

Design Review Board Guidelines Manual

Westchester of Hillsborough Homeowners Association, Inc.

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Statement of Purpose Westchester of Hillsborough Homeowners Association, Inc.

The purpose of this Design Review Guidelines Manual is to assist home purchasers to understand the criteria used to review and approve all exterior alterations, additions, modifications and changes to all existing homes and lots within Westchester (Sheffield, Newcastle & Coventry Divisions). Standards have been established to maintain a measure of quality and consistency throughout the development, and as the community matures, a standard to which the community should always meet. These standards are not intended to stifle individual creativity.

This Manual provides a means to preserve the environment of Westchester. Adherence to the standards contained within this Manual will contribute to the continuation of the inherent and natural attributes of the community as a highly desirable place to live and to the protection of property values.

Article IX of the Declaration of Covenants, Conditions and Restrictions for Westchester Phase 1 affirm a Design Review Board (DRB) and that all owners of property shall be bound by the decisions of the DRB. Furthermore, approval by the DRB is required for any improvement or structure of any kind, including, without limitation, any building, structure, wall, fence, pool, patio, paving, driveway, sidewalk, sign, landscaping, planting, irrigation, landscape device or object, or other improvement of any kind, nature or description, whether purely decorative, functional or otherwise planned to be commenced, constructed, erected, made, placed, installed or maintained upon any of the Properties. Any change, or addition to or alteration or remodeling of the exterior of any previously approved building, structure, or other improvement of any kind, including, without limitation, the painting of the same (other than painting, with the same color and type of paint which previously existed and approved) shall be made or undertaken upon any Properties except in compliance and conformance with and pursuant to plans and specifications which shall first have been submitted to and reviewed and approved in writing by the Design Review Board of Westchester.

The community was developed with the intent that homes harmonize with each other and present a pleasing and consistent style. Except as required by the governing documents, this style is not the result of a formal architectural code but rather the result of the vision of the original developers. In response to recent legislative changes, this community has adopted more detailed guidelines and standards.

To ensure the preservation of the existing harmonious design and to prevent the introduction of design that is not in keeping with the community, the Board of Directors and DRB hereby recognizes and adopts the style and form of the existing, as built (and properly approved as otherwise required by the governing documents) as the standard, which is now confirmed in this Design Review Manual which is subject to change and expansion as and when needed.

Properly exercised, this design review manual shall control, create and preserve an attractive livable community, as well as protect property values.

All authorized exterior changes are delineated in separate policies and procedures found in this manual. Each homeowner must refer to the respective policy and procedure when submitting requests for exterior changes.

ALL APPLICATIONS MUST BE IN WRITING AND BE ACCOMPANIED BY THE RELEVANT SUPPORT DOCUMENTATION. APPLICATIONS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- a) exterior house paint colors including repainting with the same color
- b) installation of skylights or roof exhaust devices
- c) satellite dishes/antennas
- d) gutters/downspouts
- e) curbscaping or other landscaped bed border
- f) changes to originally installed driveways
- g) resurfacing, painting or staining of driveways, walkways or sidewalks
- h) water softeners mounted or installed on the exterior of the house
- i) generators
- j) propane tanks
- k) solar panels
- l) replacement or removal of originally installed landscaping inclusive of trees
- m) addition of lawn ornaments
- n) wooden play structures
- o) pavers for entryways or walkways
- p) decorative shutters & awnings and permanent mountings/bolts which are affixed to home for hurricane shutter “easy install” process
- q) erection of lattice work, barriers, fences, walls, hedges or trellises
- r) portable flag poles (in accordance with Florida Statutes)
- s) changes to windows and installation of protective film
- t) swimming pools & spas
- u) screen enclosures
- v) installation of front door screens
- w) front door replacement
- x) lanais and conversion of lanais
- y) patios and other concrete pads
- z) extensions or the additions of rooms or porches
- aa) changes to the roof
- bb) storage sheds, pool cabanas, outside kitchens or similar
- cc) basketball hoops (permanent or portable)

Any subsequent changes to submissions before or during construction shall follow the same submittal guidelines as a new submission and be approved prior to commencing with the change. Any contradiction between building jurisdiction requirements and this document shall be governed by the stricter of the two requirements.

Neither the DRB, nor any member thereof, nor its duly authorized DRB representative, shall be liable to the Association or to any owner or any other person or entity for any loss, damage or injury arising out of or in any way connected with the performance or non-performance of the DRBs' duties as described in Article IX, unless such damage or injury is due to the willful misconduct or bad faith of a member.

Applicants are solely responsible for determining whether the completed improvements described in the approval comply with all applicable laws, rules, regulations, easements, codes and ordinances; including without limitation, zoning ordinances, subdivision regulations and building codes. Westchester's Board of Directors and DRB shall have no liability or obligation to determine whether such improvements comply with any such laws, rules, regulations, codes or ordinances.

If, following its review of the plans and specifications submitted to it the DRB disapproves such plans and specifications, the DRB shall advise the lot owner of the portion or items thereof which are found to be objectionable. In the event the lot owner corrects the objectionable portions, such owner may resubmit the plans and specifications, as corrected, for approval. The DRB has thirty (30) days to approve, disapprove or request additional information to process a submitted request. No building or structure shall be erected or be allowed to remain on any lot which violates any of the Covenants or Restrictions contained in the Westchester Phase 1 Declaration.

Applications that are incomplete, not submitted with a lot survey, color chips (if applicable), plans, etc. will be marked revise and resubmit. The Design Review Board shall have an additional 30 days from the date of receipt of the revised alteration application to review the application.

Applicants who receive a "denied" result may appeal in writing to the Board of Directors of the Association whose decision is final and binding as long as it is consistent with the guidelines as outlined in this manual.

Omnibus Rule

"This community was developed with the intent that homes harmonize with each other and present a pleasing and consistent style. Except as required by the sets of Governing Documents, this style is not the result of a formal architectural code but rather the result of the vision of the original developers. In response to recent legislative changes, this community is in the process of adopting more detailed guidelines and standards. To ensure the preservation of the existing harmonious design and to prevent the introduction of design that is not in keeping with the community, the Board of Directors and DRB hereby recognizes and adopts the style and form of the existing, as-built (and properly approved as otherwise required by the Governing Documents) as the standard, excluding developer variances. This standard shall continue in effect until the adoption and publication of new guidelines and standards. Owners shall be permitted to use any of the architectural styles, setbacks, colors and color combinations, materials, roof pitches and doors and windows that are already in use within the community for comparable lot types."

Frequently Asked Questions:

I have approval in writing for a modification on my Lot which is not compliant with this Manual?

If you have received past approval for a modification on your Lot that is not compliant with this Design Review Manual and you have in hand the approval documentation, then the modification as existing will be honored as approved for the lifetime of the modification. When it is time for replacement of the modification, then it will have to be replaced in a manner that complies with the Design Review Manual at the time of application.

I have a modification on my Lot and I don't OR no longer have in my possession written approval for it and it is not compliant with this Manual?

If you have a modification on your Lot that is not compliant with the Design Review Manual and you do not have any approval documentation, then you have 90 days from the date that the Design Review Manual is adopted to obtain approval consideration from the DRB. If the modification is approved within this time frame, then it will be approved contingent that when the modification needs to be replaced that it be replaced in a manner that complies with the Design Review Manual at the time of application.

Are there any guidelines in this manual which homeowners are expected to implement and if so is approval process necessary?

The Association certainly encourages all homeowners to attend to “small ticket” items to bring their Lots up to code with this manual. Specifically the following:-

- (i) Reference 9.(e)...reduce ornamental lanterns in front yard (post light) or similar to one only & change out all non-white light bulbs existing in front yard;
- (ii) Reference 9.(i)...service units (air conditioners, water softeners, pool equipment etc.) should be landscaped to obscure street view;
- (iii) Reference 11.(b)...reduce number of trellis and arbors visible from street view to one trellis or arbor only, remove any “easy to remove” pot plants from street view, remove any free-standing trellises & ensure that no more than two in total yard ornaments are displayed and/or are visible from street view;
- (iv) Reference 14...all guidelines under this heading are easily corrected with minimal expense involved;
- (v) Reference 15...all guidelines under this heading are easily corrected with minimal expense involved.

As long as the above referenced modifications are implemented in accordance with the guidelines there is no need to submit a request. It is fair and reasonable to expect homeowners to bring their Lots into compliance with the above guidelines as defined in this manual by the end of 2008.

As this is a living document...How will homeowners be made aware of changes?

The Association shall maintain a current Design Review Manual on the website at westchesterhoa.com or westchesterhoa.org and in the event owners do not have access to internet then it is obtainable from the management office.

“Modification” as used in the above applies to all exterior modifications, changes, alterations & additions.

Requirements

1. All new homes must follow the master site plan as placed on file with the building department.
2. Existing homes may not change the grade of their lot in any way in which to interfere or change drainage as originally designed for their particular lot. Any additions, pools, or other improvements must be designed to protect the original intent of the land planners.
3. Driveways, sidewalks, & entry walkways:

All driveways and walkways (defined as sidewalks from driveways to residence) must be maintained with concrete OR driveways may be excavated and paved with pavers so long as the original dimensions of the driveway are retained OR thin pavers may be installed on top of the originally installed concrete driveway. Only earth tone or grey tones for pavers are permitted and must complement the home. Walkways may be paved or veneered and all driveway extensions must be identical to the walkway finish if walkways are modified from a concrete finish. At the location where the driveway meets the street, sidewalk or curb, the materials must be flush with each other, with no change in height. Gravel, dirt, stepping stones, mulch, asphalt, grass or any other live ground cover, may not be used as paving materials. Driveway concrete stain Home Depot's Behr Solid Color Concrete Stain "Fresh Cement PFC-69 is pre-approved for concrete surfaces. All driveways, entry walkways, and street sidewalks are to be maintained weed free and clean. Driveway extensions may be no wider than two (2) feet on each side of the driveway. The extension may not be placed on the street side of the public sidewalk. Driveway extensions must complement the exterior color of the home and must be identical to the entry walk if the entry walk has been modified from a concrete finish. Street sidewalks must be maintained as originally installed (five (5) feet wide) and entry walkways must be 2 to 3 ft wide.



Two different materials for driveway and walkway is acceptable as long as one of them is concrete and the other is pavers.



Acceptable: driveway material may extend to sidewalk or to street curb



Unacceptable installation: paver material not flush with curb and street sidewalk. The paver material itself is acceptable.



Unacceptable blue stain on driveway



Unacceptable paving extending into driveway



Unacceptable: driveway extension on right hand side is in excess of 2ft



Acceptable: entryway and extension are different applications however driveway extension is concrete

3. (a) Side yard property walkway(s):

Solid concrete, asphalt or permanently installed contiguous pavers are not permitted. Only the following materials may be used for side yard walkways: gravel, dirt, stepping stones, mulch or similar other non-contiguous impervious surface material. Side yard walkways shall not exceed half the width of the side yard or be greater than 4ft wide. Side yard walkways must also be maintained in a clean and weed-free condition. Side yard walkways must not alter original drainage swales and must not change the original drainage flow.

4. Mailboxes:

All mailboxes must remain of the same type and color as originally installed by the developer. Posts shall not be repainted, except as needed to correct any signs of wear or damage. When repainted, the original color shall be used (For Post Home Depot Behr “Elegant Ivory PWN-40” and trim lines Sherwin Williams Dard Hunter Green SW0041). No modifications shall be made to the mailbox or post (except that a protective post base may be installed). No stickers or other such items may be secured to the face of the mailbox. No mailbox letters shall be placed on the mailbox. In the event it becomes necessary to replace a mailbox, it must be replaced with a regular white mailbox in metal or vinyl.

The house number must be displayed on the post. Permanent mailbox thematic coverings are not permitted but seasonal removable coverings are allowed. Vendors who manufacture and install approved mailbox and mail posts are available upon request.



Acceptable: wood post, single color with trim, standard size box



Unacceptable: Large stucco, brick and/or stone mailbox structure



Approved kick plate/protective base covering

5. Additions:

Any addition to a house must have the following criteria: all materials, roofing, stucco, colors, fascia, trim, doors, windows, roof pitch, and wall height must be identical to the existing residence. It cannot be obvious that an addition was created. Applications must be accompanied by a floor plan at a 1/4" = 1'-0" scale and all elevations and roof plan must also be included. For copying purposes these plans must be provided in either legal or letter size (9x11).

All additions that can be seen from the Front Street (and side street if on a corner lot) must follow all of the above criteria plus the following additional consideration:

A second story addition on a one-story house may not create an out of proportion front elevation. Upper floor additions are preferable if they are situated toward the rear of the home.



Unacceptable: entry and garage out of proportion to rest of house



Unacceptable: "lopsided" upper floor on one side



Acceptable: upper floor placed at rear of one story home.



Acceptable: upper floor pushed back from front of garage.

All additions must be constructed of permanent materials with no pre-fabricated units such as carports, screen porches, or other rooms that are not *site-built* utilizing the same materials as the original home. This does not apply to screen cages that are for swimming pools and sunrooms which are addressed separately.



Unacceptable: prefabricated screen room.

Any additions to the front of a house that is not an upper floor addition on a one-story house must be in proportion to the existing residence and follow all of the guidelines as set forth in this section and section 9 of this manual and meet all setback requirements.

No structure shall be erected nearer than twenty-five (25) feet from a front Street Line or ten (10) feet from a side Street Line. No structure shall be erected nearer than five (5) feet from a Side Yard Line or nearer than ten (10) feet from a Rear Yard Line. The terms "Structure", "Street Line" and "Front Yard", shall have the meanings ascribed by the Hillsborough County Zoning Regulations in effect at the time of the improvement and shall not include a fence. No Dwelling shall exceed two and one-half (2 ½) stories nor thirty-five (35) feet in height.

6. Screen Enclosures (cages)/Pools:

Acceptable frame colors are black, bronze, and white. Screens must be black or charcoal. The screen enclosure wall height may not exceed the wall height of the house where it is attached and may not exceed the height of the house roof. Screen enclosures are permitted for pools, covered porches, and open patios in rear yards or in an internal courtyard area of the structure. All screen enclosures for these purposes must attach to the home and may not be higher than the ridgeline of the roof. The roof may not be covered with corrugated fiberglass panels, canvas, vinyl, or aluminum pan roof panels. The screen enclosure must be manufactured by a contractor licensed to conduct business in the state of Florida. The screen enclosure must meet all hurricane requirements as set forth in the current Florida building code. Above ground pools are not allowed.

7. Other screening:

Any portion of the front of a home that faces the street may not be screened except for a screened front door.



Unacceptable: screened in front porch



Unacceptable: screened in over garage door

8. Roofing:

Acceptable roofing types include:

- a. Minimum thirty (30) year dimensional asphalt shingle.
- b. No other roofing material is allowed.
- c. All flashing and drip edges are to be painted or pre-finished a matching color to the surface it is adjacent to. These materials are not to be left in their galvanized state.
- d. Colors: Any color that complements the color of the house is acceptable. However, no bright, glossy, or pastel colors are acceptable. Blacks, browns and tans, reds, greens, grays, and whites are acceptable. Roofing material that has a mix of color is also acceptable, but there must be a distinguishable main color to the approved material.



Unacceptable roofing:
20-year non-dimensional
shingles. (Shingles are flat and
have no shadow or thickness to
them)



Unacceptable: unpainted
flashing and roof drip edge



Acceptable: Minimum 30-year asphalt dimensional shingle



Acceptable: shingle roofing (3 examples)

9. Exterior ornamentation

- a. Stone and Brick Accents: may be added to the home. They must not cover more than 50% of the front surface of a home (not including the surface of the garage doors). Man made stone and brick facing is acceptable. Stucco brick is not allowed. All facing must be installed by a licensed professional per the Florida Building Code. Colors are to complement the existing or proposed colors of the home.
- b. Banding, trim, and foam products: Additional banding and other foam trim and accents (brackets, dimensional bands, keystones, etc.) may be added to the home. Cultured stone

trim products may also be used. No score lines in stucco are allowed unless the home was originally created with score lines as accents. All banding around openings (windows, doors, garage doors, archways, and porch openings) may not exceed 8” in width and 4” in depth. All banding and other accents must be painted the trim color of the home, unless it is a cultured stone product, in which it can be left in its natural state.

- c. Windows: UV Protective film is permitted to be applied on the inside of windows on the condition that the existing window color is not altered by its installation. The shade coefficient for permanently installed window film shall be greater than 65%. All windows shall have the same shade coefficient and tint. Reflective film on windows is not allowed.
- d. Roof Utilities: Solar panels, skylights, pool heating panels and piping, roof vents, shall be installed in a manner least obtrusive from street view. Antennas, TV and satellite dishes are permitted in strict accordance with FCC regulation only and preferred to be attached to the rear or side of the home least obtrusive from street view. All wiring shall be secured to the house using materials specifically designed for such purpose at a minimum of every 12”. All wiring shall be routed perpendicular or parallel to floors/roof. A maximum of two antennas shall be permitted.
- e. Exterior lighting: Garage pillar lighting (coach lights), garden accent lighting and entry walkway lighting is permitted. Each home shall have no more than three (3) coach lights on the front of the home. Flood lights are permitted on the outside corners of the front of the house and should be directed toward the rear of the house. No exterior lighting shall be directed towards neighbors’ windows. Flood lights are permitted in the rear of the home. For homes on a corner lot, flood lights shall be allowed on the street-side of the home, only if pointed so as not to shine directly into the street. A driveway motion activated spotlight is permitted. All light bulbs in these fixtures must be white (seasonal lighting excluded). These guidelines allow for seasonal decorative lighting, as long as the lighting is removed 10 days after the holiday. Lighting shall not be directed onto adjacent property. Ornamental lanterns in front yard (post light) or similar is restricted to one only. Fencing lighting is not permitted on top of fences; however it is acceptable if lighting is mounted onto inner fence (the side facing the home).
- f. Awnings: Canvas awnings are allowed except for front facing windows and door, with no other material being approved, and approval is still required. Color, proportion, and size must complement the home and be maintained in a clean and undamaged condition.
- g. Shutters: Vinyl or faux wood, or genuine wooden shutters which are colonial style (not stucco, score lines, or foam) are permitted. Color, proportion, and size must complement the home and be maintained in a clean and undamaged condition.
- h. Signs: No advertising signage is permitted. Only one For Sale sign or For Rent sign (with no other wording except “For Sale” or “For Rent”, the name, address and telephone number of one (1) registered real estate broker, or a telephone number of an Owner or his agent) is permitted on the lot. The sign must not exceed twenty-four (24) inches in width and eighteen (18) inches in height, must be attached to a 2 x 4 no higher than three (3) feet from the ground, and may not be installed in the area between the sidewalk and roadway. Only one campaign sign is permitted per lot two (2) weeks prior to Election Day and may not be displayed between the sidewalk and roadway. Campaign signs must be promptly removed after Election Day. In accordance with Florida Statutes, owners may display a sign provided by their security company within ten (10) feet of any

entrance. Under no circumstances can any sign be larger than six (6) square feet. Lots with invisible fencing for dogs must prominently display one pre-approved "Invisible Fence In Use" sign of size 8.5x11" when front yard invisible fence is activated. All approved signs must be professionally made.

- i. Service Units: Air Conditioner units, pool equipment, water softeners, generators, above ground propane tanks and other similar equipment shall be screened from street front (or side in the case of corner lots) view by use of approved fencing or landscaping. Lattice fencing may be used if constructed of wood or plastic and may be stained a natural wood color, or painted the primary or trim color of the house.
- j. Flagpoles: No more than one (1) flag in front of the home at any one time is permitted. Flags (of maximum size 4'-6" x 6'-0") shall be displayed on a portable single pole attached to the front of the house or in accordance with Florida Statute. Permanent freestanding flagpoles are not permitted.
- k. Colors: A pre-approved color wheel and instructions on how to use it is available from management. All house color combinations must coordinate (roof, fascia, soffit, wall, trim, window, and door colors). Garage doors must be painted the approved trim or body color. Front doors may be painted another color but must complement house and roof colors (no orange, purple or pink color doors permitted)
- l. Balustrades, Railings & Columns: Balustrades and railings are permitted. Design must complement the home, be proportional to the residence, and be maintained in a clean and undamaged condition. Aluminum, iron, faux stone, or real stone are all acceptable. The railings must meet the applicable section of the Florida Building Code. Column size shall be at least 12" square or round, and may be tapered. Columns are to be in proportion to the structure they are supporting.
- m. Entry Doors: Wood, fiberglass, or steel doors are permitted. Glass inserts are permitted. Wood doors may be stained or clear coated. Fiberglass doors may be stained.
- n. Gutters and downspouts: All gutters and downspouts shall be seamless aluminum white or painted the color of the body of the house or fascia against which it is installed. Downspout extensions must stop a minimum of 3 feet from adjacent property line.
- o. Garage doors: Garage doors may be painted the approved body color or trim color (or white). Garage doors may have a single row of glass near the top of the door only.

10. Construction

All contractors must be licensed and insured to conduct work on properties within Westchester. All permits as required by the local building jurisdiction shall be obtained. All construction shall meet the current building code as required. No advertising signs of the contractors are allowed during or after construction.

11. Landscaping

- a. Street(s) visible landscaping curbs and edging: brick, concrete, metal, heavy plastic (black or green only), or stone may be used as edging material to create an edge between planting beds and grass or adjacent to paved areas (driveway/walkways) if part of a planting bed. If green or black plastic is used it must be installed in a manner so that at least 40% of its height is buried in the ground and it is secured by stakes. Edging material must be continuous from one end of a planting bed to the other end. Only natural brick, natural stone, or concrete curbing in solid earth tone colors which

complement the exterior home color are permitted. All proposed concrete curbing must be submitted to the Committee for approval and application must include a diagram of the type of curbing desired along with a sample of the proposed color. All manner of approved curbing must be maintained in good and neat condition and any broken or otherwise damaged or discolored edging has to be removed or replaced. Originally installed and/or existing beds may not be altered in size without approval.

- b. **Planting Beds:** Approval is required for any changes made to originally installed planting beds. No more than 50% of the front yard between the sidewalk and the house shall consist of planting beds. No more than 50% of the side yard (if visible from neighboring property or common property) shall consist of planting beds. No more than 50% of the back yard (if visible from neighboring property or common property) shall consist of planting beds. Removal of planting beds shall be subject to the following conditions: each homeowner shall have a planting bed in the front of his/her home that is no less than 15% of the area between the sidewalk and the house and shall be located on the entrance side of the driveway; each homeowner shall have planting beds around all air conditioning and pool/spa units on the outside of the homes with shrubbery or approved screening material concealing all sides of the unit(s) visible from the street. Changing the shape of originally installed planting beds shall be subject to the following conditions: the proposed shape must be in keeping with the original design; no more than 50% of the front yard between the sidewalk and the house shall consist of planting beds; no more than 50% of the side yard (if visible from the street) shall consist of planting beds; no more than 50% of the back yard (if visible from the street) shall consist of planting beds. All proposed removals or changes to planting beds must complement the home and enhance the aesthetic value of the property. Homeowners may replace/add plantings to existing landscaped beds without approval contingent that same species or similar plantings are used to replace dead plantings or fill in existing beds.
- c. **Arbor and Trellis:** A single wall trellis or arbor in a front or side yard is allowed per lot. The wall trellis or arbor can be made from pressure treated wood, metal or vinyl. If it is painted, it must be kept in good condition. Any rotting, rusting, mildewing or otherwise unsightly wall trellis or arbor is not allowed. If plants are growing on the wall trellis or arbor, they must be kept trimmed close to the trellis. The largest wall trellis allowed in a front or side yard is four (4) feet wide by seven (7) feet tall and the largest arbor is the same with a maximum depth of (3) feet. The wall trellis or arbor must be level and properly secured to the ground or adjacent wall. No free standing trellises are permitted.
- d. **Statues & Fountains:** Only one single fountain or sculpture is allowed which shall not exceed three (3) feet wide by three (3) feet deep by four (4) feet tall. Fountains or sculptures shall be constructed of concrete, stone, plaster or granite. No plastic fountains or sculptures are allowed. Fountains and sculptures shall be either natural concrete in color, or shall be a color which complements the exterior color of the home. When garden borders and/or driveway extensions are present colored fountains shall match garden borders and driveway extensions if not natural concrete in color. No statue or fountain that is thematic or of questionable taste (i.e. nudity) or otherwise offensive to religious, racial or other social issues is allowed. All yard ornaments are to be level, secured in place, and kept in clean and if applicable, working, condition.
- e. **Garden Ornaments & Potted Plants:** Each homeowner is limited to five (5) garden ornaments within the visible yard portions. Garden ornaments such as pottery or animals

shall be no greater than 24"x24"x24". They shall be constructed of concrete, stone, plaster, wood, resin or granite. No plastic ornaments shall be allowed. No ornament that is thematic or of questionable taste (i.e. nudity) or otherwise offensive to religious, racial or other social issues is allowed. Potted plants (clay, pottery) are considered garden ornaments. They are only permitted at entryways, walkways and driveways. A maximum of 2 shall be allowed to be placed within planting beds. Nursery or growing type pots of plants are not permitted if visible from street view. All yard ornaments are to be level, secured in place, and kept in clean and if applicable, working, condition. This section does not exclude the use of seasonal decorations; however, as per the seasonal lighting guideline all seasonal decorations must be removed 10 days after the holiday.

- f. Furniture: No furniture shall be allowed in front of the home, or on the sides of the home if visible from the street, except as provided herein. For those floor plans which provide a front porch with sufficient room for furniture, such shall be allowed subject to the following conditions: no plastic or pvc furniture is allowed. Furniture made of wood, wicker, or iron is permitted; all furniture shall be kept in good repair and arranged in a neat fashion. No furniture shall be stacked or placed on the front porch for storage.
- g. Mulch: Cypress mulch, pine bark or pine straw, earthtone or black rubber mulch or lava rock or red or white stone can be used for mulching of the plant beds. No bare dirt shall be visible around the plantings. Approved mulch types are to be used as a surrounding effect in the planting beds and are not to be used to replace the plants themselves. The mulch beds have to be kept weed free. Mulch that has been reduced due to erosion, rotting, or other factors, must be replenished in a timely manner.
- h. Trees: Trees initially installed between the street and the sidewalk of each home shall not be replaced or removed. Should the tree(s) die or require removal for any other reason, the tree(s) must be replaced with a similar oak tree. Damaged trees under a 4" diameter must be replaced with a similar tree of equal size or larger. Damaged trees over a 4" diameter must be replaced with a tree that has a 4" diameter or larger. An oak tree was also initially planted in the front of each lot between the sidewalk and the house. This tree may be removed or replaced by another tree or planting. If the tree is replaced by another tree which exceeds a height of twelve (12) feet at maturity approval is required. Approval is required for the removal of any tree on a lot the trunk of which tree is eight (8) inches or more in diameter at a point twenty-four (24) inches above the adjacent ground level. No more than three (3) trees in the front yard is permitted. This does not include the trees initially planted between the street and sidewalk. Homes situated on a corner lot shall have no more than three (3) trees on the side of the home that borders the street, excluding trees between the street and the sidewalk. All trees shall be lifted (branches trimmed) to a minimum of 7' where located over sidewalks and 12' where located over streets. Branches below 5' above grade shall be removed. No homeowner shall be permitted to plant trees which bear fruit or nuts, so as to be visible from the street or in a location where fruit or nuts will fall beyond the homeowner's property line. All such trees shall be planted in the rear of the home, and shall only be allowed where the tree is surrounded by a fence.
- i. Dead trees and vegetation shall be removed immediately from the premises and properly disposed. Dead trees and vegetation must be replaced "like with like" within 30 days except that plants that are removed in the winter shall be replaced within the first 30 days of spring.

- j. Retaining walls: If a retaining wall was created with the initial development of a house, it cannot be removed, and must be kept in good repair. If a retaining wall is required to be added in the rear yard to create a level surface for pool construction, one may be added that is only as large as the area of the screen enclosure. All retaining walls must not impede or otherwise change the drainage of the property.
- k. Site distances at intersections: no landscaping, lawn ornament, fence or other obstruction shall be placed on a corner lot that will impede the site distance for any driver from any direction from which he is driving from or to. Existing trees shall be maintained and pruned to limit the impediment it would otherwise cause.
- l. Sprinklers are required per deed restrictions. They must be maintained in good working order.
- m. Artificial vegetation of any type is not allowed.
- n. Grass is to be Floratam St. Augustine sod throughout all yards. Any dead or weed-filled grass is to be replaced within 30 days. A minimum of 50% of each front yard lot must be grassed. Grass shall not be permitted to exceed 6” in height when measured from the top of the soil to the top of the highest portion of the plant. Grass shall not extend over concrete more than 2”. Lawns shall be kept free from weeds and shall be fertilized and watered as needed. Lawns shall be cut, trimmed, and edged in their entirety. Grass clippings shall be swept up or blown back into the yard. Clippings shall not be blown into the street.



Unacceptable extension of landscaped beds

12. Hurricane Shutters

Hurricane shutters are not to be in place without an impending storm. The only visible piece of a hurricane shutter allowed to remain in place permanently are anchoring bolts, mounting studs, brackets or trackings to the house and those bolts and/or trackings must be painted the same color of the house they are adhered to and shall not protrude the surface of the house by more than 2”. Any covering must be stored out of sight by the homeowner. Hurricane protection must be removed within 10 days after the threat of a storm.



Acceptable: anchor bolts permanently attached to home



Unacceptable: plastic panels permanently attached to home.

13. Detached accessory structures: (generally all separate structures are not permitted)
 - a. Storage: not allowed
 - b. Guest houses: not allowed
 - c. Detached garages: not allowed
 - d. Gazebos, trellis structures, pool cabanas not permitted unless within a screen enclosure.

14. Play equipment and structures; Playhouses and Trampolines; Sheds
 - a. Swing sets/play complexes/playhouses/trampolines/jungle gyms: all are not permitted in front yards. They are permitted at the rear of the home except not in drainage or other easements that exist on the property. For homes located on a corner lot, these items shall only be located on the interior-most side of the back yard (the side farthest from the street). Play structures shall be of wood construction. No part of the structure shall be higher than twelve (12) feet from the original lot grade. The combined support beams may not exceed fourteen (14) feet in length. No platform shall be higher than five (5) feet from the original grade at rest. The total platform area may not exceed 6'x6' or 36 sq.ft. in area. The equipment must be compliant with the safety regulations at the time of purchase, and maintained in such a manner. Landscaping or fencing may be required. A waiver to exclude Association liability shall apply during the approval process for these units.
 - b. Tree houses: not allowed
 - c. Skateboard ramps/Portable hockey goals/Other gaming equipment: must only be used within the confines of a driveway and are to be removed from public view when not in use.
 - d. Basketball hoop: One portable basketball hoop is permitted per lot with the following stipulations: if placed in the front yard it may only be located on the non entryway sector of the driveway or on the driveway and shall not be placed to promote play in the street or hinder sidewalk access; it must be maintained in like-new condition at all times and must be stored away during the time of a severe storm. No exterior base weighting is permitted for basketball hoops displayed in public view.
 - e. Sheds: Sheds shall only be placed in the rear of the lot. Prior to erecting a shed, a 6' in height privacy or board-on-board fence must be placed around the back yard of the lot. Any shed erected or used must not be visible from the street. Any shed erected or used shall not be higher than 6' in height, nor shall any portion thereof extend higher than the surrounding fence. It must be anchored to the ground by a concrete slab or by hurricane anchors. The exterior must be aluminum, vinyl or plastic. No wooden or metal sheds are allowed. The exterior color of the shed must complement the exterior color of the home. The DRB must be provided with specifications of the shed, including design plans, material, color, county building permits and a drawing of the Lot to show proposed placement of the shed for review purposes.

15. Miscellaneous

- a. Portable barbeques must be stored out of public view after use.
- b. Window air conditioning units are not allowed at any time except during power outages when generators' power is activated. Windows least visible from street view are preferred to be used and window air conditioning units must be promptly removed once power is restored.
- c. House numbers must be affixed to the front façade of the house visible from the street in compliance with the 911 Street Number Ordinance.
- d. Roadside obstacles: at no time can any owner place any object adjacent to their home at the street that can cause traffic to be blocked or have to enter the on-coming lane to divert around it. This can include but is not limited to: landscape materials, construction materials, deliveries of items, unused vehicles or machinery of any type, or debris of any type.
- e. Firewood must be stored out of public view.
- f. Above-ground propane tanks and generators must be landscaped from street view.
- g. Bicycles, play sets, kiddie's pools and similar are not permitted in front yards.
- h. Holiday Lighting & Decorations: All Christmas lighting and decorations must be completely removed no later than January 18th of each year. Other holiday decorations shall be removed within 10 days of the holiday. Decorations shall not be installed more than 31 days prior to the holiday except that Christmas decorations may be installed on or after the Saturday before Thanksgiving.

16. Fences:

Fence Locations – Refer to attached exhibit (Exhibit E as referenced in the documents)

- a. All fences, walls or hedges which abut, run along, intersect with or join the boundary of any pond, lake, water body, or common area shall not exceed thirty-six (36) inches in height from the ground.
- b. Where the fence height changes, the transition shall occur over a minimum of 8'.
- c. No fence, wall or hedge may be constructed or maintained between a Front Street Line and the Front Dwelling Line.
- d. PVC (color is also subject to approval) or anodized aluminum fencing is preferred. Chain link fencing is not permitted.
- e. If a wooden fence is approved, it must be sealed with a clear coat water-proofing seal or stained a natural wood color within 60 days of installation and must be resealed or restained once every 18months.
- f. Fences may not be higher than six (6) feet.
- g. Fencing must be maintained in plumb and good condition at all times. Loose planks shall be repaired within 30 days.
- h. The good side of the fence must face outwards
- i. No double-fencing is permitted.
- j. Prior to application for approval, onus is on the applicant to communicate with all relevant abutting neighbors of the applicant's intention to submit a fence application. In the case of rear yard fencing both neighbors affected by the fence application must be notified by the applicant.