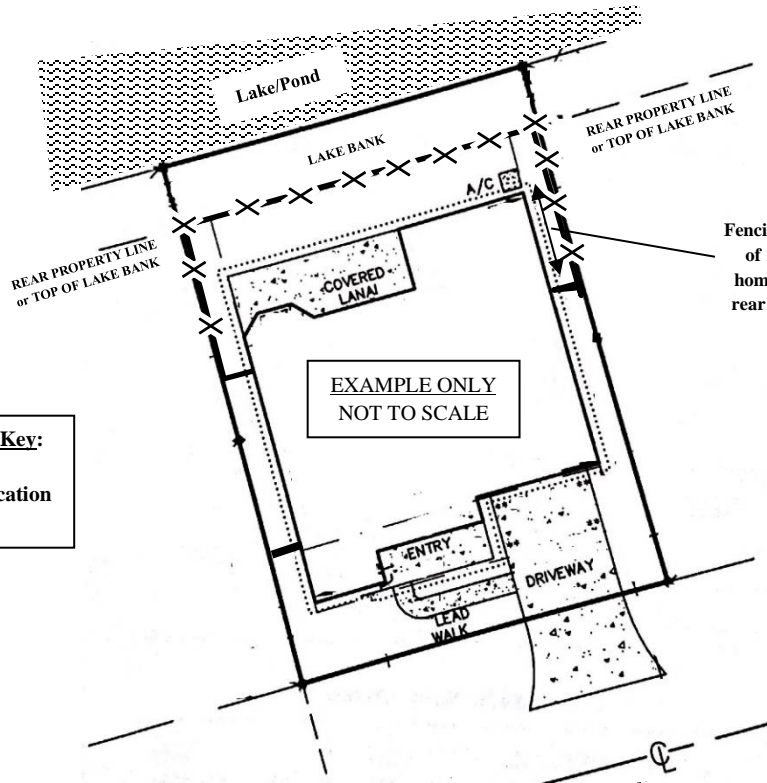


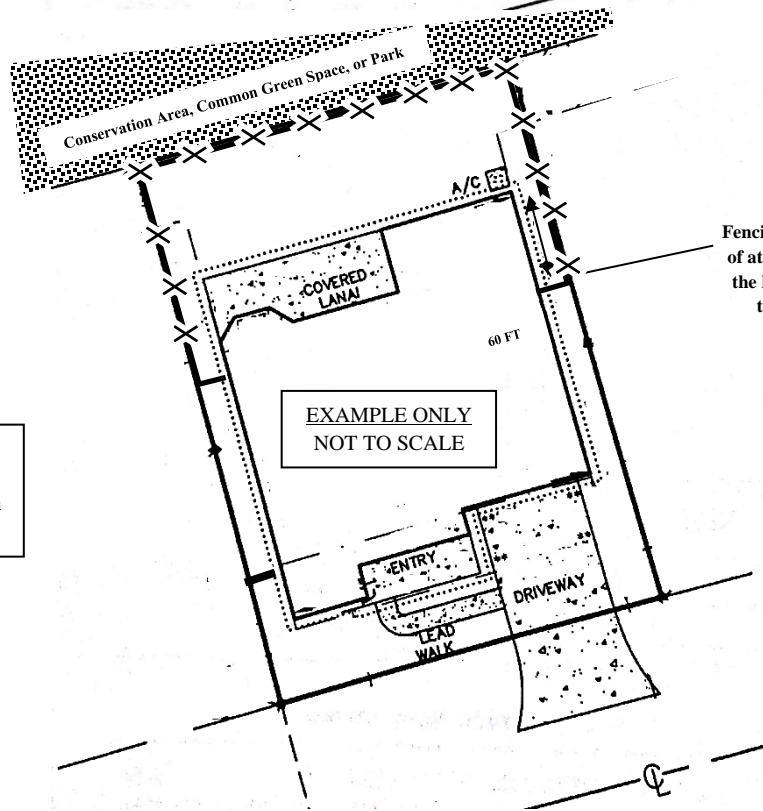
EXHIBIT F: APPROVED FENCE LOCATIONS



Fencing extend a maximum of 1/3 the length of the home measured from the rear corner the Residence

Fence Diagram #1 - Key:
 Permitted Fence Location
 x-x-x-x-x

Note: Existing fencing and type/style should be indicated on the survey when applicable.



Fencing extend a maximum of at least 1/3 the length of the home measured from the rear corner the Residence.

Fence Diagram #2 - Key:
 Permitted Fence Location
 x-x-x-x-x

EXHIBIT G: ACCEPTABLE SATELITE DISH LOCATIONS

