

Silver Falls Design Guidelines

Amended- October 2024

These Design Guidelines are the property of Lennar Homes, LLC (the “Declarant” under the Community Declaration for Silver Falls Homeowners Association, Inc.) and are subject to change from time to time at the discretion of the Declarant or the Board as provided in the Declaration (as defined herein). It is not intended for distribution other than to provide information to Silver Falls homeowners considering additions or modifications to their Lots and/or Homes. The Declarant recorded the Community Declaration for Silver Falls Homeowners Association, Inc. in the Official Records as Instrument No. 2024006742 of the Public Records of St. Johns County Florida (the “**Declaration**”). SILVER FALLS is a portion of the master planned community known as “SILVERLEAF” (the “**Master Community**”), as more particularly described in that certain DECLARATION OF COVENANTS AND RESTRICTIONS FOR SILVERLEAF MASTER, recorded in Official Records Book 4743, Page 1063, of the public records of St. Johns County, Florida (as now or subsequently amended, modified, restated, replaced or supplemented, the “**Master Declaration**”), which instrument establishes a general plan of restrictions for the administration, maintenance, preservation, use and enjoyment of lands within the Master Community. Pursuant to Section 9.1(b) of the **Declaration**, the Declarant or the Board shall have the authority to adopt Design Guidelines prior to the Turnover Date. To the extent the Design Guidelines are more restrictive as to any matter set forth in the **Declaration** or the **Master Declaration**, then the provisions of the Design Guidelines shall control.

TABLE OF CONTENTS

SECTION I - INTRODUCTION.....	1		
A. Welcome to Silver Falls.....	1		
B. Master Declarant Approval.....	1		
C. Governmental Requirements	1		
D. Required Approvals for Modification Activity	1		
E. Variance Requests	2		
F. Inspections	2		
G. Conditions for Commencement of Work ...	2		
H. Applying for Approvals from Government Agencies.....	2		
SECTION II - APPLICATION REQUIREMENTS	3		
A. Applications	3		
B. Landscaping or Site Work Affecting Landscaping.....	3		
1. Name of Landscape Designer	3		
2. Landscape Plans	3		
C. Changes or Additions to Structures.....	4		
1. Name of Architect/Contractor	4		
2. Proposed Plans	4		
D. Property Management Review of Selected Modifications	4		
E. Review Procedure and Notice of Pending Application.....	4		
F. Notice of ARB Decision	4		
G. Effect on Building Permit or Other Government Approval	5		
H. Effect of Modifications on Home Warranties	5		
I. Owner Responsibilities.....	5		
SECTION III - RESIDENTIAL ARCHITECTURAL CRITERIA.....	6		
A. Architectural Character	6		
B. Architectural Impact on Nearby Property.	6		
C. Standards May Vary	6		
D. Waiver of Standards	6		
E. Home and Lot Modifications.....	6		
1. Approved Materials.....	6		
2. Architectural Design	6		
3. Covered Patios.....	6		
4. Decorations.....	6		
5. Decorative Outdoor Furniture	7		
6. Exposed Rafters.....	7		
7. Fence/Gates	7		
8. Flags and Flagpoles.....	7		
9. Front Area and Courtyard	7		
10. Front Door	7		
11. Front Entryway and Porch.....	7		
12. Gutters and Downspouts.....	7		
13. Height of Building.....	8		
14. Hurricane Protective Systems (Hurricane Shutters).....	8		
15. Lot Drainage/Roof Drainage.....	8		
16. Pergola/ & Similar Structures	8		
17. Sports Equipment.....	8		
18. Setback Lines	8		
19. Shade Devices.....	8		
20. Shutters and Window Boxes.....	8		
21. Roofs.....	9		
22. Wall Height.....	9		
23. Water Features	9		
24. Yard Furniture.....	9		
SECTION IV - LANDSCAPE AND HARDSCAPE GUIDELINES	10		
A. Landscaping	10		
B. Plantings.	10		
C. Landscaping for Lots.....	10		
1. Commonly Used Plant Material	10		
2. Artificial Vegetation.....	10		
3. Irrigation Systems.....	10		
4. Wells.	10		
5. Landscape and Lawn Maintenance	10		
6. Planting Beds.....	10		
7. Vegetable Gardens.....	10		
8. Fruit Trees	11		
9. Shade Trees.....	11		
10. Swales	11		
D. General Landscaping Criteria	11		
1. Approvals.....	11		
2. Permitted Ground Cover	11		
3. Shrubbery.....	11		
4. Living Tree Removal.....	12		
5. Dead or Diseased Plantings	12		
6. Natural Vegetation.....	12		
7. Restrictions on Paved Cover.....	12		
E. Landscape Accessories.....	12		
1. Bird Houses/Feeders	12		
2. Fountains.....	13		
3. Ground Mounted Landscape Accessories	13		
4. Holiday Decorative Accessories	13		
F. Plastic Sheeting	13		
G. Fencing.....	13		
1. Townhome Lots.....	13		
2. ARB Approval.	13		
3. Procedure for Submitting a Fence Request to the ARB.....	13		
4. Fencing Guidelines.....	13		
H. Privacy Hedging/Plantings.....	14		
1. Antennas, Aerials, and Satellite Dishes .	15		
2. Exterior Appliances	15		
3. Exterior Sound Emitting Devices.....	15		

4. Interior Water Treatment	15	4. Landscape Requirements	17
5. Mechanical Equipment.....	15	5. Landscape/Walkways.....	17
6. Roof Top Decorations	15	6. Large Bushes/Trees	17
7. Storage Pods, Dumpsters in a Bag, or Roll off Dumpsters.....	15	7. Spotlights/Floodlights.....	17
8. Window and Roof Mounted Equipment.	15	O. Mailboxes.....	17
J. Waste & Recycling Containers.....	15	P. Pools, Spas, and Water Features	17
K. Sheds.....	16	Q. Outdoor Kitchens.....	18
L. Signage	16	SECTION V - ENFORCEMENT OF GUIDELINES AND ARBACTIONS	19
1. General Limitations	16	SECTION VI - AMENDMENTS TO ARCHITECTURAL CRITERIA	19
2. For Sale/Rent	16	SECTION VII - DECLARANT IMPROVEMENTS	19
M. Other Prohibited Exterior Features	16		
N. Lighting	17		
1. Fence/Building Mounted.....	17		
2. Holiday Lighting	17		
3. Lampposts	17		

SECTION I - INTRODUCTION

- A. Welcome to Silver Falls.** Silver Falls (the “**Community**”) is a community designed to respect the visual character of its site and strives to minimize its environmental impact while maximizing water and energy conservation principles, all to the extent feasible and as determined by Declarant in its sole discretion. In order to preserve and enhance these principles, these design guidelines (the “**Design Guidelines**”) were established to maintain certain standards by which the Community may grow and develop.

These Design Guidelines have been prepared by Lennar Homes, LLC, a Florida limited liability company, as the “**Declarant**” pursuant to the Community Declaration for Silver Falls Homeowners Association, Inc., as amended and supplemented from time-to-time, (the “**Declaration**”) recorded with the Clerk of Court in St. Johns County, Florida. These Design Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and in these Design Guidelines. It is the intent of Declarant that these Design Guidelines operate as such term is defined in the Declaration. All references to “**Design Guidelines**” in the Declaration shall mean and refer to these Design Guidelines. ALL CAPITALIZED TERMS USED AND NOT OTHERWISE DEFINED HEREIN SHALL HAVE THE MEANINGS SET FORTH IN THE DECLARATION.

These Design Guidelines provide 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. These Design Guidelines include 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 judicious review of proposed new developments and changes within the Community.

- B. Master Declarant Approval.** All matters that are subject to architectural review and approval shall also be subject to the review and approval of the Master Association in accordance with the terms of the Master Declaration.
- C. Governmental Requirements.** All Owners have 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 Agency(ies)**”) before beginning ARB approved work on a project or enhancement. (For example, St. Johns 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 ARB if so requested.)

To the extent that any governmental requirement requires a more restrictive standard than those found in these Design Guidelines or the Declaration, the governmental requirement shall prevail. To the extent that the governmental requirement is less restrictive than these Design Guidelines or the Declaration, the Declaration and these Design Guidelines shall prevail.

- D. Required Approvals for Modification Activity.** Each Owner is required to submit an application to the ARB and the Master Declarant, and request the review of plans for any modification, addition, or improvement to the exterior of his/her Home or upon his/her Lot (“**Modification Activity**”) prior to beginning the Modification Activity. Modification Activity, shall include, but is not limited to:
- The removal of any tree.
 - Constructing improvements on a Lot.

- Modifying or adding to existing improvements (other than repainting an improvement in its original color or replacing dead plant with the same or similar plant.).
- Installing a fountain, pool, spa, or other water feature.
- Constructing or installing fences, walls, decks, fireplaces, permanent outdoor barbecues, or other hardscape, such as walks, driveways, paving, brick, masonry, railroad ties, wood trim, concrete, rocks, flagstone, or any inert material.
- 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, flags, or lawn ornaments.

These Design Guidelines and the Declaration may identify permitted exceptions.

All applications shall be submitted to the ARB 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. Beginning or completing the Modification Activity prior to approval by the ARB does not mean that the approval requirement is waived. An Owner may be required to remove or correct any Modification Activity if not approved.

Notwithstanding anything to the contrary contained in the Declaration or these Design Guidelines, any improvements of any nature made or to be made by the Declarant, its contractors, agents, and/or assigns, including, without limitation, improvements made or to be made to the Common Areas or any Lot or Home, shall not be subject to the Design Guidelines and/or review and approval by the ARB or the Association.

- E. Variance Requests.** Owners may request a variance to these Design Guidelines by submitting an ARB variance request form. Any variance request must include supporting documentation as to why an Owner believes that a variance should be granted on their specific Lot. Any variance granted by the ARB shall be considered unique to that specific application and property and shall not set a precedent for future ARB decisions.
- F. Inspections.** The ARB may appoint members or representatives to conduct inspections of any Modification Activity in progress and completed work. These inspections may be conducted during reasonable daytime hours, after the approval of an application prior to the commencement of work and at completion of work in order to ensure that the work complies with the approved application. However, the ARB has no obligation to ensure that the work is done in compliance with approved plans or government requirements.
- G. Conditions for Commencement of Work.** NO WORK SHALL COMMENCE ON ANY MODIFICATION ACTIVITY UNTIL AN APPLICATION FOR THE WORK HAS BEEN SUBMITTED TO, **AND APPROVED** BY, THE MASTER DECLARANT.
- H. Applying for Approvals from Government Agencies.** Unless otherwise expressly approved in writing by the ARB, **prior** to submittal of a request for a permit or approval from any Government Agency, the Owner must obtain the approval of the ARB 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 ARB, the Owner must re-submit the proposed change to the ARB. Unless required by applicable law, approval by a Government Agency shall not bind the ARB with respect to a permit or approval from the Government Agency which differs from the approval by the ARB.

SECTION II - APPLICATION REQUIREMENTS

A. Applications. All applications shall include the following:

1. Owner Information. Name of Owner(s) and Owner(s) contact information.
2. Lot Information. Lot number, phase number, and street address.
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.

B. Landscaping or Site Work Affecting Landscaping. Such applications shall include the following:

1. Name of Landscape Designer. Name of any landscape designer involved in preparing the landscaping plans, including the landscape designer's street address and contact information.
2. Landscape Plans. One (1) hard copy or a digital PDF copy of the landscape plans, including (unless otherwise expressly approved by the ARB):
 - a. All landscaping shall be in accordance with the requirements of the Development of Regional Impact Order enacted by the County under Resolution No. 2019-165, as amended (the "DRI"), Planned Unit Development Ordinance Number 2019-33, as enacted by the County, as the same may be amended (the "PUD") and the County's landscape ordinances Nothing herein shall be construed to be less than nor to reduce such requirements.
 - b. 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: Lot, Common Area, retention/detention areas, etc.); and location or edge of streets, sidewalks, walls, fences, houses, decks, patios, walks and drives. Minimum scale of drawings to be 1 inch = 20 feet.
 - c. 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 the application to assist the ARB in understanding the application.
 - d. Existing site drainage, including drainage structures, direction and slope of flow and any proposed alterations to this drainage.
 - e. All trees, shrubs, screen material, berms, paving patterns, groundcover areas and any other elements necessary to convey the design intent shall be shown. Plans submitted for approval shall have botanical and common names, height, container size, spread and quantities of all plant material. Plant distances, in the case of hedge material and groundcovers, and spot elevations where earthwork is part of the design intent, will also be required and must be 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".
 - f. 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/Contractor. Name of any architect or contractor involved in preparing the proposed plans, including the architect or contractor's street address and contact information.
2. Proposed Plans. One (1) hard copy or a digital PDF copy of the proposed plans, including (unless otherwise expressly approved by the ARB):
 - 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: Lot, Common Area, retention/detention areas, etc.); and location or edge of streets, walks, walls, fences, houses, utility equipment, decks, patios, and drives. Minimum scale of drawings to be 1 inch = 10 feet.
 - b. Existing and proposed floor plan.
 - c. Existing elevation (photograph 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. If Owner intends to repaint all or a portion of their Home in a different color than it was originally painted, Owner must submit actual paint swatches, as well as color photos of the Homes on either side and directly across the street from the respective Home. The following colors are prohibited within the Community: red, bright yellow, bright green, pink, purple and similar loud colors.
 - 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.
 - f. Minimum scale of floor plan, elevation, and sections shall be ¼ inch = 1 foot.

D. Property Management Review of Selected Modifications. The ARB may delegate authority to the property manager to review and approve specific routine modifications for the convenience of Owners. If the approval decision is not clear-cut, the property manager will forward the application to the ARB for a decision.

E. Review Procedure and Notice of Pending Application. Unless otherwise expressly approved by the ARB, the ARB shall review each application based solely on the information contained within the application. If the Modification Activity is, in the opinion of the ARB, likely to be controversial or a matter of substantial community interest, the ARB may require that a notice or sign, in a form approved by the ARB, be placed on the property for a reasonable time to give notice of the pending application.

Reasonable efforts shall be made by the ARB to respond to an application within ten (10) business days of receipt of all required information. However, the ARB shall have up to thirty (30) days upon receipt of all required information to render a decision. Any requests shall be deemed disapproved if the ARB fails to issue a written approval or disapproval with thirty (30) days of the proper submission of all required documentation. Disapproval by the ARB may be appealed to the Board of Directors, and the determinations of the Board of Directors shall be dispositive.

F. Notice of ARB Decision. Upon completion of review by the ARB, one set of plans or a digital PDF packet shall be returned to the Owner accompanied by a letter or cover page indicating the ARB's decision. The action of the ARB shall be stated in one of the following ways:

1. "Approved." The entire application submitted is approved in total.

2. “Approved as Noted.” The application submitted is partially approved or approved with conditions. An Owner may only proceed with the work to be performed if it complies with all conditions set forth in the letter from the ARB, or on or in any document enclosed with the approved packet.
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 ARB 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 ARB, such modifications must also be approved by the ARB in order for the Owner to proceed with the Modification Activity.

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

I. Owner Responsibilities. It is the responsibility of each Owner to comply with all requirements of these Design Guidelines in addition to the Declaration and any applicable supplemental Rules and Regulations.

SECTION III - RESIDENTIAL ARCHITECTURAL CRITERIA

- A. Architectural Character.** Original Home styles are to be maintained except as approved by the ARB.
- B. Architectural Impact on Nearby Property.** Applications for additions to a structure shall be reviewed for proximity to setback lines, impact on drainage and significant buffering foliage, and access for drainage and utilities. Where the ARB determines that there is a significant adverse impact, the application will be “not approved” or “approved as noted”.
- C. Standards May Vary.** Design or exterior changes appropriate for property in one area may not be applicable to another area.
- D. Waiver of Standards.** The ARB shall have the right, in its sole discretion, to waive, in writing, specific standards as they apply to a particular application if the ARB 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 these Design Guidelines and the Community. Any waiver shall be limited to the maximum extent feasible while responding to the special conditions or factors. Such variances may only be granted when unique circumstances dictate and no variance shall (i) be effective unless in writing, (ii) be contrary to the restrictions set forth in the Declaration, or (iii) stop the ARB from denying a variance in other circumstances. The approval of an application shall not be construed as creating any obligation on the part of the ARB to approve applications involving similar designs for different Lots. The ARB may authorize variances from compliance with any of the Design Guidelines.

E. Home and Lot Modifications.

1. Approved Materials. Unless expressly approved by the ARB, all materials used in maintenance, repair, additions, and alterations shall match those used in the original construction of the Home as to color, composition, type, and method of attachment. When house, storm or hurricane windows are added or replaced with new materials, the description, trim color and glazing specifications on those 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 ARB 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 ARB.
3. Covered Patios. Homes with a covered patio may later enclose the patio with screening or a combination of windows, doors, and screening approved by the ARB. Patio or pool screened enclosures shall be permitted subject to approval. If the proposed enclosure comes with a roof, then it shall be consistent with the main house roof (i.e., use same color and type of roof shingle). All screened structures must be constructed using dark bronze aluminum framing and black or charcoal screening. 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 written approval by, the ARB. Conversion to a conditioned living space may void warranties the Owner has from the Declarant or any applicable third party.
4. Decorations. Decorations attached to walls, on pedestals, or suspended from a covered structure are acceptable if the decorative features are in harmony with the property’s frontal view, in the sole discretion of the ARB. All decorations are subject to approval by the ARB.

5. Decorative Outdoor Furniture. Decorative furniture shall be in harmony with the frontal view in style and color, in the sole discretion of the ARB. Furniture in the front of the Home may only be placed on the front porch. All decorative furniture must be designated as outdoor furniture and shall be subject to approval by the ARB.
6. Exposed Rafters. Exposed rafter type covers shall match the Home 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 written approval by, the ARB.
7. Fence/Gates. Refer to Section IV(F) on page 15 of these Design Guidelines.
8. Flags and Flagpoles. No flag or banner shall be exhibited, displayed, inscribed, painted or affixed in, or upon any part of the Community that is visible from the outside without prior written approval from the ARB (other than those exceptions listed within the Declaration). Homeowners may display up to two (2) of the following flags in a respectful manner:
 - i. The United States flag
 - ii. The official flag of the State of Florida
 - iii. A flag that represents the U.S. Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.
 - iv. A POW-MIA flag.
 - v. A first responder flag.

Each Owner may display one (1) official United States flag, not larger than four and one-half feet (4 ½') by six feet (6') and may additionally display one (1) flag from the list above. Such additional flag must be equal in size to or smaller than the United States flag. Each owner may erect one (1) freestanding flagpole that is no more than twenty feet (20') high on any portion of such Owner's Lot if the flagpole does not obstruct sightlines at intersections and is not erected within or upon any easement. The flagpole may not be installed any closer than ten feet (10') from the back of curb, or within ten feet (10') of any Lot boundary line. 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. Notwithstanding the foregoing, decorative flags for sports teams may be displayed during said team's regular season and through the end of its regular season (including playoffs, if applicable), but such decorative sports flags must be immediately removed after the end of such team's regular season. Flags and signs for sports teams cannot exceed six (6) square feet.

9. Front Area and Courtyard. Front courtyards with fence structures are not permitted. No part of the front entry/porch/courtyard/garage shall be enclosed by screen or full walled (floor to ceiling) structure.
10. Front Door. Front doors shall be painted a solid color that shall be compatible to the color of the Home. Materials used shall be suitable for front door installations. Storm doors and screens shall be of manmade material (e.g. no wood storm doors).
11. Front Entryway and Porch. Modifications to the front entryway and porch which are visible from the street must be in compliance with these Design Guidelines and aesthetically in harmony with the individual and neighboring properties and shall be made only after application to, and written approval by, the ARB.
12. Gutters and Downspouts. The location, type, and color of all gutters, downspouts, splashguards, and gutter guards, shall be approved by the ARB prior to installation. 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 6" and 7" wide, and constructed of aluminum or copper. Gutters may be exposed only if painted properly to match the fascia, wall or column.
 - b. Splash Guards. All splash guards shall match the color of the gutters.
 - c. Gutter Guards. All gutter guards shall match either the color of the shingles or the 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 preferred dimensions for all downspouts is 3"x 4". Downspouts may be exposed only if painted properly to match the fascia, wall or column.

Homes with copper gutters shall have copper downspouts. Owner should make every effort to prevent downspouts from being installed on the front of the Home. The preferred location for downspouts shall be the sides and/or back of the Home. However, the ARB understands that this is not always feasible and will approve downspouts on the front of the Home based on the recommendation from the gutter installation company.

- 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 color of Home.
13. 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.
14. 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. If approved, mounting brackets but no tracks or other similar fixtures, may be permanently installed on the Home. The system may not be implemented earlier than forty-eight (48) hours prior to the expected arrival of a hurricane and must be removed or opened within seventy-two (72) hours after the end of a hurricane watch or warning or as the Board may determine otherwise. Notwithstanding the foregoing, in the event of an emergency and issued storm warning, Owners may install temporary emergency storm protective window coverings up to seventy-two (72) hours prior to the expected arrival of a storm, which must be removed within seventy-two (72) hours after the end of such storm.
15. Lot Drainage/Roof Drainage. As provided for in the Declaration, no person shall alter the drainage flow of the Stormwater Management System, including buffer areas or swales, without prior written approval of the St. Johns River Water Management District and the ARB. 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.
16. Pergola/ & Similar Structures. Pergolas, , and similar freestanding structures are allowed as may be permitted by the ARB. Application for size, materials, and placement shall be submitted to and approved by the ARB prior to installation.
17. Sports Equipment. Except as may be permitted by the ARB, no recreational, playground or sports equipment shall be installed or placed within or about any portion of a Lot. All bicycles, tricycles, scooters, skateboards, and other play equipment, wading pools, baby strollers and similar items shall be stored so that such items are not visible from any portion of the Common Area or any other Lot. Except as approved by the ARB (which approval may be withheld in the ARB's sole and absolute discretion), no basketball backboards, skateboard ramps, or play structures will be permitted. Temporary basketball goals are allowed but must be stored out of site when not in use. Such approved equipment shall be located at the rear of the Lots or on the inside portion of corner Lots within the setback lines. Treehouses or platforms of a similar nature shall not be constructed on any part of a Lot.
18. Setback Lines. Setback lines for the Community are usually defined by the Declarant or County and recorded on the applicable Plat 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 Agency. The minimum setbacks are set forth in part in **Exhibit A**. If a Lot has more stringent setbacks than those in **Exhibit A**, the more stringent setbacks shall apply.
19. Shade Devices. Man-made screens, shade devices and awnings are not allowed.
20. Shutters and Window Boxes. Upon approval by the ARB, 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 and overall aesthetic of the Community.

21. Roofs. Roof pitches for 1 story homes shall be 6:12 or higher. Roof pitches for 2 story homes shall be 4:12 or higher. Lower roof pitches will be considered by the Review Parties on an individual basis for minor components of the main roof (i.e., dormers, porches, bay windows, etc., if compatible with a particular style.) No flat roofs shall be permitted. The only shingle colors that shall be permitted within the Community are Owens Corning Oakridge Style in the colors of Driftwood, Estate Grey, or Onyx Black. Mansard roofs and Gambrel roofs, characterized by steep lower slope and flatter upper portion, shall not be permitted.
22. Wall 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.
23. Water Features. The maximum depth of a water feature (e.g., Koi pond) is two (2) feet.
24. Yard Furniture. Furniture and patio umbrellas are not permitted in front yards, including courtyards. Yard furniture (e.g., lawn chairs, lounges, gliders, tables, and umbrellas) in rear yards shall be placed no closer than twenty (20) feet to the nearest property line and must be placed on hardscape material adjacent to the Home.

SECTION IV - LANDSCAPE AND HARDSCAPE GUIDELINES

- A. Landscaping.** Each Owner within the Community shall be responsible for maintaining, repairing, and replacing all landscape and irrigation improvements originally installed by the Declarant on the Lots as provided in the Declaration. Any additional landscaping approved by the ARB and added by an Owner shall be included in the Owner's weekly landscape maintenance schedule.
- B. Plantings.** Landscaping plantings shall be subject to approval by the ARB. 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 ARB. 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.
- C. Landscaping for Lots.** The following criteria should be considered when selecting plants for use within the Community:
- Native species and evergreens.
 - Relatively resistant to insects and diseases.
 - Cold hardy material.
 - Adaptability to existing soil conditions.
 - Long life expectancy.
 - Florida Friendly
1. Commonly Used Plant Material. Refer to **Exhibit C** for a list and description of recommended plant materials. Plant material shall be Florida No. 1 grade or better. Yards shall be completely sodded with an approved sod type. Lots must be completely sodded to the property line. Use of annual plants in planting beds is acceptable upon approval by the ARB.
 2. Artificial Vegetation. Except as otherwise permitted by Florida law, no artificial grass, plants or other artificial vegetation, rocks, or other landscape devices shall be placed or maintained upon the exterior portion of any Lot, unless approved by the ARB.
 3. Irrigation Systems. All developed Lots and landscaped plantings shall be maintained by a fully automatic underground watering system. Plant material in all yards shall be 100% irrigated. The irrigation system shall comply with the applicable utility company's rules and all rules of any governmental agency having jurisdiction. The irrigation system shall be designed with "smart" technology to conserve water. Pop-up sprinklers or low pressure staked heads shall be used in all irrigated areas. Each tree planted subject to the landscape requirements shall have a bubbler nozzle installed as part of the irrigation system. When using sprinklers, care should be taken to avoid over spray on patios, sidewalks, streets, and driveways ("**Hardscape**"), structures, windows, and adjacent properties.
 4. Wells. No individual wells or septic tanks will be permitted on any Lot.
 5. Landscape and Lawn Maintenance. Owner maintenance of the lawn shall include planting, sodding, and maintaining of the landscaping, shrubbery, lawn, mowing of sod or turf, 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.
 6. Planting Beds. The planting beds that were constructed or installed by the Declarant (or previously approved via the modifications process) may be planted, upon approval by the ARB, with any plants from the list of the commonly used plants found in **Exhibit C** or other ARB-approved plants.
 7. Vegetable Gardens. All vegetable gardens and their locations shall be submitted to the ARB and are subject to approval by the ARB. Owners shall take care to install vegetable gardens in the least visible location on a Lot from the road or Common Area and the approval of a vegetable garden may come with requirements to screen said vegetable gardens from view of the road or Common Area. The ARB may

also place limits on the size of vegetable gardens based on the size of the Owner's Lot. Owner will also be required to maintain the vegetable garden in a neat and attractive condition and if Owner no longer wants or needs a vegetable garden, Owner shall be required to remove the vegetable garden and resod and irrigate the vegetable garden's location.

8. **Fruit Trees.** Lots may contain no more than two (2) fruit bearing trees at any one time. The location and type of fruit bearing tree shall be subject to ARB review and approval. All fruit bearing trees shall be located in the rear of the property. All fruit bearing trees must be maintained in good condition which shall include fertilizing, pruning, and harvesting of fruit as proscribed by the University of Florida's Institute of Food and Agricultural Sciences division as well as the consistent removal and disposal of fruit that has fallen from the fruit bearing trees.
9. **Shade Trees.** Shade trees shall be species with a mature spread of twelve feet (12') minimum and having a trunk which can be maintained in a clean condition with at least three (3') feet of clear trunk. Shade trees shall be a minimum of eight (8') feet in height when planted. Trunk caliper shall be minimum of two (2) inches. A minimum of one (1) shade tree as outlined in this document, or the minimum required by the County, whichever is greater, shall be on each lot planted in the front yard. Additionally, the street side elevation on side yards of corner lots require two (2) additional shade trees to be planted.
10. **Swales.** Plants, flowers, shrubs, and trees shall not be planted in the swale so as to obstruct storm drainage along the side yards of the Lot.

D. General Landscaping Criteria. All front lot elevations require landscaping. In addition, the street side elevation of side yards on corner lots shall require landscaping. Plant material shall be Florida No. 1 grade or better. Basic planting requirements should, at a minimum, address the following areas:

1. **Approvals.** The ARB may reject any proposed plant it considers inappropriate.
2. **Permitted Ground Cover.** The ground surfaces of all Lots, except those 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 ARB. If a living ground cover is proposed in place of the sodded lawn, it shall be planted and mulched in a manner to present a finished appearance within three months after planting. For the purpose of these Design Guidelines, 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. Retention/Detention Area Slopes and banks are included in the sod buffer. The Lot Owner shall hold harmless the Declarant, the Association, and the Association's management company for any property damage, including damage to the Home, 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. **Shrubbery.** Hedge shrubs shall be a minimum three-gallon (3 gal.) plant, be of a minimum height of twenty-four inches (24") immediately after planting and shall be planted at a distance of a minimum of eighteen inches (18") on center and a maximum of twenty-four inches (24") on center and conditional that the hedge shrubs are capable of growing to close all gaps within the first year after planting. Accent shrubs shall be a minimum seven-gallon (7 gal.) plant, be a minimum height of forty-eight inches (48") immediately after planting and shall be installed as a contiguous design element to accent the hedge shrub

material. Groundcovers shall be a minimum one-gallon (1 gal.) plant and shall be planted at a distance of a maximum of twelve inches (12") on center.

4. **Living Tree Removal.** No tree or shrub, the trunk of which exceeds six inches (6") or in diameter one foot (1") above ground, shall be cut down, destroyed or removed from a Lot without the prior express written consent of the Declarant. Exceptions to this are trees that pose an imminent hazard to persons or property. Hazardous trees are those that are uprooted and leaning or have large limbs or branches that splintered or are otherwise damaged resulting in debris that may fall without warning. Owners removing hazardous trees without approval shall have written documentation and/or photographs of the hazard before removal. Trees approved for removal shall be cut at or ground down to grade level. Any trees removed with or without approval from the ARB will be required to be replaced with a like kind and size tree. Shade trees shall be species with a mature spread of twelve feet (12') minimum and having a trunk which can be maintained in a clean condition with at least three (3') feet of clear trunk. Shade trees shall be a minimum of eight (8') feet in height when planted. Trunk caliper shall be minimum of two (2) inches. A minimum of one (1) shade tree, or the minimum required by the County, whichever is greater, shall be installed on each lot planted in the front yard. Additionally, the street side elevation on side yards of corner lots require two (2) additional shade trees to be planted.
5. **Dead or Diseased Plantings.** Any plant material, trees or sod which dies or becomes unsightly after installation will be replaced by the homeowner with approved plants within 2 weeks or any notification by either of the Review Parties. Dead or terminally diseased plantings shall be removed by the Owner and all material resulting from removal of the diseased plantings should be disposed of properly. All material resulting from tree removal must be disposed of properly. Any trees removed with or without approval from the ARB will be required to be replaced with a like kind and size tree.
6. **Natural Vegetation.** Natural vegetation shall be maintained to its appearance at the time Owner takes possession of the Home.
7. **Restrictions on Paved Cover.** Walkways may be expanded to a maximum of forty-eight (48) inches wide upon approval by the ARB and the expansion material shall be restricted to the existing walkway material. All driveways shall be constructed with pavers. The pavers shall be either the Belgard "Napoli" pattern or the Tremron "Sierra" pattern. Driveways shall not be wider than the width of the garage entrance unless extra width is approved in writing by the ARB. Other changes to walkways/driveways are limited to approved colors, patterns, texture, coatings and materials.

E. Landscape Accessories. Landscape Accessories are considered any items placed in the Lot that have not otherwise been discussed in these Design Guidelines, including, but not limited to, décor, garden flags, gnomes, and landscaping rocks. All landscape Accessories require approval from the ARB. Placement and style of all landscape Accessories shall be subject to approval on an individual basis consistent with the overall aesthetic scheme of the Community. No more than three (3) 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. **Bird Houses/Feeders.** Bat houses, butterfly houses, bird houses, and bird feeders shall be subject to review and approval by the ARB, 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.

2. **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 Lots; provided, however, no more than one fountain shall be permitted in each yard. Fountains shall be subject to review and approval by the ARB for style and placement.
3. **Ground Mounted Landscape Accessories.** 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.
4. **Holiday Decorative Accessories.** Temporary statues, artifacts, and other holiday decorative landscaping Accessories are allowed within a reasonable period prior to, during, and after a holiday season; provided that all such items shall be removed fourteen (14) days after the holiday, unless otherwise specifically authorized in the Declaration.

F. 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 approval of the ARB. All weed control fabrics must be kept thoroughly covered with a three (3) to four (4) inch layer of approved mulch material.

G. Fencing.

1. **Townhome Lots.** No walls or fences shall be erected or installed within a Townhome Lot, except walls or fences installed by the Declarant or Builders.
2. **ARB Approval.** ARB approval of the type, style, height, location, color and material of fencing must be obtained by all Owners **PRIOR** to beginning the installation of a fence inside the Community.
3. **Procedure for Submitting a Fence Request to the ARB.** All Owners shall be required to submit an application to the ARB. The application shall include:
 - a. A Site Plan showing all of the following:
 - i. Property boundaries,
 - ii. Lot number or address,
 - iii. All easements,
 - iv. All improvements on the Lot,
 - v. Proposed fence location,
 - vi. Proposed locations of all gates, and
 - vii. Location and style of any adjoining fences.
 - b. A fencing spec sheet showing:
 - i. Style/Type,
 - ii. Material,
 - iii. Height, and
 - iv. Color.

**Failure to submit the above listed items may delay the approval of your fence application or result in a denial of such application.*

4. **Fencing Guidelines.** Fences shall not be installed flush to the ground so that drainage will be blocked in any way. Fences are permitted only on the rear and portions of the side yard of a Lot in the Community as follows:
 - a. The approved fencing style/type in the Community shall be limited to only 4' transparent two rail black aluminum ornamental fencing with vertical slats no closer than four inches (4") apart (mandatory for Lots adjacent to retention/detention areas or other water bodies) and 6' white vinyl

privacy fencing that is comprised of solid white vinyl material that is five feet (5') high and white vinyl lattice that is one foot (1') high (see **Exhibit D**).

- b. Electric, underground, or invisible pet containment fencing is permitted inside the Community but must be submitted and approved by the ARB prior to installation. Any invisible fencing approved on a Lot must be installed along the setback lines and may not extend any closer than ten (10) feet from the sidewalk (or curb if no sidewalk on that side of the street) as measured from the inside edge (edge closest to the Home).

****Please Note:** This type of fencing shall be used only as a secondary measure for pet containment and does not preclude Owner from the requirement that all pets be kept on a leash or contained inside a fully fenced yard. "Fully fenced" shall mean an area of containment created by a physical, visible and tangible barrier as approved by the ARB.*

- c. Due to the various types of Lot locations in the Community, the Declarant has set forth restrictions on certain Lots within the Community. Privacy fencing shall not be allowed on the street sides of corner lots, lakefront lots, or facing the front of any lot. (see **Exhibit E** for further clarification as to the type of fence that may be installed on each Lot). Where a privacy fence joins the aluminum fence the privacy fence panel joining the aluminum fence shall slope down to the height of the aluminum fence. Structure side and support posts shall face the inside of the lot.
- d. All fences constructed on Lots must be constructed along the property boundary (See **Exhibits F**, for fence location criteria). All side yard fences must terminate no further than 1/2 of the way up the side of the Home as measured from the rear of the Home. No fences are allowed in front yards.

- a. ****Specialty Lot Conditions:** The ARB may allow fencing of corner lots with aluminum fencing after review of specific lot configurations and site plans. Any fencing allowed on corner lots must be screened from view by Ligustrum, Wax Myrtle or other similar approved landscaping.*

- e. All Lots backing up to any retention/detention area or other water body must install a gate on the rear property line in order to allow access to perform landscape maintenance up to the water's edge, to the extent required by the Declaration.
- f. Adjoining property owners shall share common side yard fences as parallel fences are not permitted in the Community. There may be exceptions to this rule where an access easement is shared by two Owners.
- g. Certain prominent locations within the Community require specialty conditions to achieve the overall theme of the Community. The fencing type and configuration allowed on these Lots will be determined on a case-by-case basis and will take into account the current and future configuration of fencing on adjoining and abutting Lots. The ARB or Declarant shall also have the authority to require a landscape buffer or landscape screen be installed on the interior or exterior of the approved fence to aid in overall aesthetics and appearance of the Community.

H. Privacy Hedging/Plantings. Plantings used for screening or landscaping along property lines shall require prior approval by the Reviewing Body and shall be located or designed to not interfere with swale drainage. No plant or other landscaping may be located on an easement. THE MAXIMUM HEIGHT FOR PROPERTY LINE PLANTINGS SHALL BE five (5) feet six (6) inches and all plantings and hedges shall be maintained so as not to encroach onto adjacent property. Privacy screening may not extend five (5) feet further than the structure of the Home.

I. Ancillary Equipment.

1. Antennas, Aerials, and Satellite Dishes. No exterior visible antennas, radio masts, towers, poles, aerials, satellite dishes, or other similar equipment shall be placed on any Home or Lot without the prior written approval thereof being first obtained from the ARB as required by this Declaration. Each Owner agrees that the location of such items must be first approved by the ARB in order to address the safety and welfare of the residents of SILVER OAKS. No Owner shall operate any equipment or device which will interfere with the radio or television reception of others. All antennas not covered by the Federal Communications Commission ("FCC") rules are prohibited. Installation, maintenance, and use of all antennas shall comply with the Design Guidelines and shall be governed by the then current rules of the FCC.
 - a. The following are preferred locations (see **Exhibit H** for further clarification)
 - Rear of the Home, below the ridgeline.
 - Rear of the Home, attached to the roof or the fascia.
 - Side of the Home, toward the rear, attached to the roof or fascia.
 - Side of the Home, toward the rear, attached below the eave.
 - Ground mounted, rear yard, and screened with shrubs.
 - Ground mounted, side yard, toward the rear yard, and screened with shrubs.
2. Exterior Appliances. Exterior water softeners, AC units, generators, fuel tanks, water filters, trash or compost containers/piles, and any hardscape enclosed areas shall be screened from view, insulated by a fence, wall or shrubbery so as to minimize noise.
3. Exterior Sound Emitting Devices. Any exterior sound emitting devices (speakers, sound players, insect/animal repellant/chasers, chimes, etc.) shall not create an audible nuisance to the Owners/occupants of adjacent Lots.
4. Interior Water Treatment. All interior water treatment systems shall be connected to the sewage system.
5. Mechanical Equipment. Electric meter boxes and conduits shall be painted to match the color of the exterior wall finish.
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 ARB.
7. Storage Pods, Dumpsters in a Bag, or Roll off Dumpsters. Storage pods, dumpsters in a bag, or roll off dumpster are not permitted to be stored on a Lot for more than fourteen (14) days without prior approval from the Board of Directors or the Manager, as authorized by the Board of Directors.
8. Window and Roof Mounted Equipment. Window and roof mounted equipment (including mechanical equipment or air conditioning units) 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 approval of the ARB. A sound barrier may be required for added equipment.

J. Waste & Recycling Containers All trash, garbage, and recyclables shall be stored in covered containers, which shall be kept in the garage or completely screened from view of adjacent properties and streets. All such trash receptacles shall be maintained in a sanitary condition. All trash, garbage, recycling, and refuse shall not be placed outside the Home for pick-up earlier than 7:00 p.m. on the day preceding the pick-up and shall be removed the day of pick-up. No outside burning of trash or garbage is permitted. No weeds, garbage, refuse, recycling, or debris of any kind shall be placed or permitted to accumulate upon any portion of a Lot other than normal construction debris during the course of construction of a Home.

1. Privacy Screening. "L-Shaped" privacy screens installed on the garage side of the home are permitted upon approval from the ARB. Solid waste collection receptacle pads, if constructed within the Property,

shall be designed so as to include space for recycling bins compatible with the applicable recycling program collection equipment.

(See Exhibit I)

- a. Homesites that are permitted to install white vinyl privacy fencing on their lot, may install 4' tall tan vinyl fencing of the same style against their home in an "L-Shaped pattern with the open end facing towards the rear of the property.
- b. Homesites that are only permitted to install 4' black aluminum rail may choose to install a wooden structure painted the same color as their home exterior configured in an "L-Shaped" pattern with the open end facing towards the rear of the property.
- c. Any homesite may choose to install a natural screen of shrubbery configured in an "L-Shaped" pattern with the open end facing towards the rear of the property. The shrubbery must be sufficient in size to conceal the trash cans at the time of installation.

K. Sheds. No tool or storage sheds, tents, trailers, tanks, temporary or accessory buildings or structures shall be erected or permitted to remain on any Lot.

L. Signage.

1. General Limitations. Posting of signs of any kind shall not be displayed on any Home, Lot or vehicle, that is visible from the outside, except an Owner may install one (1) ornamental flag approved by the ARB and in compliance with the Design Guidelines and Master Design Guidelines.
2. For Sale/Rent. Owners who are actively marketing the sale or rental of their Home are permitted to display one (1) "For Sale" or "For Rent" sign advertising that the property is for sale or rent, in the front yard, either to the left or right side of the driveway, that adheres to the style and dimensions set forth in **Exhibit G**. 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 or immediately upon the removal of the property from the market, whichever occurs first. No "For Sale" or "For Rent" signs shall be displayed in any windows of any completed residences or other structures.

M. Other Prohibited Exterior Features. The following features shall be prohibited from use in the Community:

- Permanent clothes lines or clothes poles on the front yard of the Lot. Only retractable clothes lines located on the rear of the Home may be permitted and all clotheslines must be able to be retracted and stored when not in use.
- Outdoor electronic pest control devices (bug zappers).
- Window A/C units.
- Above ground swimming pools.
- Dog houses and other animal dwellings.
- Dog runs and other fencing or enclosures for pets; provided, however, this restriction shall not apply to fences located on Lot lines to enclose the entirety of the rear yard of a Home.
- In-ground basketball hoops. (Free standing portable basketball hoops are permitted but must be used only on driveways and not on the street and they must be stored in the garage when not in use. Owners are also required to maintain the basketball hoop in a neat, attractive and working order. The Association may ask an Owner to remove rusted or broken basketball hoops).

Notwithstanding the above, the Declarant shall be allowed to install, or authorize its designees to install, any structure(s) necessary for purposes connected with the development of the Community.

N. Lighting. No landscape lighting or other lighting shall be installed by an Owner without the prior written approval of the ARB and in accordance with the Design Guidelines and Master Design Guidelines. No exterior lighting shall be permitted which alters the residential character of the Property. The ARB may require the removal of any lighting or decoration that creates a nuisance (e.g., unacceptable spillover to adjacent Home or excessive travel through SILVER FALLS).

1. Fence/Building Mounted. Exterior fence or building mounted light fixtures, including motion detector, spotlights and floodlights shall conform to the architecture of the Home and shall be subject to approval of the ARB. Any enclosure of a light fixture shall be designed to conceal the lamp (bulb) and to direct the light downward.
2. Holiday Lighting. Holiday lighting and decorations shall be permitted to be placed upon any portions of the Home and upon the Lot in the manner permitted hereunder commencing the week before Thanksgiving and shall be removed not later than January 15th of the following year.
3. Lampposts. No lampposts shall be permitted on any Lot.
4. Landscape Requirements. Junction boxes shall be placed below grade 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 ARB's 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 fixture locations, other than the original construction of the Home location(s), require approval of the ARB.

O. Mailboxes. The Declarant shall provide cluster mailboxes in a predetermined location. No individual mailboxes shall be permitted. The color, size, appearance, and location of the mailboxes installed by Declarant 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 approval from the ARB. Costs for replacement and/or maintenance of mailbox clusters shall be shared by the Owners. All mailbox replacements are subject to approval from the ARB.

P. Pools, Spas, and Water Features. No in-ground pools, hot tubs, spas and/or related appurtenances shall be permitted within any Townhome Lot. Above-ground pools are prohibited. All in-ground pools, hot tubs, spas, and appurtenances installed require the prior written approval of the ARB and Master Declarant. The Owner shall submit all plans to the ARB and Master Declarant for approval prior to commencing excavation. The design must incorporate, at a minimum, the following:

- 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 of not over two feet (2') above the natural grade unless approved by the ARB.
- c. Screened pool enclosures must be dark bronze aluminum with charcoal screening and shall be no higher than twelve feet (12'). Pool enclosures shall in no event be higher than the roof line of the Home. Pool enclosures shall not extend beyond the sides of the Home. **Any Lot that backs up to a body of water shall be required to screen their pool and pool deck with a dark bronze**

aluminum screen enclosure and charcoal screening in order to screen the pool and pool area from adjoining Lots and Common Area.

- Q. Outdoor Kitchens.** Outdoor kitchens and built-in barbeques shall be subject to written approval by the ARB and upon approval may be placed in the rear yard only, adjacent to the Home or patio and shall not extend laterally past the side wall of the Home. The exterior surround shall match the color and finish of the Home 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)(8) of these Design Guidelines.

SECTION V - ENFORCEMENT OF GUIDELINES AND ARBACTIONS

In the event of a violation of these Design Guidelines or any decision of the ARB, the Declarant or the Board may take any enforcement action authorized by the Bylaws or the Declaration. Any changes or amendments to these Design Guidelines 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 VI - AMENDMENTS TO ARCHITECTURAL CRITERIA

The Master Declarant may amend, modify, or supplement these Design Guidelines at any time as long as it owns any portion of the Community or has the right to annex additional property in accordance with the Declaration.

SECTION VII - DECLARANT IMPROVEMENTS

Any improvements of any nature made or to be made by the Declarant, its Contractors, agents, and assigns, including, without limitation, improvements made or to be made to the Common Areas, as applicable, or any Lot or Home owned by Declarant, shall not be subject to these Design Standards and/or review and approval by the ARB or the Association.

EXHIBIT A: BUILDING SETBACKS

The building setbacks described below are applicable to the Community and recognized by the ARB. Notwithstanding any other provision of law, all building setbacks shall meet these requirements, except for such buildings which are built by Declarant pursuant to approvals obtained from St. Johns County, as applicable.

Front Yard:	20 feet minimum
Side Yard:	5 feet minimum
Rear Yard:	10 feet minimum
Side Yard on Street Side of Corner Lot:	10 feet minimum

EXHIBIT B: APPROVED INERT & DRIVEWAY MATERIALS

INERT MATERIALS: Approved inert landscape materials shall include: bark, hardwood mulch, rock and/or stone of naturally pigmented or dark color (i.e., as found in native form), and other materials as may be approved by the ARB 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 is not acceptable as a sod substitute. Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the ARB and shall be in writing.

DRIVEWAY MATERIALS: Driveways and sidewalks shall be poured concrete or concrete pavers. The pavers shall be either the Belgard “Napoli” pattern or the Tremron “Sierra” pattern. No asphalt shall be permitted.

EXHIBIT C: COMMONLY USED PLANT MATERIALS

GROUND COVERS

<u>Botanical Name</u>	<u>Common Name</u>
Ilex Cornuta Rotunda	Dwarf Holly
Juniperus spp.	Various Juniper Ground Covers
Liriope Muscari	Lily Turf
Ophiopogon japonicus	Mondo Grass
Arachus glabrate	Perennial Peanut
Trachelospermum asiaticum	Small Leaf Jasmine

SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
Raphiolepis Indica	Indian Hawthorne
Cocculus Laurifolius	Snailseed
Ilex Burfordii	Burford Holly
Ilex Vomitoria	Yaupon Holly
Juniperus spp.	Various Juniper Shrubs
Mahonia Bealei	Leatherleaf Mahonia
Nandina Domestica	Heavenly Bamboo
Nerium Oleander	Oleander
Pittosporum spp.	Various Pittosporum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Crataegus sp.	Dwarf Tudeau Hawthorne
Ilex crenata 'Compacta'	Compacta Holly
Ilex cornuta "Carissa"	Carissa Holly
Ilex crenata "Helleri"	Helleri Holly
Rhododendron indicum	Azalea
Ternstroemia gymnanthera	Cleyera
Buxus macrophylla	Japanese Boxwood
Ilex x 'Oak Leaf'	Oak Leaf Holly
Gardenia jasminoides	August Beauty Gardenia

SHADE TREES

<u>Botanical Name</u>	<u>Common Name</u>
Quercus Virginiana	Live Oak
Quercus Laurifolia	Laurel Oak
Magnolia Grandiflora	Southern Magnolia

Nothing contained in these Guidelines shall be construed to prevent any homeowner from installing or maintaining "Florida Friendly" landscaping in accordance with Section 373.185, Florida Statutes, (2009).

EXHIBIT D: FENCE SPECIFICATIONS

Black Aluminum Picket Fence



White Vinyl Fence



EXHIBIT E: BLACK RAIL FENCING ONLY

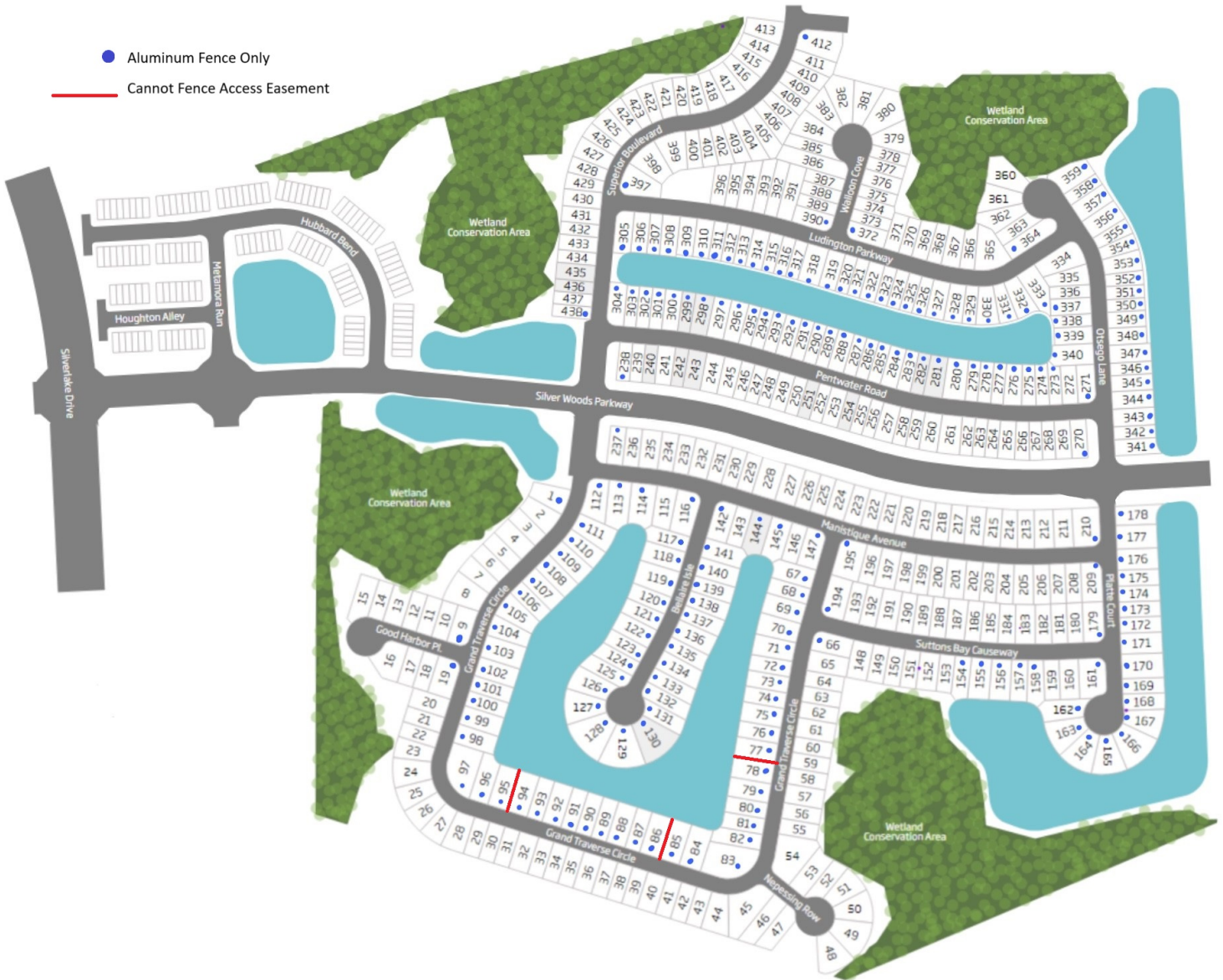


EXHIBIT F: APPROVED FENCE LOCATIONS

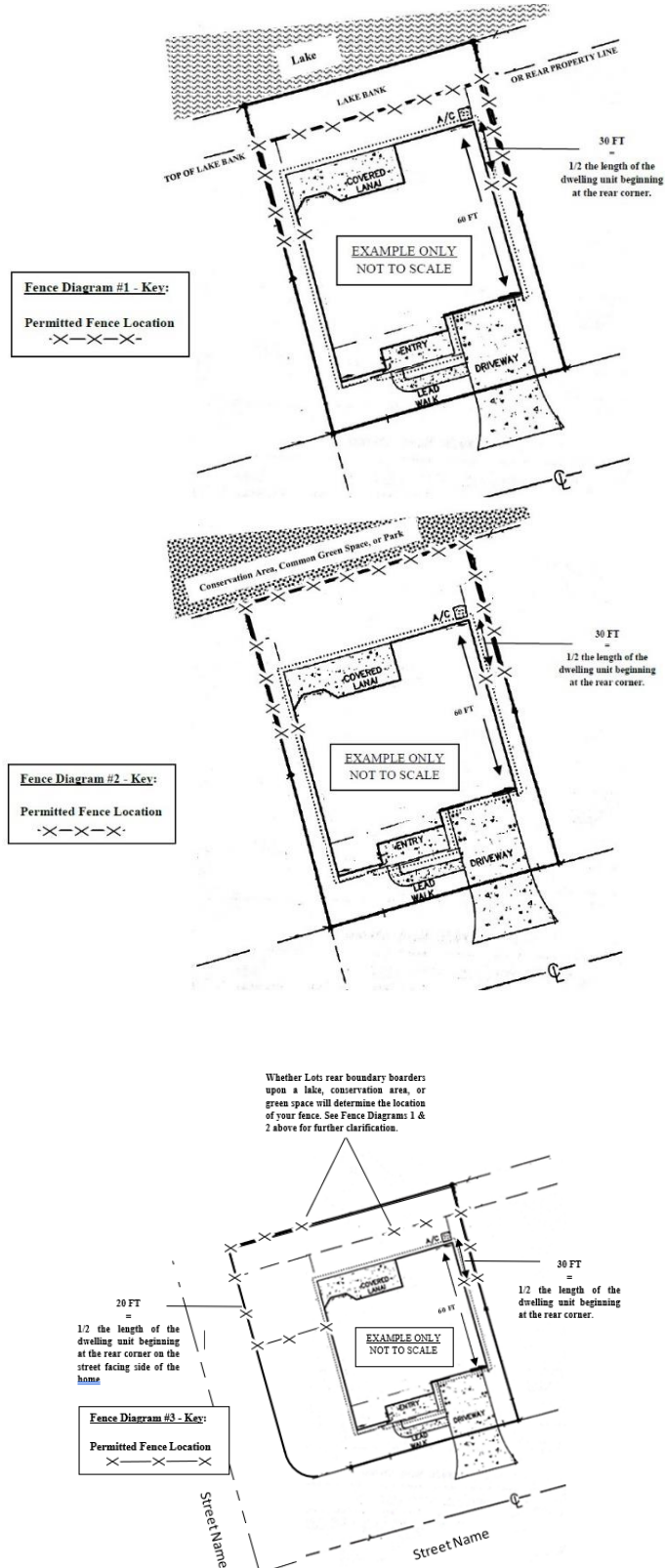


EXHIBIT G: “FOR SALE” SIGN STYLE AND DIMENSIONS

Sign stands shall be made of aluminium or rod iron and shall have dimensions of approximately 48” by 14”.

For Sale signs shall have dimensions of approximately 12” by 12”.

The “For Sale” lettering shall be cream or beige in color with a forest green background. All other lettering shall be forest green with a cream or beige background.



EXHIBIT H: ACCEPTABLE SATELLITE DISH LOCATIONS

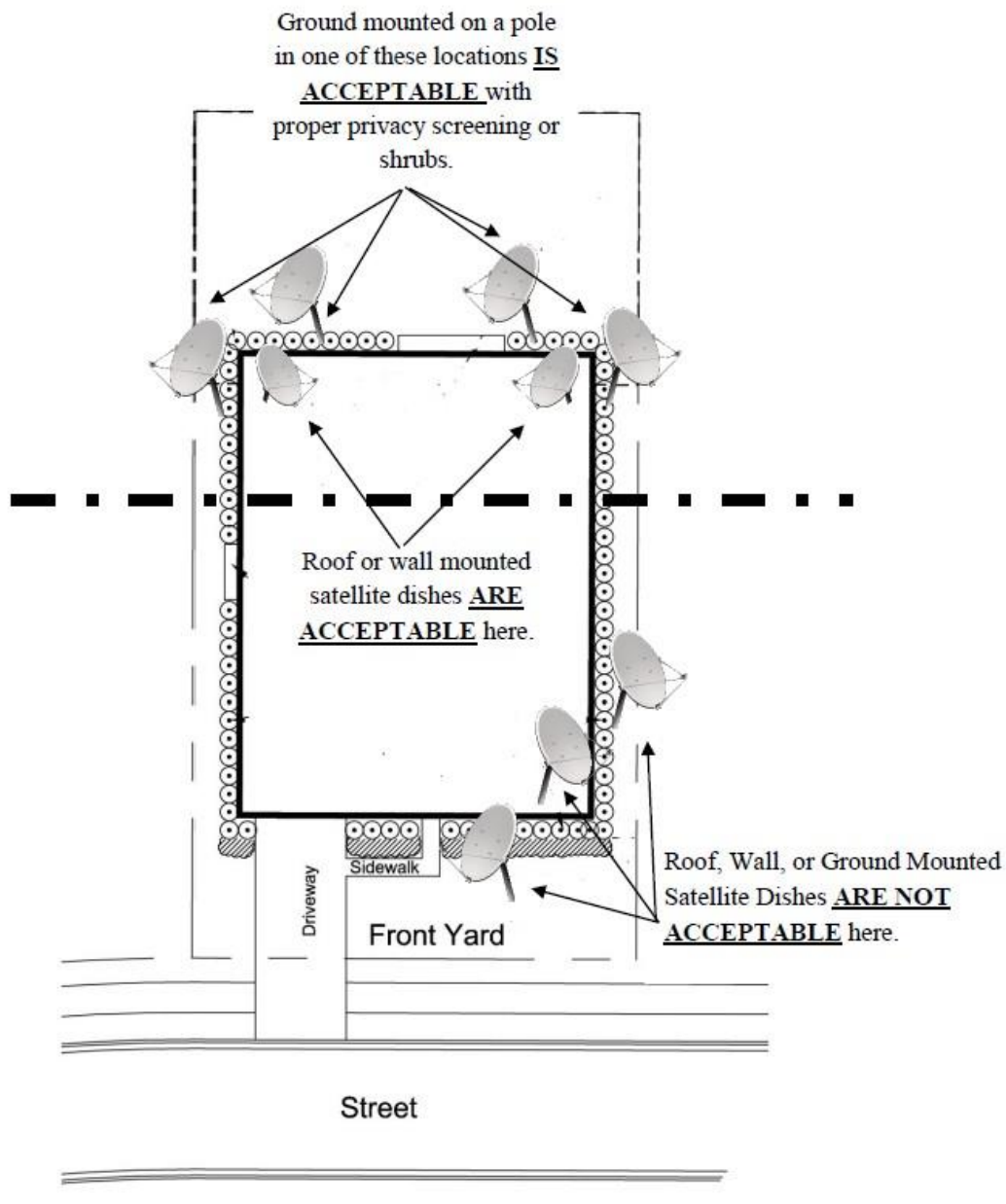


EXHIBIT I: WASTE CONTAINER PRIVACY SCREENING

a. Vinyl Fencing Option



b. Wooden Option

