

## ARCHITECTURAL GUIDELINES

### THE ROOKERY TOWNHOMES OWNERS ASSOCIATION, INC.

Nothing herein shall be construed to supersede, waive, void or amend any requirements of any applicable governmental zoning or building law, regulation or ordinance, all of which must be complied with by each owner of a lot, improved or unimproved, within the Community (each, an “Owner”), at the Owner’s sole cost and expense.

#### 1. PROCESSING

A. PLANS SUBMITTAL REQUIREMENTS. Unless otherwise exempt pursuant to the applicable covenants, conditions and restrictions of record, the homebuilder or homeowner will submit comprehensive construction plans and specifications. The homebuilder shall make one (1) submittal for each model to be sold. Plans must include the items and information listed below:

##### (1) Architectural Construction Plans:

a. Plot plan: Indicate the location of the house on the lot. Indicate all easements, setbacks building restriction lines, drives, walks, patios, mechanical equipment, also walls, pools and fences when applicable. Indicate the percentage of total lot coverage.

b. Square footage: Plans must include the following square footages:

- i. Total heated and cooled living area
- ii. garage
- iii. patios or enclosures
- iv. total overall square footage

c. Dimensioned floor plans at ¼” scale:

- Include location/depiction of all mechanical equipment

d. Dimensioned elevations at ¼” scale:

- i. roof pitch (minimum 5/12)
- ii. height of structure (maximum 35 feet)
- iii. pattern of window mullions

e. Typical wall section

f. Window and exterior door schedule

##### (2) Specification and Color Package Submittal

a. Master color book

- i. body colors
- ii. trim colors
- iii. accent colors for doors and shutters

- b. Roof color samples (no blues and greens)
  - i. manufacturer and warranty specifications.
  - ii. Material (asphalt shingle, tile etc.)
- c. Building material list of specifications and manufacturers
  - i. windows (style and color)
  - ii. exterior doors styles
  - iii. list of brick colors and manufacturer
  - iv. list of stone colors and manufacturer

B. REVIEW PROCEDURE FOR PLANS. *Any approval of the submitted plans shall not be construed to supersede, waive, void or amend any requirements of any applicable governmental zoning or building law, regulation or ordinance, all of which must be complied with by Owner at Owner's sole cost and expense.*

## 2. SITE

A. ZONING. Existing zoning requirements will be considered as per County Zoning Ordinance as well as approved PUD, if any.

B. SITE CONDITIONS. Existing paving and drainage may not be altered in any way. Owners shall refer to site development drawings for any information about these areas. Prior to construction, no tree shall be removed from any Lot without the consent of the Developer.

C. PARKING. Parking upon the Property shall be restricted to the driveway and garage located upon each Lot and designated parking areas within the Common Area. Parking on streets that are owned and maintained by the applicable governing jurisdiction shall be subject to the local ordinances, regulations or guidelines in effect; no parking is permitted on any streets that are privately owned and maintained by the Association or CDD, except as otherwise specified by the Board in any adopted Rules and Regulations. No Owner shall keep any vehicle on any Lot in a manner which is deemed to be a nuisance by the Board. No Owner shall conduct repairs taking more than twenty-four (24) hours (except in an emergency or except within the garage of the Home with the garage door closed) or restorations of any motor vehicle, boat, trailer or other vehicle upon any Lot. No commercial vehicle (as defined by Florida Statute), trailer, recreational vehicle, motor home, boat or boat trailer may be parked or stored on the Property except in the garage of a Home located upon a Lot or except as otherwise specified by the Board in any adopted Rules and Regulations. No bus or tractor-trailer or any other truck larger than a full-size pickup truck may be parked on the Property, except as otherwise specified by the Board in any adopted Rules and Regulations and except temporarily as in the case of a moving van or other such vehicle necessary to provide service to an Owner and with the exception of any vehicles necessary for any construction activity being performed by or on behalf of Declarant.

## D. SETBACK REQUIREMENTS

(1) Lot setback requirements are measured in accordance with the County Land Development Code. Corner lots shall permit one vehicular access only. The frontage on the road used for access shall be considered the front yard and shall have the required minimum front yard setbacks.

(2) Patio Enclosures:

- a. Front - No patio enclosure may be located within the front yard.
- b. Side - subject to County permitting requirements.
- c. Rear - subject to County permitting requirements.

### 3. LANDSCAPING

A. All landscaping will be in accordance with the requirements of the County Land Development Code. Landscaping will be reviewed on a case-by-case basis. Homeowners must submit a site plan showing where new landscaping is being requested with a list of all landscape and planting materials to be used. If any landscaping is to be removed, it must be marked on the site plan what is to be removed. All landscaping changes requires ARC review.

B. IRRIGATION. The irrigation system may utilize reclaimed water, if available, and shall be automatically controlled by a time clock.

C. LANDSCAPE LIGHTING. Intensity should be no greater than required for pedestrian safety, other than on accent landscape. The scale of this lighting should be at pedestrian level. Exterior lighting must be shielded from adjacent properties.

### 4. STRUCTURES

A. ROOF, ROOFING, GUTTERS AND DOWNSPOUTS. Roof forms must be designed to provide similar character on all elevations.

(1) STRUCTURE: Roof structures shall be built out of conventional frame construction or pre-manufactured wood trusses.

(2) STYLE: Suggested roof styles are gabled and hip. Mansard, Gambrel and Dutch Hip roof styles are not allowed.

(3) MATERIALS: Finish materials for pitched roofs must be consistent throughout the Community. Architectural fungus resistance shingles with a 25-year warranty or better, or other materials approved by the ARC may be used. Neither Flat shingles nor gravel roofs shall be used within the Community. Other materials not specifically mentioned are subject to review and approval by the ARC. Light green or blue colored composition shingles shall not be used in the Community.

(4) PITCH: The minimum roof pitch in the Community shall be 5/12.

#### B. FEATURES

(1) CUPOLAS: Cupolas with fixed panes or louvers may be used. Shapes and sizes will vary according to the size of roof and shall be reviewed by the ARC.

(2) DORMERS: Gable and hip dormers are allowed on roofs. Other types may be considered but are subject to review and approval by the ARC.

#### C. ACCESSORIES

(1) VENTS; PIPES; VALLEYS AND FLASHINGS: Accessories extending through or attached to the roof shall be painted to match the color of the roof.

(2) DOWNSPOUTS AND GUTTERS: Accessories attached to eaves and walls shall be painted to match the color of the surface to which they are attached or to the color of house trim.

(3) EQUIPMENT: Roof top mechanical equipment must be located so as not to be visible from the street, sidewalk or adjacent property. Solar Panel location is subject to reasonable ARC approval prior to installation. HVAC equipment, irrigation or pool pumps located at ground level shall be shielded from view.

#### D. EXTERIOR WALLS

(1) Structural Wall: All exterior structural walls shall be constructed of concrete masonry units (CMU), wood or steel framing systems pursuant to, and using materials in compliance with, applicable building codes. All exterior finishes will be consistent in color schemes, texture, compositions and character throughout the Community. All exterior finishes will be subject to review and approval by the ARC. Exposed concrete block walls or exposed modular concrete units are not permitted. No metal finishes are allowed.

(2) Approved finishes are as follows:

- a. Brick
- b. Stone
- c. Lap, Shaker Board & Batten, Vertical Hardie Board

(3) All wood or exterior siding will be finished, painted, stained or otherwise protected from the elements. Any combination of siding with brick or stone should complement the architectural style of the home. The architectural submittal should indicate the type of siding to be used with each elevation.

E. EXTERIOR WALL COLORS. Color selection changes for exterior finishes will only be reviewed for the entire building, and the request must be of compatible colors throughout the Community. Color samples shall be color coordinated with the elevation and show the proposed paint/color scheme. All color samples and schemes shall be submitted to the ARC for review and approval. All ARC requests for change in paint color of the exterior of the building, must be coordinated with all unit owners of the building. Color changes to any exterior component of the house must be selected from the Builder's pre-selected color schemes (packages) while Declarant is in control of the Board. Pre-selected color schemes for prototype models may receive blanket approvals.

F. WINDOWS AND WINDOW TREATMENTS. All windows shall be insulated glass with standard colors consisting of white, sand or bronze in anodized aluminum or vinyl clad. Exterior painted wood or fiberglass shutters may be used if the width of the shutters is no more than 1/2 the width of the window. All exterior windows shall be double pane. Blinds and/or shutters must be white, off-white or stained in color. Fabric window coverings must be lined with white or off-white lining. No flags, unlined fabrics, sheets or the like may be placed or hung in the windows. Deviation from the standard criteria must meet with ARC approval.

G. GARAGES. Covered carports are not allowed. Garage screens are allowed on the condition that they are put up after use and not left out.

H. DOORS. Entrance doors shall be compatible with the house design and color and made of solid wood, fiberglass or insulated metal. Glass inserts may be included. ARC approval is needed to install screen/storm doors. A door must be compatible with the general architectural design of the units

and must be consistent with the general appearance of the community. Only white full glass storm doors are allowed for building aesthetics. Garage doors shall be compatible with entrance doors and may include glass panes.

I. SCREENED ENCLOSURES. Screened enclosures shall be bronzed framed with charcoal screen and shall be permitted on the rear patio subject to review and approval by the ARC. There shall be no screen enclosures located on the front of the home.

J. DRIVEWAYS, WALKWAYS AND PATIOS. Driveway extensions ARE NOT permitted on any townhome lot. Patios may be constructed out of concrete, pavers or a combination of the two. Concrete must be gray in color. Pavers must be natural colors – gray, tan, brown or black. Any changes to a home's flatwork must be approved by the ARC. Walkways ARE NOT allowed along the sides of a home.

K. PAVERS. All pavers shall be of the same color and shall be of a neutral color as to compliment the exteriors of the community. All paver requests shall be submitted to ARC prior to any installation thereof. ARC requests shall include a site plan showing location of requested paver installation, shape and dimension of pavers, paver color and styles.

L. DETACHED STRUCTURES. DETACHED STRUCTURES. No free-standing structures (pavilion, gazebo, platform, doghouse, storage room, cabana, shed, tent, trailer, shack, etc.) or other temporary buildings or structures shall be constructed or otherwise placed within Rookery.

M. FENCING AND WALLS: No fences or walls shall exceed six (6) feet in height, and no chain link or similar style fence shall be allowed on any lot. All fences shall be black flat top aluminum open picket, or of a color and material approved in advance by the ARC. No fence or wall shall be built beyond the plane from the front corner of the Home to the side lot lines. Fences cannot encroach any type of drainage easements on any lot.

For corner Lots, no fence or wall on the side common to the street right of way shall extend forward of the rear corner of the Home.

No fence on any lake Lot shall be installed closer than ten feet (10') from the rear lot boundary line or the top of the bank for Lots abutting lakes, canals or other bodies of water (the "Rear Fence Line"). Alternatively, for lots with shallow rear yards, the ARC may approve installation of fencing to the rear Lot line, provided that five foot (5') wide gates are installed on each side Lot line to ensure access for lawn and landscaping maintenance as provided in Article XII, section 2.

All fencing will need to be uniform for each Townhome building. If a homeowner has already fenced and added gates, the remaining units in that building will need to do the same.

On lots abutting lakes, canals or other bodies of water, no fence shall be placed beyond the top of the bank. Only black flat top aluminum, 4'0" high open picket, black metal fences shall be allowed along the Rear Fence Line and along the last sixteen feet (16') of each side Lot line leading to the Rear Fence Line.

The remaining fencing on the side Lot lines of Lots abutting lakes, canals or other bodies of water may be either four (4) or six (6) feet, open picket, black metal or of a design and material approved in advance by the ARC, with the rear sixteen feet (16') transitioning from six (6) to four (4) feet leading to the Rear Fence Line, if applicable.

The Owner assumes complete responsibility to maintain any fence on such Owner's Lot, including, but not limited to, trimming any grass, ivy or other plants from the fence. In the event the ARC approves the installation of a fence, it shall also have the right to require installation of landscaping, also subject to the ARC's approval, at the time the fence is installed.

In some instances, the type of fencing for a lot must be determined on a case-by-case basis due to the transitioning of lake lots abutting interior lots, or lots along the main boulevards where the rear of the homes are visible.

Owners must obtain Architectural approval prior to the installation of any fencing. In determining the type of fencing on a particular lot, please contact the ARC for pre-approval. The ARC will provide written specifications for your fence request.

N. RECREATION STRUCTURES. No recreation structures are to be located in the rear yard or on the inside portion of a corner Lot within the setback lines and located behind a fence. No basketball hoops, playhouse or structure of a similar kind or nature shall be constructed on any part of the Lot. No permanent basketball backboards may be installed, and, when not in use, any portable basketball equipment must be relocated and not visible from the street.

O. AIR CONDITIONERS. No window air conditioning units are permitted. Any exterior HVAC systems must be shielded from view by fencing or landscaping.

P. EV CHARGING STATIONS. The owner's request for ARB approval of a charging station must include licensed electrical contractor for installation. Equipment must be installed inside the garage. No exterior mounted chargers.

Q. SWIMMING POOLS. No swimming pools are permitted on any lot.

R. SHEDS. No sheds are permitted on any lot.

S. TRASH BIN ENCLOSURE. All homes are required to have fencing or landscaping features that block the view from public streets and neighboring lots, as approved by the ARC.

T. SATELLITE DISHES. Satellite dishes may be permitted subject to ARC approval. The location of satellite dishes must be in an inconspicuous place shielded from view from the street and adjoining properties to the maximum extent possible.

U. SECURITY CAMERAS/DOORBELLS. Cameras and doorbells installed on the exterior of the home after closing require ARC approval prior to installation. Devices installed by the Builder prior to closing are considered approved. Devices must be mounted to the home only and may not be installed on fences, poles, shared structures, or common areas. Wiring must be concealed within the wall or trim and no exposed conduit is permitted. Cameras may not be directed into neighboring windows, doors, patios, or private living areas. Lights may not shine onto neighboring units. The Association reserves the right to require relocation or adjustment if the device creates a nuisance, private concern, or safety issue.

V. SIGNAGE. No sign, display, poster, advertisement, notice, lettering or other advertising device of any kind whatsoever may be exhibited, displayed, inscribed, painted or affixed in public view of any portion of any building or other Improvement in the Property (including, without limitation, a Home) without the prior written consent of the Board, which consent may be given, withheld or conditioned in the sole and absolute discretion of the Board. Notwithstanding the foregoing, including, without

limitation, signs such as “For Sale”, “For Rent”, “By Owner” or any other signs for the sale or renting of homes may be posted on an Owner’s Lot, provided that (i) prior to the Turnover Date, Declarant has given its approval therefore, which approval shall not be unreasonably withheld, or (ii) from and after the Turnover Date, the Board has given its approval therefore, which approval shall not be unreasonably withheld. Any signs used by Declarant, any of Declarant’s affiliates or any of their successors or assigns shall be exempt from this Section 13.

W. FLAGS AND FLAGPOLES. Except for flags permitted by applicable law, any other flags are prohibited except as may be approved in writing by the ARB.

X. HOLIDAY DECORATIONS. Holiday decorations are permitted on a temporary basis only and must be maintained in a neat and safe condition. Christmas decorations must be removed by January 15. All other holiday decorations must be removed within two (2) weeks after the holiday.

Y. HURRICANE PROTECTION. Improvements intended to provide hurricane protection must be approved by the ARC in advance as to color, style, function, and compatibility. Such improvements include, but are not limited to, roof systems, storm shutters, windows and doors, exterior fixed generators, and fuel storage tanks

Z. WAIVERS. The foregoing criteria are guidelines to which adherence is required. The ARC may waive any requirement set forth herein if it deems such waiver is in the best interest of the property and the deviation requested is compatible with the character of the property and the Community.

5. MAINTENANCE DURING CONSTRUCTION. During construction, all debris shall be placed in a single location on the construction site only. All debris must be contained; construction dumpsters are preferred. After construction, no debris, excess building material, storage material or trash of any kind shall remain on any lot or on sidewalks or streets or lakes contiguous thereto. It is the duty of the homebuilder and/or the homeowner to remove or cause to be removed any and all of the above debris within 72 hours of notification by the ARC. Failure to comply with the request may result removal of the debris by the ARC, with all related costs charged to the homebuilder or the homeowner, as applicable.

## 6. MISCELLANEOUS

A. MAINTENANCE: No weeds, underbrush or other unsightly vegetation, refuse piles or other unsightly object(s) shall be permitted to grow or be placed or remain anywhere on any lots. Each Owner shall maintain the lot and improvements thereon in good and workmanlike manner and shall present a neat and clean appearance. If any Owner fails or refuses to keep the lot free of weeds, overgrown grass, underbrush, refuse piles, debris or other unsightly growths or objects or to keep the Home or improvements on the Lot, in a good and workmanlike manner or in a neat and clean appearance, the ARC or the Board of Directors of the Association may enter upon the Lot and perform any necessary maintenance at the expense of the Owner and such entry shall not be deemed a trespass.

B. SALES AND CONSTRUCTION ACTIVITIES: Notwithstanding any other provisions hereof, the Developer, its agents, successors, assigns and designees may maintain such facilities and undertake such activities as may reasonably be required to sell Lots or dwellings and to construct improvements thereon within the Community.

C. CLOTHES DRYING AREA: No portion of any Lot shall be used as a drying or hanging area for laundry of any kind, unless fully screened from the view of the neighboring Owners and from the street.

D. All Owners and other occupants of the Property shall at all times comply with the terms of the Subdivision Documents and Zoning Codes, and all environmental, land use, marketing, and consumer protection ordinances, statutes and regulations applicable to the Property or to any Improvements and Lot Improvements constructed thereon, as well as all governmental rules, regulations, statutes, and ordinances applicable to each Owner in connection with the Property.

7. FEES: The Board of Directors may approve to establish a fee for the submission of any ARC submittal at any time. If such a fee is established, the ARC submittal is not considered complete for review without said fee attached to submission.

Each Owner shall be liable to the Association for any damage any common areas resulting from Owner's actions. The Association may require a security deposit sufficient to pay for any such costs at the time of ARC request. The security deposit will be returned to the applicant at the completion and inspection of the finished construction. The Owner is required to contact the property manager at the completion of requested installation to arrange for inspection. If the inspection reveals damages or alterations requiring remediation to the common areas, the Association may use the security deposit to satisfy such expenses. If additional monies are due for the repair or change necessary over and above any security deposit, the owner will pay all additional costs associated with the necessary repairs/changes.

***These Architectural Guidelines may be revised from time to time, in accordance with the subdivision documents, as necessary upon approval by the Board of Directors of the Association.***