

Office Use Only: Date: _____
Approved Disapproved
Chairman, SMHA ARC Committee: _____

MOD-ARC

Revised: 2/12/2025

Please read the instructions on the back before completing this application.

Name: _____ Phone: _____ Date: _____

Address: _____ Sub-Association: _____
(Ex. Briarwood, Fieldstone, Legends)

Email Address: _____

Proposed Modification:

(Ex. Adding screened enclosure, painting, roofing, etc.)

1. Will you require a dumpster or portable storage container at your property? YES NO

2. House located on lake? YES NO 3. House located on Golf Course? YES NO

4. Is the house a single family or duplex? _____

5. Include attachments and documentation as required to support your request. All exterior additions to a property (such as: fences, paving, any structure, generators, concrete expansions, etc.) require a Site Plan or annotated Lot Survey/ Drawing. Check the ones you included:

Site Plan Lot Survey Photos Blueprint or Plan Sketch, drawing, or annotated Lot Survey

Roof color & style sample Paint Chips (if required) _____

6. For Exterior Painting: Write in an approved color for each house section or include Paint Chips if you live in a Sub-association with their own approved colors. See reverse side for descriptions and detailed instructions. All selections below must be filled in. If one of the items is not being painted, you must state that and describe the current color, include a sample or chip.

Body _____ Trim _____ Front Door _____ Garage Door _____

Soffit _____ Fascia _____ Accent _____ Gutters _____

Downspouts _____

Fencing _____ Type _____ Color _____ Stain _____

“By my signature below, I acknowledge that I have voluntarily provided the information on this form, and it will become part of the public records of Suntree Master Homeowners Association, Inc.”

Applicant hereby gives SMHA ARC permission to go onto the above-described property until such time as project is inspected.

Owner's Signature

Fees:
\$30.00 ARC Application
\$130.00 ARC Application if project started without ARC Approval
\$20.00 Revision of original application

Fees Apply to ALL projects except roof replacement same color /style or exterior painting same color.
FEES ARE NOT REFUNDABLE. Call office upon completion of work to schedule inspection.

Approved Disapproved Date: _____ Approved Disapproved Date: _____
Chairman, Local HOA ARC: _____ President, HOA BOD: _____

***Please Note that ARC Application needs final approval by SMHA ARC Committee**

To avoid delay in presenting your application/ request to the ARC committee for review:

- ❖ Your request must have attached a survey and/or drawing of the proposed changes, a brochure of the blinds, solar panels of other item-anything that will help the committee to see clearly what your proposed change will be.
- ❖ If you live in a sub-association within Suntree, your request must first be reviewed and signed by a member of that associations' Board of Directors, then submitted to Suntree Master Homeowners Assoc. ARC for approval.
- ❖ Docks must have final approval by the SMHA Board of Directors (the ARC chairman is a member of the Board of Directors and will take your request to the board meeting).
- ❖ Painting or repainting of a home-requires an ARC request, delivered to the SMHA Admin Office with a selection of colors for each portion of the home (body, trim, accent, front door, and garage door) from the approved colors that are available for view online, at the SMHA Admin Office, or the Viera Sherwin Williams Paint Store. The color for each portion of the home should be obvious on the request. If the home is in a sub-association the color scheme will still require their approval unless that specific sub-association has provided board resolution accepting that scheme for use in their community. Alternatively, homes in a sub-association may choose from one of the approved sub-association schemes that the sub-association has within its records and must submit chips for each color item. All repaints must be approved from the approved colors with the following exception: an Owner may submit to repaint their home its existing color by providing a complete ARC request with an accompanying paint sample chip for each paint section. The request will require a unanimous approval from the ARC to be considered approved.
- ❖ Paint section descriptions:
 - ❖ Body is typically the largest area of exterior wall surface on each side of home. The owner may select any approved body or trim color.
 - ❖ Trim is typically the window bands, windowsills, other areas within the “body” of architectural distinction. Owner may select any approved body or trim color, other than the color chosen for the Body.
 - ❖ Accent, architectural attachments to the body (decorative shutters). The owner may select any approved trim color, black, or white.
 - ❖ Front door: Owner may select any approved door color, white, stained wood, or any approved trim color.
 - ❖ Other exterior swing doors: Owner may select white, or the same approved color selected for the Body or Trim.
 - ❖ Soffit and Fascia: Owner may select white, bronze, tan, brown, black, or the chosen approved trim color.
 - ❖ Gutters: White, bronze, or the chosen Soffit/Fascia color.
 - ❖ Down spouts: Owner may select white, bronze, or the chosen approved body color.
 - ❖ Garage door: Owner may select white, black, or approved body/trim color, or stained wood finish.
- ❖ Application must be received no later than 5 business days prior to the ARC meeting so that it can be included on the agenda. The ARC meetings are generally held the second and fourth Wednesday of each month.
- ❖ Please submit an application fee (CHECK ONLY) for all Modification (excluding roof same color / style or exterior painting same color)
- ❖ The following items do not require submittal: (1) Gutters/ Down spouts (2) Flowers (3) Foliage/ Bushes (hedges must be submitted)(4) Planting of new trees (5) exterior lighting (carriage, security, landscaping lights) (6) Lawn furniture/ lawn ornaments (7) Basketball goals (non-permanent) (8) Curbing (bordering materials generally used in landscaping) (9) Tiling (existing screened porch, patio or covered entranceways) (10) Non reflective solar film on the interior of windows

Architectural Review Criteria (ARC)

This document is the guide to maintain Suntree design standards in accordance with the By-Laws and Declarations of Suntree Masters Homeowners Inc.

March 3 2025

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SECTION ONE

Definitions

- 1.1 ARC. The Architectural Review Committee
- 1.2 Board. The Board of Directors of the SMHA
- 1.3 Criteria. The rules and procedures set forth herein for the construction of residences and additions thereto or the modification of their external appearance.
- 1.4 Declaration. The Declaration of Covenants, Conditions and Restrictions (CC&R's) of Suntree, as amended, which are recorded in the public records of Brevard County, Florida.
- 1.5 Maintenance. Suntree Homeowners are expected to comply with Article V Covenants for Maintenance of SMHA Declaration of Covenants, Conditions, and Restrictions of Suntree as Amended. Maintenance shall be considered as any upkeep of existing property. Please see Exhibit A for additional tasks not requiring ARC approval.
 - 1.5.1 All exterior home painting must be submitted to the SMHA office with an ARC form, check, if applicable (or pay online at www.suntreeflorida.com) and a selection of colors from ARC approved colors that are available for view online, at the SMHA Admin Office, or the Viera Sherwin William Paint Store. Alternately, sub-associations may require specific colors. Instructions for sub-associations controlled color schemes are delineated on the ARC form instructions.

All painting must be approved from the approved colors with the following exception: an Owner may submit to repaint their homes its existing color by providing a complete ARC request with an accompanying paint sample chip for each paint section. The request will require a unanimous approval from the ARC to be considered approved. No fee required for painting the same color.

- 1.5.2 Roof replacement of existing materials must be submitted, no fee required. Any change in materials, color or configuration must be submitted for approval. A fee is required.

- 1.6 SMHA. The Suntree Master Homeowners Association, Inc. a Florida not-for-profit corporation.

- 1.7 Suntree. The Suntree Planned Unit Development located in Brevard County, FL.

SECTION TWO

Introduction

2.1 Authority. The Criteria set forth herein has been promulgated by the SMHA pursuant to authority granted to it by Article VII of the Declaration. The Board may amend the Criteria from time to time in its sole discretion. The Criteria is subordinate to the Declaration.

2.2 Purpose. The purpose of the Criteria is to ensure the residents of Suntree that the standards of design quality will always be maintained. This protects and enhances Suntree's overall environment. The residents benefit from the planning and design which is an important part of the development of Suntree. The ARC is empowered by the SMHA to provide design review and to establish policies, standards and guidelines which are subject to review and approval by the Board in accordance with the following objectives:

2.2.1 To enhance the living quality and natural attributes of Suntree.

2.2.2 To ensure high standards of design and quality construction.

2.2.3 To work with members of the SMHA for the establishment of design criteria

2.2.4 To assure a harmonious relationship between the design of individual buildings and sites.

2.2.5 To determine compliance of exterior design review applications with the Declaration and ARC Criteria.

2.2.6 To promote consistent and harmonious, architectural motifs, exterior colors, materials, and finishes.

2.3 ARC Responsibilities. The ARC is responsible to the Board for the discharge of the functions delegated to it.

2.4 Enforcement. The Board, through the ARC, has the power to enforce compliance with the Criteria.

2.4.1 The laws and ordinances of the State of Florida and Brevard County as well as the Rules and Regulations of their administrative agencies are their own enforcement jurisdiction.

2.4.2 Based on the applicable laws and governing documents only the SMHA Board of Directors is able to amend the ARC Criteria and only the members of the association are able to amend the SMHA Declaration's covenants. In the most basic terms, neither the ARC or the Board may provide a waiver for a covenant and only the SMHA Board of Directors through an amendment to the ARC Criteria may allow a conflict to the current ARC Criteria.

2.5 Disclaimer. The SMHA ARC, Covenant Enforcement and Appeals assume no liability for any plans submitted for approval. The applicants accept full responsibility for all aspects of the building plans including, but not limited to, the following:

2.5.1 Work of any contractor or subcontractor or their employees;

2.5.2 Compliance with all laws, codes and ordinances promulgated by any governmental agency with jurisdiction over the development and construction of residential buildings;

2.5.3 Determination of and compliance with restrictions, flood hazards, drainage and grading requirements and all surface and sub-surface soil conditions;

2.5.4 Determination of and compliance with structural, mechanical, electrical and any other technical aspects of proposed plans;

2.5.5 Compliance with all Covenants and Restrictions and ARC control policies, standards, and guidelines in force at the time of approval; and

2.5.6 Accuracy of all stakeouts and surveys.

SECTION THREE

New Construction / Demolition Responsibilities and Procedures

- 3.1 New construction is considered but not limited to the following: Changing of the roofline or the footprint of the foundation. Exterior modification to include additions to the structure and/ or adding an inground pool or inground spa.
- 3.2 Jurisdiction. ARC has the responsibility for reviewing and approving the design and location of new residential construction, including exterior modification and any reconstruction or modification that requires a building or pool permit.
- 3.3 Application. An application will be considered only if all of the following is received by SMHA:
 - 3.3.1 Construction drawings shall be submitted; scale 1/4" = 1' – 0" drawn in a professional manner to accurately project the exact detail to be constructed. Plans with hand – markings will only be accepted when properly initialed and dated by the applicant. Plans marked “Reverse” will not be accepted. Homes and pools must be constructed in accordance with the drawings submitted to the ARC.
 - 3.3.2 Builder’s Checklist for new home construction shall include applicant’s/ owner’s signature, landscape plan, drainage plan, plot plan, color samples, roof samples, method of screening for A/C and pool equipment, and mail box design, plus name, mailing address and phone number of owner.
 - 3.3.3 Appropriate application fee. (See Section Seven)
- 3.4 Final Builder Certification. When the County issues a Certificate of Occupancy (CO), the owner shall contact Suntree Master ARC for an inspection to determine whether the builder:
 - 3.4.1 Has constructed the exterior elevation of the residence or the pool according to the plans approved by the ARC; and
 - 3.4.2 That the construction is in compliance with ARC requirements including, but not limited to, the screening of outdoor containers and equipment from view and mailbox design.

3.5 Architects/Engineers/Landscapers. Applicants are encouraged to use professional architects, residential designers, engineers and landscape designers to produce designs consistent with the overall community concept.

3.6 Demolition Responsibilities and Procedures:

Conditions under which demolition (pertaining to tearing down) criteria apply as:

1. If a member intends to tear down an existing home, ARC approval is required for the demolition. If a member intends to build a new home after the demolition is completed, he may submit a request for demolition and a separate request for new construction, or, prior to the demolition process commencing, he may submit a new construction request that includes required information on the demolition process.
2. If a member intends to tear down an existing home but has no immediate plans for rebuilding, an ARC approval for the demolition is required.
3. If a member intends to remodel the exterior structure of an existing home or make extensive repairs after suffering loss due to fire, windstorms, etc. involving roof replacement, exterior wall removal, etc., ARC approval is required. Members may request ARC approval for demolition as a part of his request for ARC approval for the remodel and repair.

Jurisdiction: The ARC has the responsibility for reviewing and approving any proposed Demolition Plan. All applicable county and state permits shall be required and any reconstruction will require the appropriate permits and shall meet all requirements outlined in the SMHA Covenants, Conditions and Restrictions and the ARC Criteria. The demolition project must be completed within 180 days from the approved date of the application.

Application: A demolition application will be considered only if all of the following is received by SMHA.

1. A Demolition Drawing Plan shall be submitted in a professional manner to accurately project the exact detail of the proposed demolition. Hand-markings will only be accepted when properly initialed and dated by the applicant.

2. The checklist for razing a home and/or demolition shall include applicant's signature, drainage plan and plot plan.
3. Appropriate application fee: (Refer to Section 7, 7.1.1, for New Construction fees) (Note: if a New Construction Plan is submitted simultaneously with a Demolition Plan, the only a onetime new construction fee will apply and the requirements contained in Section 3, New Construction, must be met.)

3.7 Job Site Condition: Portable toilets and trash receptacles are required at all sites. If temporary roads, fencing storage sheds, contractors' trailers, etc., are required, approval shall first be obtained from the ARC. Location of such items must be indicated on the site plan. The job site shall be maintained in a neat and orderly manner during demolition. Debris must be removed weekly and street frontage shall be swept clear of sand, concrete and rubbish daily (whether caused by contractor, material suppliers or their employees) in order to limit dangerous debris in the roadway. Lots adjoining the sites shall not be used for storage of material without permission of the owner. No lot will be used for dumping of debris. It is the responsibility of the contractor, if any nearby vacant property is used with the owner's permission for temporary storage of materials or other uses, to see that all such material is removed upon completion of the project.

3.8 Filling / Excavation / Grading / Drainage: Demolition documents must include a drainage plan. Details shall be in accordance with master drainage plans for the community development. No clearing, filling, excavation or grading shall commence without approval of ARC. The applicant shall be responsible for grading and surface drainage so that surface run-off will not adversely affect adjoining properties, interfere with natural drainage flows, or collect in low areas swales, driveways or paved parking areas. The applicant shall be responsible for all means and methods of erosion control. If the lot is to remain vacant for an extended period of time, the owner of the property is responsible for maintaining the lot once the demolition is complete and/or until new construction commences.

3.9 Elevation Requirements for New Construction

Finished floor elevation must be a Minimum of 12” above the crown of the road to ensure proper drainage. Contiguous homes must have the same elevations.

3.10 Non-Compliance: Any violations of these standards may subject the owner to a fine as provided in Section Eight of the ARC Criteria or any other means of enforcement as provided by these ARC Criteria, the Declaration, or other governing documents of the SMHA.

SECTION FOUR

Modification Responsibilities and Procedures

4.1 Jurisdiction. ARC shall be responsible for the approval of all modifications to the exterior of existing residences and grounds, including driveways.

4.2 Application. An application will be considered only if all of the following is received by SMHA:

4.2.1 A letter of request of subcommittee request signed by the applicant including a construction drawing of the requested change, and plot plan. The application must contain a signature of the sub-association’s review authority; usually the President or ARC Chair of the sub-association (unless a sub-association does not exist). The signature attests to the application’s compliance with the sub-association’s Declaration of Covenants and ARC Criteria. The owner’s signature on the application shall attest to the same.

4.2.2 Color samples.

4.2.3 Appropriate application fee.

4.3 No Submittal List. See Exhibit A for a list of exterior changes that do not require an application to the SMHA ARC for approval. However, sub-associations may require approval. Review your documents for additional information.

4.3.1 The job site shall be maintained in a neat and orderly manner during construction. Debris must be removed (weekly) and street frontage shall

be swept clear of sand, concrete, and rubbish daily, whether caused by contractor, material suppliers or their employees in order to limit dangerous debris in the roadway. Violations of the provision may result in covenant enforcement actions to include fines, and or legal fees deemed necessary to compel compliance

Lots adjoining construction sites, SMHA common areas, or county right-of-way's may not be used for storage of material without permission of the owner. No lot will be used for dumping of debris. It is the responsibility of the builder, if any nearby vacant property is used with the owner's permission for temporary storage of materials or other uses, to see that all such material is removed upon completion. Violations of this provision may result in covenant enforcement actions to include fines, and or legal fees deemed necessary to compel compliance.

SECTION FIVE

Provisions

5.1 Sub-Association Policy

5.2 The recommendation of the sub-association, based on the signature of the reviewing authority, will normally be respected.

5.3 The Master ARC will generally not overrule a sub-association's aesthetic approvals. It must however overrule the approval if it is in direct conflict with the ARC Criteria or Covenants. In cases where a sub-association was overruled for an aesthetic issue, both parties can attend one of the next two regularly scheduled ARC meetings to present their case. If there is no resolution, the parties may request to appear before the Board of Directors at their next regularly scheduled meeting.

In order to comply with Federal Law (47 U.S.C. 151, 303) these provisions shall not apply to antennas covered under Section 16 of Article XI of the Declaration. (See SMHA office for a copy of Federal Law 47 U.S.C 151, 303)

5.4 Meetings/Approval Schedules. ARC normally meets twice a month. Under normal circumstances, the ARC will endeavor to review applications within two weeks of receipt.

5.5 Committee Review. Within 30 days of receipt by SMHA of a complete application for review, ARC will provide written notice to the applicant indicating the ARC's decision. If the application is not decided by the ARC in writing within 30 days after submission, then the application shall be deemed approved.

5.6 Construction Review. ARC reserves the right to review construction periodically for compliance with approved plans. The applicant agrees to cooperate fully with members of the ARC and further agrees to obtain prior approval for any changes or deviations in approved design documents.

5.7 Decisions. Upon receipt of a properly completed application, ARC will review the applicant's plans and specifications and render one of the following types of decisions:

5.7.1 Approved (with or without comments);

5.7.2 Approved (subject to limiting conditions);

5.7.3 Disapproved pending receipt of requested submittals, or

5.7.4 Disapproved (Rejected and ARC returns entire application)

5.8 Additional Review Fee. In the event applications are disapproved pending receipt of further information, applicants must resubmit with the requested information or make appropriate changes and resubmit for another review.

5.9 Notification of ARC Decision. Construction shall not begin until written approval is received by the applicant. If construction begins prior to ARC Approval the homeowner will be assessed an additional application Fee or Fine. Oral statements do not constitute approval. See Section 7 for fees applicable to ARC submission for project started without a required ARC approval.

5.10 Approval Expiration. Applicants must complete modification or new construction within an allotted time frame. The completion time will be

specified on the ARC approval letter. Failure to do so will automatically revoke approval without prior notice from ARC. Extensions may be granted by ARC if requested in writing.

Variations. Request for variations to the Declaration or ARC Criteria will be submitted in writing to ARC for approval before implementing the change.

5.11 Construction Changes. All construction must be in accordance with approved plans. If prior to or during construction a change to the exterior of the building or approved plan is desired, such change shall be submitted in writing to ARC for approval before implementing the change. See Section 7 for fees.

5.12 Extensions. Time extensions may be granted under special circumstances by the ARC. Requests shall state in writing the construction history, cause for delay and new completion date.

SECTION SIX

Construction Standards

6.1 Scope. The standards contained in this Section are applicable throughout Suntree. Refer to sub-association Covenants Criteria & Restrictions for additional information.

6.1.1 Setbacks. A minimum of twenty-five (25) feet setback shall be required from the nearest part of any building wall to the edge of any public right-of-way or private street. A minimum of twenty-five (25) feet set back shall be maintained between the walls of all structures and the perimeter of the plat. A minimum of five (5) feet set-back shall be maintained between walls of all structures and Common Areas.

Rear Lot lines set-back dimensions shall be determined at the discretion of the ARC but not less than 20 feet. The minimum distances between (side set-backs) structures shall be fifteen (15) feet for two stories or less. A minimum of 5 feet set-back shall be maintained between a pool enclosure and the property line.

6.2 Exterior Design. Architectural motif and exterior elevations will be reviewed for aesthetic appearance in terms of the overall dwelling unit and its general

relationship to other dwelling units based on location, size and quality within the community. Approval of exterior design will be based on architectural theme and will consider mass and scale: materials, textures, colors and finishes, continuity between primary design elements and secondary surface treatments; placement of windows, doors, and openings; and vertical and horizontal lines. Designs which vary extremely from the immediate surroundings, or the intent of the development shall not be permitted.

6.3 Exterior Materials. The selection of exterior materials shall be harmonious with the architectural motif of each dwelling unit and the community development as a whole. Depending on particular applications, the following materials have been approved by the ARC: Other materials may be evaluated on a case by case basis.

6.3.1 Wood: (cypress/cedar/redwood), board and batten; lap siding; cedarshakes (roofs); tongue and groove siding.

6.3.2 Stucco: approval subject to application, texture and use of other primary or decorative treatments.

6.3.3 Masonry: natural stone, brick and cultured stone; concrete block with approved surface treatment.

6.3.4 Windows: wood, vinyl or aluminum frame anodized, E.S.P. or baked-on enamel

6.3.5 Fiber cement siding and or hardi board must be painted.

6.3.6 Vinyl siding – May be used with the following specifications:

- a. Must be horizontal panels with woodgrain finish.
- b. Must have a nominal thickness of not less than .042”.
- c. Must have a simulated board width of not less than 4 ½”.
- d. Siding must have an interlocking edge lap.
- e. Coextruded or laminated PVC sidings are not acceptable.

6.4 Garage Doors. Garage door material and design shall be compatible with exterior design of house. Replacement doors should meet hurricane load requirement.

6.4.1 Garage Door Screens. Garage door screens are permitted provided the framing shall be white or bronze finish or painted to match existing color of

house. Garage door screens do not constitute a substitute or replacement for regular garage doors.

6.5 Unapproved Exterior Materials. The following exterior materials are not approved for construction: metal siding: plywood, clap board, concrete block (except as a subsurface wall); T-111 siding, fiberglass, or asphalt siding; logs imitation or otherwise except for landscaping purposes.

6.6 Exterior Colors. Exterior colors in accordance with Section 1.5.1. See the MOD-ARC form for specific instructions for submitting exterior painting request.

6.7 Roofing Materials/Roof Structures. Approved roofing materials include cedar shingles, cedar-shake shingles, slate, tile, asphalt shingles, fiberglass shingles, rolled shingles and stone coated steel or metal shingles. Other materials will be considered on a case by case basis.

The minimum roof pitch shall be 5” in 12” for gable, shed and hip roofs. Flat roofs and tar and gravel surfaces are not recommended but may be permitted. Galvanized insulated aluminum may be used over porches and finished with facias to blend with the architectural design of the house.

6.8 Utilities/Service Areas/Accessory Facilities

6.8.1 Clothes Lines. 2002 FLORIDA STATUE #163.4 (2) No clothing or other household fabrics shall be hung in open on any Lot or Unit unless from an umbrella or retractable clothesline which is screened from view when in use and promptly removed when not in use. (See SMHA office Florida Statue #163.4 (2))

6.8.2 Auxiliary air conditioners. No window air conditioners shall be allowed. Air conditioning units may be mounted through the wall of room additions where it is not feasible to tie into an existing air conditioning system with following requirements:

6.8.2.1 Must be mounted no higher than 6 inches off the floor slab with total height not to exceed 24 inches above the floor with no visible duct work.

6.8.2.2 Water-to-air air conditioning units are not permitted.

6.8.3 Outdoor containers and equipment. All garbage containers, air conditioner compressors, well pumps, water softeners, oil/gas tanks and pool and spa pump equipment shall be located on side or rear yards unless side or rear location is not practical. If any such equipment is placed in front of a house, it must be concealed with a structure or wall to match the material and color of the house. All equipment and containers shall be screened from view. Appropriate screening materials are: wood, vinyl, or lattice fencing, stucco or brick walls or shrubbery plants.

6.8.3.1 Must be screened from view with shrubbery hedge or approved fencing. If an air conditioner can be viewed/seen from a street it is not sufficiently screened from view. This does not require that air conditioners be screened from view by an adjacent neighbor.

6.8.3.2 Temporary / Portable Storage Containers. In the event, a homeowner requires temporary storage due to construction the following rules must be adhered to:

1. An ARC application must be filled out stating the reason for the container.
2. The ARC application fee (30.00) will be charged if exterior modification is the reason for the container. If the reason for the container is interior modification, then no ARC application will be required.
3. The permit must be prominently displayed on the container.
4. All Temporary / Portable Storage Containers must be stored in the driveway.
5. The container should be as close to the house as possible and be in good condition.
6. The container permit can be approved for 30 days, by the General Manager.
7. If the homeowner requires the container for more than 30 days a request must be submitted to the ARC for review by the committee.

6.8.3.3 Installation of Permanent Generators. All permanent generators shall be approved upon the following conditions:

1. The generator shall be installed only on either the side or the rear of the house.
2. The generator shall be installed on a concrete, or stone or similar material type of pad.
3. The generator shall be screened from view.
4. The generator shall be only be used in emergency situations such as power outages, except the generator may be used periodically in accordance with the manufacture's recommendation for proper operation and maintenance between the hours of 10:00 a.m. and 2:00 p.m. only.

6.8.3.4 Propane Tanks. Propane tanks (permanently installed) shall be underground. Any exposed fixture shall be screened from view from the street.

6.8.4 Antennas. RESOLUTION NO. 1002.01 (11-8-02)

1. The Suntree Master Homeowners Association, Inc. shall comply with the Regulations of Title 47 of the Code of Federal Regulations relating to the powers of the Association to regulate or control antennas, satellite dishes and other equipment used to receive satellite television signals.
2. The Declaration of Restrictions of the Suntree Master Homeowners Association, Inc. shall be fully enforced to the extent that do not conflict with Title 47 of the Code of Federal Regulations.

6.9 Landscaping. Landscaping is defined as being an enhancement of the land, especially around buildings, by altering the contours planting trees, shrubs, and/or flowers and creating borders around landscape beds with pavers, bricks, or concrete curbing. ARC approval is not required. Brazilian Pepper trees are extremely invasive and shall not be planted in Suntree. Owners of lake front property are required to maintain their property to the water's edge. The goal of landscaping is to present a neat and well-maintained appearance. Raised planting beds are not considered Landscaping as defined in this paragraph and require ARC approval.

6.9.1 Xeriscaping / Zeroscaping is defined as landscaping that uses very few plants or none at all. This type of landscaping requires a detailed drawing or plan. No visible artificial turf is allowed.

6.9.2 Vegetable gardens are defined as any plant or plants, whether singly or in aggregate, intended to provide produce for human consumption, whether actually used for that purpose or not. Vegetable gardens are allowed on the side or back yard of a home's structure subject to the following restrictions.

1. Vegetable gardens may not exceed 500 square feet (in total, for one lot) or 10% of the Lot's available outdoor soil area, whichever is less. **Sub-associations' covenants and/or ARC Criteria may have stricter size limitations or may ban vegetable gardens entirely.**
2. Vegetable gardens shall not be allowed forward of the homes structure excluding the garage or forward of the home's setback.
3. Golf course or Lake Properties: Any part of the back or side of the house that abuts a lake or golf course shall not be used for vegetable gardens.
4. No plants or plant support structures shall exceed 5 feet in height.
5. Netting is not allowed.
6. Commonly used animal screening products (chicken wire, netting, hardware cloth, etc.) are not allowed.
7. Gardens must be maintained in a neat and weed free condition/appearance. Once the plants have stopped producing or wilted, they must be removed and the area must be maintained weed free. Tarps, plastic, or other sheet coverings are not allowed on active or fallow gardens. Ground mulch coverings are acceptable.
8. Drainage / Swale requirements: Location or construction of the garden may not change the contours of the lot or adjoining lots in any way that redirects or obstructs the current drainage or swale profile.
9. Gardens must be set back a minimum of 3 feet from any property line of the lot.

6.10 Irrigation Systems. Well pumps that are installed on the exterior of the residence must be screened from view from the street. Pumping irrigation water from SMHA lakes is allowed as a courtesy, provided such pumping systems are installed and properly maintained at the owner's expense.

6.11 Awnings. Awnings must serve a functional use rather than decorative. Fabric must be standard 100% acrylic “Sunbrella” type material with a minimum five-year life warranty. Other materials may be evaluated on a case-by-case basis. The applicant must submit a picture of window(s) where the awning will be installed and the color must be compatible with the color of the house body, trim or roof.

6.11.1 Canopies. Free-standing canopies may be installed adjacent to community pools only. As a minimum, the canopy must be made of polyethylene material; (no less than 12 mil) or 100% acrylic “Sunbrella” type material with a five-year life warranty. Other “materials may be evaluated on a case-by-case basis. The color must match color of the pool house, its trim or roof. The frame must be of a material able to withstand applicable wind load code and must be attached to a concrete slab.

6.12 Docks. No dock may be constructed without a signed licensing agreement and site plan approval from the SMHA. Lights on docks shall be low profile. 8 watts maximum, white lights shielded or hooded lamp no higher than 26 inches above the dock floor level.

The maximum number of lights will be six. Dock will not extend more than 10’ into the water from the mean high-water mark. Submit licensing agreement along with approval request to ARC. See Exhibit C for approved plan.

6.13 Fencing, Walls, and Hedging.

6.13.1 All fences, walls, and hedges must have written ARC approval before installation. Pictures or drawings of the proposed fencing, walls, or hedges, to include the locations, need to be included in the application, The ARC shall reserve the right to restrict fencing, wall, and hedge types, heights, and placements based on Suntime’s many atypical lot configurations and their associated aesthetic conditions. Additionally fencing, walls and hedges shall be maintained throughout their life. All fencing must be the same style and color. No mis-match fences. All fencing must be the same style and color. No mis-match fences.

6.13.2 Fencing, walls, and hedging types and definitions

6.13.2.1 Hedges- when a series of plants or bushes are planted or grow in such a manner that they form a solid expanse like a wall or fence, they will collectively be considered a hedge.

6.13.2.2 Wood fences-shall not exceed 6 feet in height and must be one of the designs approved in Exhibit D. All wood fences must be stained with an approved color:

1. Limewood SW 3567
2. Cedar SW 3561
3. Mountain Ash SW 3540
4. White Birch SW 3503
5. Weathered Gray SW 3568
6. Gray Pine SW 3560
7. Natural Clear Coat

The ARC's approval of color will depend on neighborhood and house color.

6.13.2.3 Chain link fences or wire fences-are not permitted on residential lots except to enclose tennis courts or sub-association pools. Tennis court fences must not exceed 12 feet in height. Tennis court landscaping is required to soften the impact of the fence.

6.13.2.4 Walls-shall be masonry with a painted stucco finish, brick, or stone façade and shall not exceed 6 feet in height. The ARC's approval of color will depend on neighborhood and house color.

6.13.2.5 Aluminum or wrought iron fencing are ones with an open picket design that does not significantly block the view and does not exceed 6 feet in height. Pickets shall not exceed 3/4" in width and spacing between pickets shall not exceed 3 3/4" in width.

6.13.2.6 Vinyl fencing shall not exceed 6 feet in height and must be one of the designs approved in Exhibit D. The ARC's approval of color will depend on neighborhood and house color.

6.13.3 Fence, wall, hedge, restrictions on placement and type.

6.13.3.1 No fences or wall shall be allowed forward of the home's front setback or forward of the home's structure excluding the garage. See Exhibit D.

6.13.3.2 Golf Course or Lake Property Fencing: Any part of the back or any part of the side of the house that abuts a lake or golf course shall not be fenced, walled or hedged. The remaining side or sides of the property that do not abut the lake or golf course may be permitted an aluminum or wrought iron fence according to section 6.13.2.5. See Exhibit D for typical examples. Exceptions shall only be granted for homes with pools that require safety fencing.

Safety fencing may be accomplished in accordance with ARC section 6.13.3.4, as long as the fencing is aluminum or wrought iron and meets the criteria of section 6.13.2.5. This section is not intended to restrict typical plant beds that may contain some hedges immediately adjacent to the home. It only intends to restrict those hedges that are used to create a fence or wall condition in a restricted area of the lot.

6.13.3.3 Privacy fence wall or hedge is one that is designed to provide the necessary screening for A/C, pool, generator, or mechanical equipment as is required in other sections of this ARC Criteria. These may exist in certain areas that restrict other fencing, walls, or hedges based upon specific ARC approval.

6.13.3.4 Pool screening or safety fencing. Pools within Suntime must meet state safety requirements such as those outlined in Florida Statute 515.29. In addition, homeowners are authorized the use of aluminum or wrought iron fencing around a pool as long as it is installed on the pool deck or abutting the pool deck and meets the criteria of section 6.13.2.5.

6.14 Flags in Residential Areas. This section is written to comply with Florida Statute section 720.304 or as amended from time to time. A maximum of two flags may be displayed at each residence in Suntime. A homeowner may

display in a respectful manner one official (current) United States flag, not larger than 4.5 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The requirement to display a flag in a respectful manner includes displaying the flag in accordance with its flag protocol, if one exists (such as the US flag). A permanent vertical flagpole with a maximum height of 25 feet is allowed. In accordance with Florida Statutes, a permanent flagpole cannot be placed in an easement. A permanent or temporary sloping flagpole with a maximum length of 6 feet may be affixed to the mailbox post or house. If affixed to a mailbox, it shall not be placed so as to hang across a sidewalk or the travel right-of-way of the street, or otherwise impede pedestrian or vehicular traffic on common walkways or streets. As one of two flags allowed, a homeowner may display a flag of a First Responder, Sports Team, whether Professional, College, High School, or other local amateur team. Sports Team flags shall not be displayed on a mailbox.

6.15 Driveways. Acceptable materials and design include: concrete. Stamped concrete, pavers, engraved patterns for existing concrete and concrete custom blended color coatings, stains, and paints. All colors and materials must be approved.

6.16 Mailboxes. Refer to Exhibit E for samples of mailboxes. The owner is responsible for ensuring that the mailbox is installed in accordance with postal regulations. House numbers may be displayed on the mailbox. The numbers should be a minimum of 2” high and clearly visible. Mailboxes should be of a type that will be in harmony with the existing homes and neighborhood. Gimmick mailboxes such as golf balls, manatees, dolphins, etc., are not allowed. Additional attachments that are not an integral part of the mailbox are not permitted.

6.16.1 Custom built paved, stucco, or brick enclosed mailboxes shall be installed in ordinance with Exhibit E. Color should be compatible with the house color.

6.17 House Numbers. House numbers are required in a prominent place clearly visible from the street. The numbers shall be a minimum of 2” high.

6.18 Playground Equipment. Installation of large playground equipment such as trampolines, Jungle Gyms, or similar equipment must be submitted to the ARC for approval.

Show on a drawing the location, configuration, and color and height of the equipment. All playground equipment must be placed on the rear of the lot behind a line extended from the rear wall of the existing residence (see Exhibit F). Exceptions can be made if the lot configuration is such that it is geographically impossible to place the equipment behind the rear lot line on the house. Exception may be granted by the ARC. Playground equipment must be maintained in good order and not exceed the maximum height of 12’. Natural wood need not be painted. See Section 6.18.2 for Basketball Systems. Skateboard ramps are considered playground equipment and when not in use should be stored in a garage.

6.18.1 Tree Houses. Tree houses are not permitted.

6.18.2 Permanent Basketball Systems. Installation of Basketball systems must be submitted to the ARC for approval. The location, configuration, and color must be shown on a drawing. Portable or in-ground systems are allowed. All Basketball systems must be maintained in good order. For approved design, see Exhibit B. Specifications:

1. Backboard:

- a. Materials – No wooden material allowed. Similar or equivalent materials to acrylic, polycarbonate, steel, aluminum, plastic, polyethylene, graphite, glass, resin material recommended.
- b. Color – Recommended colors are white, gray, blue, or clear.

2. Pole:

- a. Material – No wooden material allowed, heavy aluminum or steel pipe recommended.

- b. Color- painted black, dark brown, white, or gray.
3. Must be installed not more than ½ way between the house and the road (as close to the house as possible is preferred).

6.19 Pools and Spa. Swimming Pools, Spas, and Screened Enclosures are designated as an accessory use in all residential zoning classifications pursuant to Brevard County Code Section 62-2123 and separate set back requirements apply to them. ARC may approve such pool or spa provided, however that they shall not encroach into any drainage, utility or other easements located on the lot lines. Contractor plans for in ground pools or spas must be submitted by the homeowner for ARC review.

The Application must include the location of equipment and method to be used to conceal equipment.

Above ground swimming pools are not permitted.

6.19.1 Patios. Patios are defined as being a pad/slab to be used as an outdoor living area. Construction materials consist of, but are not limited to, pavers, concrete, brick, composite planks, plastic planks, aluminum, wood (natural or pressure treated), stone, slate stepping stones, or concrete stepping stones. The building of a patio requires ARC approval. Patios with permanent structures built on top are considered New Construction. Patios without permanent structures built on top are considered Modifications of the existing landscape. Patios built on private property but not abutting the foundation of a house are considered Modifications.

6.20 Hurricane Protection. Hurricane protection approved for use in Suntree come in many forms are classified into 2 categories: permanent installations and removable installations.

6.20.1 Permanent installations require an ARC application to be submitted to SMHA ARC for approval since these installations change the exterior appearance of the home. These include, but are not limited to, roll-down shutters, accordion shutters, Bahama shutters, clear, flat Lexan type window protection, hurricane screens and any fasteners or

rails that are permanently attached to the structure, and any future professionally designed hurricane protection systems that might be available. All pieces that are permanently affixed to the structure must be approved prior to installation and color should be compatible to the house. Permanent installations submitted for ARC approval should be professionally designed/tested and installed systems. As noted in paragraph 6.25 solar film applied to windows as permanent hurricane protection may be installed but must be non-metallic in appearance.

6.20.2 Removable installations, such as plywood, corrugated Lexan, Plexi-clear, unpainted metal, or fabric panels that do not have any permanent fixed structure attached to the house do not require an ARC application. Some removable installations may have rails permanently attached to the home, and therefore the rails require ARC approval.

6.20.3 Refer to SMHA Covenant Enforcement Guidelines for authorized uses of all approved shutters.

6.21 Screens. Charcoal or black screening is approved for use on windows, doors, and screened enclosures. Other colors may be permitted on a case-by-case basis.

6.22 Signs. Only the following types of non-governmental signs are permitted in Suntime.

6.22.1 For Sale and For Rent Signs

1. Restricted to the Standard Suntime Design set forth. Size 18” x 24”
 - a. Color: Dark Green (BLV18) with white letters, numbers, and trim.
 - b. Post: Black metal or wire push in style no higher than 34” from top of sign to ground.
 - c. Material: 6 mil white PVC cut to shape or corrugated plastic.
 - d. With Suntime Logo and Suntime website.

- e. No riders allowed above or below signs except for the integrated Suntree logo.
 - f. Existing signs with the previous design may be used until 1-1-2019 unless they are in poor condition.
2. No more than one sign per property.
- a. Signs shall be placed in front, side, or rear of the house, but not on the lakeside.
 - b. Sign, one or two sided, shall be placed parallel or perpendicular to the house and not less than 5' from the edge of the roadway or sidewalk, whichever is further; and may have an optional information tube attached to the bottom of the sign, either clear plastic or the same colors as the approved sign.
 - c. Sign shall be placed on actual property for sale or rent.

6.22.2 Neighborhood and Sub-Association Signs.

- 1. Permanent neighborhood identification signs.
- 2. Consolidated common for sale or for rent signs on Sub-Association common property.
- 3. Association informational signs of the size and style similar to 6.22.1 b&c placed at the community entrances for a duration no longer than 48 hours prior to the event and 24 hours after the event. This section is intended to be provided for proper notice of HOA meetings.

6.22.3 Open House and Garage Sale Signs and Flags

- 1. Step-in type only, no posts.
- 2. Only one sign and one flag per house or lot.
- 3. One additional sign may be placed at the nearest intersection with a primary road within Suntree Street system (e.g. Pinehurst Ave. and St. Andrews Blvd.; Inverness Ave and Interlachen Road; Forest Lake Ave. and Spyglass Hill Rd.)
- 4. Open House flag may not exceed 3' x 5' in size.
- 5. Open House sign and Garage Sale sign may not exceed 18" x 24".

6. May be displayed only during actual hours of open house or garage sale.

6.22.4 General Contractor and Sub-Contractor Signs.

1. A general contractor may have one sign per lot not to exceed 24"x24."
2. Sub-Contractor signs are not allowed.
3. Signs may be posted while work is in process and shall be removed when the work is completed.

6.22.5 Security Signs

1. Maximum size – 6" x 12"
2. Maximum height – 18" above the ground.
3. May be affixed to a window or placed in the yard by the house.
4. Only two signs allowed per property.
5. Beware of Dog signs shall be permitted only on gateways to doors to enclosed areas in which dogs are allowed to roam. The sign shall not exceed 3" x 12" rectangular size.

6.22.6 Informational Signs. Temporary informational signs may be posted from time to time by the SMHA board or committees.

Both the Jack Mahon and Interlachen park signs along with the intersection of St. Andrews and Interlachen (by the postal box) shall be permanent informational signs designed to accept a preprinted plastic insect. Corrugated plastic 18x24 signs on wire push in style posts may be conservatively utilized at major Suntree entry and exit points to include Wickham at Forest Lake, Pinehurst, St. Andrews, and Interlachen. Additionally, along St. Andrews, Pinehurst, Spyglass as they exit SMHA. The duration of posting push in style signs shall not exceed two weeks unless the SMHA board wishes to extend this period.

6.22.7 No sign may be:

1. Attached to the exterior of any building, wall, or fence.
2. Attached to any tree, government sign or utility structure.
3. Displayed in any window except Security Signs.

6.22.8 Applicability. These restrictions shall also apply to applicable County rights-of-way within the Suntree PUD and be effective September 1, 1996.

6.22.9 Standard Suntree Design. The sketch below illustrates the Standard Suntree Design. Further information is available at the office of the Association.

6.22.10 Business Member Signage Specific To Business Members.

1. Permanent Business Sign – is defined as the unique sign that identifies the business that operates as the address. Existing signs of this nature are grandfathered without the necessity for additional approval from SMHA, if approved by Brevard County, prior to 3-1-2016.

New or altered permanent Business Signs must be approved prior to placement by the SMHA Mod ARC after 3-1-2016.

2. For Sale or Lease signs shall be limited to one sign per tax parcel plus one sign on the Wickham Road median, if the county allows. Signs shall be removed immediately after the close or lease date.



For Sale or For Lease signs meeting the standard below shall not require SMHA Mod ARC approval.

A dual-sided, not to exceed 4 feet by 4 feet, plus the current Suntree logo crown, with 24” x 4” posts.

Or two one-sided 4 feet by 4 feet signs, plus the Suntree Logo crown, angled at 90 degrees to each other on three 4x4 posts, as to visible to traffic.

3. Event Sign-is defined as a single sign necessary for the promotion of a business event. One event sign per tax parcel is allowed during daylight hours only for a period not to exceed two weeks. Event signs are limited to 4 events per year for that tax parcel. Event signs do not need SMHA Mod ARC approval but may need Brevard County approved prior to placement:

- Event Flag sign
- Event Inflatable sign
- Portable LED or electric sign
- Push in style 18” x 24” road sign

4. Other business signs-Business owners that wish to place a sign different than the prescribed standard or not defined as a Permanent Business Sign, For Sale or For Lease Sign, or Event Sign shall obtain SMHA Mod ARC approval and Brevard County approval, if applicable, prior to its placement.

6.23 Solar Panels. Solar panels should blend into the structure as much as possible. They shall lie flat on the roof and not be tilted up at a greater pitch than the roof unless design provisions are made to blend it into the structure. Any pipes down the side of the building will be painted to match the house color.

6.24 Attached and Unattached Structures. All storage buildings, utility sheds, greenhouses, and other similar structures not made an integral part of the architectural design of the main structure are prohibited. Notwithstanding anything to the contrary, a pergola, gazebo, or cabana may be installed on a Lot, only if that Owner complies with each of the following provisions:

1. Proposed plans for the pergola, gazebo, or cabana, including an architectural sketch or picture, proposed location on the Lot, proposed materials to be used in construction and placement, and

proposed finish materials, including landscaping and colors must be submitted to the ARC.

2. Proposed construction, installation, or placement specifications must demonstrate that the pergola, gazebo, or cabana is rated, anchored, and/or otherwise certified to structurally withstand the wind load of a Category 1 hurricane, as rated on the Saffir-Simpson Hurricane Wind Scale.

However, nothing in this provision shall create a duty of the ARC or SMHA to certify, inspect, or otherwise ensure that such structure shall be built or is built to structurally withstand a Category 1 hurricane.

3. The ARC must approve the construction, installation, or placement of the pergola, gazebo, or cabana at a property noticed ARC meeting.

6.25 Window Treatment. No aluminum foil is permitted in windows. Solar film may be installed in non-metallic in appearance. The color of the window treatment must be compatible with the house.

6.26 Seawall. A wall designed to prevent erosion of a shoreline. All seawall requests (applications) must be submitted with an engineering report prepared by a Professional Engineer (PE) registered in the State of Florida, certifying that erosion does exist and providing an acceptable recommendation to correct the problem. Seawalls within the Suntree Planned Unit Development (PUD) must be professionally designed using concrete, pressure treated wood, plastics, galvanized metal, geotextile fabric sediment containment or a combination of these materials. Unless absolutely necessary per the engineering report, areas that originally had a typical sod to the water edge should, upon completion, restore a typical sod to edge of water repair technique.

Loose boulders or rocks dumped at the water's edge, even if part of an engineering plan, should be avoided unless a waiver is provided by an affirmative Board vote.

SECTION SEVEN

FEES

7.1 Fees. The following fees are established for homeowners. Faith-related organizations within Suntree must submit appropriate ARC requests but are not required to pay fees. Homeowners' Associations within Suntree must submit appropriate ARC request but are not required to pay fees for changes to common areas such as entryway signs, community pools, privacy walls, and community meeting houses. Homeowners' Associations within Suntree requesting changes to individual residences (roofs, painting, etc.) must pay appropriate fees. Commercial properties within Suntree, to include Suntree Country Club, must pay fees for ARC changes.

7.1.1 New Construction:

Application Fee \$30.00

7.1.2 Demolition:

Application Fee \$30.00

7.1.3 Major Reconstruction/Pool:

Application Fee \$30.00

7.1.4 Multi-family/Zero Lot Line Project:

Application Fee \$30.00

7.1.5 Modification Fees: Fees apply to all ARC projects except as noted above.

Application Fee \$30.00

Application Fee if projected started without ARC approval \$130.00

Revision of an Approved Application \$20.00

Homeowners' Association requesting approval for changes to individual residences (painting, roofing for example) must pay the \$30.00 application fee for each project.

7.1.6 Maintenance Fees. Maintenance, as defined in Section 1.5, does not require a fee.

7.1.7 No Prior Approval Fee: Fees apply to all ARC projects that have been started and/or completed without ARC approval.

Application Fee: \$130.00

SECTION EIGHT

Penalties for Violation of the Criteria

8.1 In addition to all other remedies, as may be proved by the SMHA's governing documents, and to the maximum extent lawful, in the sole discretion of the Appeals Committee to be established by the Board of Directors in accordance with the requirements of Florida Statutes 720.305 (2), (2010), a fine or fines, or suspension of rights to use certain Common Areas of the SMHA (or both), may be imposed upon an Owner, tenant, guest, or invitee. Such fine or suspension may be imposed for failure to comply with any covenant, restriction, rule, or regulation set forth herein or in any of the Association's governing documents, including for failure to receive prior approval of the ARC for any work which is governed by these ARC Criteria provided the following procedures are adhered to:

- a. Notice: The Board of Directors of the SMHA of the Appeals Committee shall notify the Owner, tenant, guest and/or invitee of the alleged infraction or infractions and provide such individual or entity at least (14) days' notice of the intent to fine or suspend use rights to certain Common Areas. Included in the notice shall be the date, place, and time of a hearing before the Appeals Committee at which time the party sought to be fined or issued a suspension may present evidence and reasons why fine(s) or suspension(s) should not be imposed.
- b. Hearing: The alleged non-compliance shall be presented to the Appeals Committee at a hearing at which time the party sought to be fined or issued a suspension for the alleged violation shall have an opportunity to present defenses and reasons why a fine(s) or suspension(s) should not be imposed. A written decision of the Appeals Committee shall be submitted to the party responsible for the alleged violation not later than twenty-one (21) days after the meeting of the Appeals Committee. The party sought to be fined or issued a suspension shall have a right to be represented by counsel and to cross-examine witnesses.
- c. Fines and/or Revocation of Certain Privileges: The Appeals Committee may validate reasonable fine not to exceed \$100.00 per violation, or, in the case of a violation which exists for more than one (1) day (hereinafter a "continuing violation"), may validate a reasonable fine on the basis of each

day of said continuing violation not to exceed \$2,500.00 in the aggregate, against any Owner, tenant, guest and/or invitee. Additionally, or alternatively, the Appeals Committee may suspend the rights of any Owner, or Owner's tenants, guests, or invitees, or both, the use Common Areas and facilities, to the extent allowed by law.

- d. Payment of Fines: Fines shall be paid not later than fifteen (15) days after notice of the imposition or assessment of the penalties.
- e. Collection of Fines: To the extent allowed by law, fines shall be a charge and continuing lien against the subject lot and shall be treated as an assessment, including the right of foreclosure, all as subject to the provisions for the collection of assessments set forth in the SMHA's governing documents.
- f. Application of Proceeds: All monies received from fines shall be allocated as directed by the Board of Directors

8.2 Upon approval of the Board of Directors, a lawsuit may be filed against the violator to convert any fine into a Judgement.

8.3 Occupancy Prior to Final Approval. In the event that an owner has received "conditional approval for occupancy of a residence" from the County prior to the final inspection and approval by the ARC, the owner may occupy the residence provided that he/she deposits \$1,000.00 with SMHA to assure the completion of all external construction items in accordance with the date set by the County's conditional approval. Owner's deposit will be refunded upon completion of these items as scheduled and approval by ARC. Owner shall forfeit deposit if schedule of completion has not been met.

EXHIBIT A

Section 4.3 – Page 12

NO SUBMITTAL REQUIRED

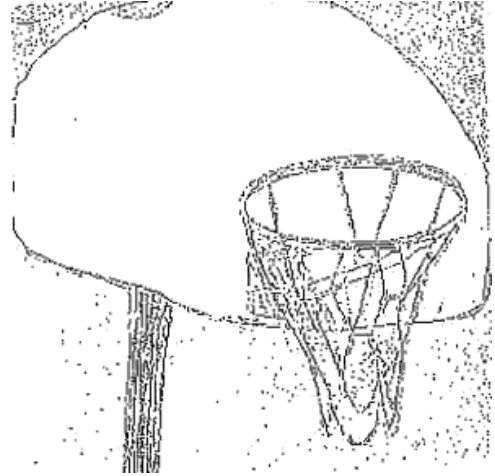
Any item of basic maintenance that does not change the appearance of the property does not require an ARC request be submitted. Additionally, the following changes do not require ARC request/approval.

1. Flowers
2. Foliage / bushes (hedges must be submitted)
3. Planting of new trees
4. Exterior lighting (carriage, security, or landscaping lights)
5. Lawn furniture / lawn ornaments
6. Basketball goals (non-permanent) do not require ARC approval but must comply with Paragraph 4 of Exhibit B.
7. Curbing (bordering materials generally used in landscaping)
8. Tiling existing screened porch, patio, or covered entranceways
9. Non reflective solar film on the interior of windows

EXHIBIT B
Section 6.18.2 – Page 25-26
Permanent Basketball Systems

Approved specification of standard equipment for installation of single support outdoor Basketball backstop.

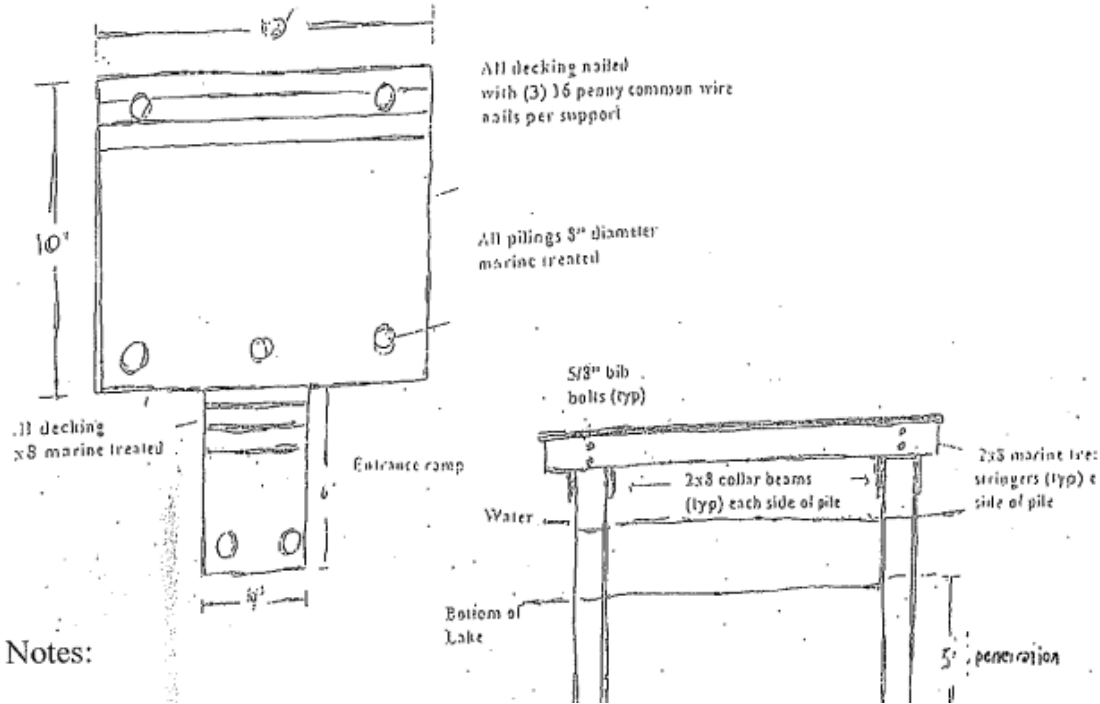
Homeowners must submit plans to show ARC prior to installation showing location and type of material.



Specifications:

1. Backboard:
 - a. Materials – No wooden material allowed. Similar or equivalent materials to acrylic, polycarbonate, steel, aluminum, plastic, polyethylene, graphite, glass, resin material recommended.
 - b. Color – Recommended colors are white, gray, blue, or clear.
2. Pole:
 - a. Material – No wooden material allowed, heavy aluminum or steel pipe recommended.
 - b. Color – Painted black, dark brown, white, or gray.
3. Net:
 - a. Material – cloth or nylon
 - b. Color – white
4. Must be installed not more than $\frac{1}{2}$ way between the house and the road (as close to the house as possible is preferred). All fittings should have a corrosive finish and must be maintained in good condition.

EXHIBIT C
Section 6.12 – Page 21
Docks



Notes:

1. All hardware hot dipped galvanized steel or stainless steel.
2. Docks not to extend more than 10' into the water from the mean high-water mark.
3. Docks shall be constructed in accordance with The Florida Building Code, latest edition. Specific sections shall include, but are not limited to, 1600 – Structural Design and 2300 – Wood Construction.
4. Specified wood sizes are nominal not actual. Design specifications (NDS) for wood construction, latest edition.
5. Wood members shall be Southern Pine Stress Grade no.1 – typical. Wood members shall be generally free of waness, skips, knobs, knots, splits, or other latent defects.
6. Refer to paragraph 6.12 for additional information.
7. Owner / Builder shall use extra care to avoid damage to existing structures. Foundations or other nearby facilities during construction, It's the responsibility of the Owner/Builder to familiarize himself/herself with existing conditions prior to construction.

8. If Owner/Builder discover existing conditions which may jeopardize the integrity of the dock structure or cause an unsafe condition, he/she shall notify SMHA for consultation prior to proceeding with the work.

EXHIBIT D
Section 6.13 – Page 21-24
Fences

Standards for Fencing

1. Construction: All Wood fencing must be shadow box, board on board, stockade, or horizontal in style. Decorative additions to fence styles shown will be considered on a case-by-case basis. Wooden lattice fencing is approved for the purpose of screening small areas as utilities, air conditioners, and pool equipment.
2. Height: No fence shall be higher than six feet.
3. Maintenance: All fences must be maintained both physically and cosmetically to the same standard as the house.
4. Acceptable Finishes: All wood fences must be stained with an approved color.
5. All fencing must be the same style and color. No mis-matched fences.

EXHIBIT D (continued)
Acceptable Wood Fencing



Horizontal Fence



Shadow Box Fence



Board On Board Fence



Stockade Fence

EXHIBIT D (continued)

Vinyl Fencing Examples



Acceptable Colors: White, Tan, and Beige

EXHIBIT D (continued)

Wrought Iron and Aluminum Fencing Examples



Exhibit D (continued)

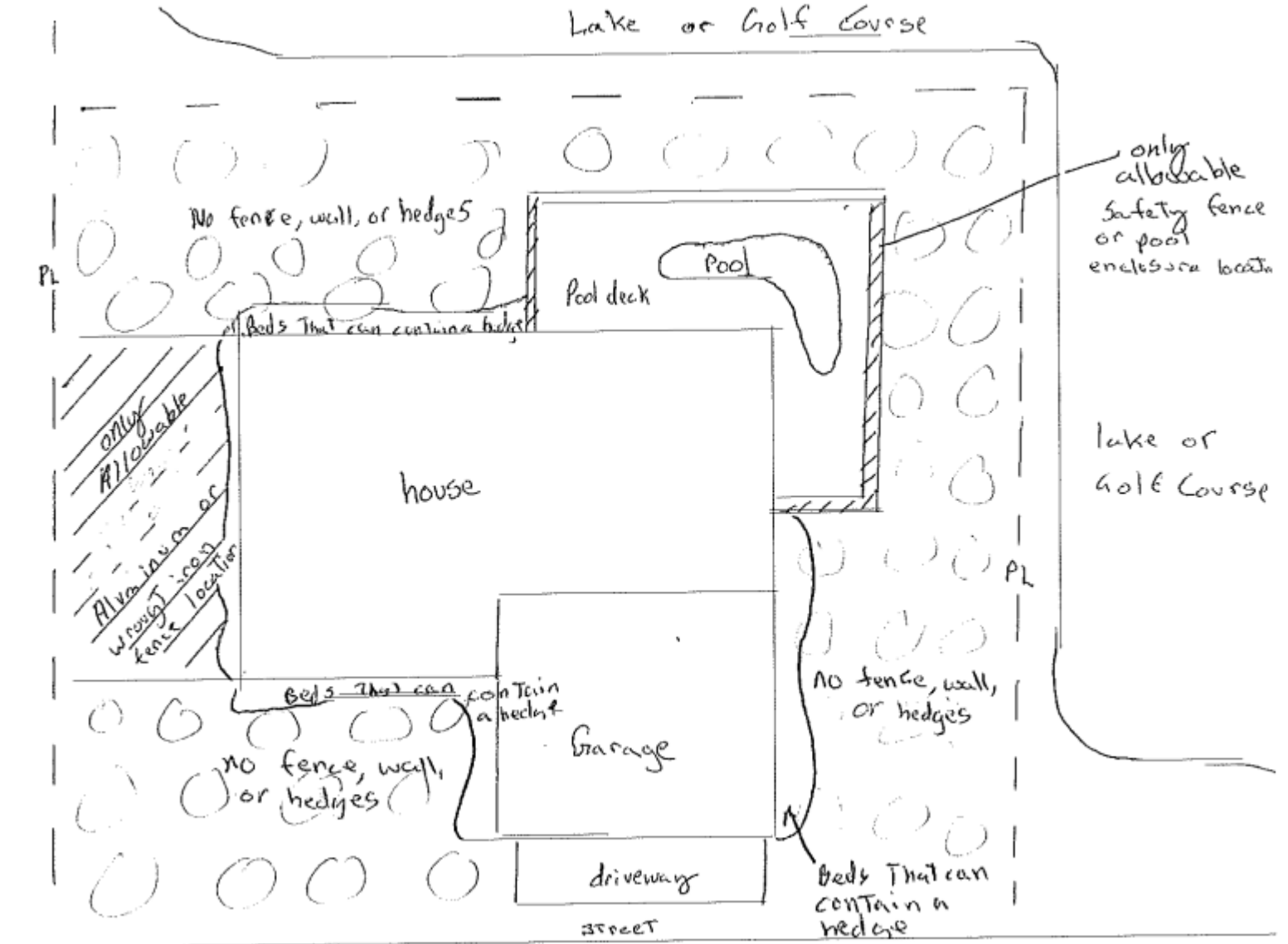


EXHIBIT E
Section 6.16 – Page 24-25
Mailboxes

Mailbox Placement (US Postal Guidelines)

1. Post to be 12” back from curb or edge of road.
2. Bottom of mailbox should be 38 ½” from the ground.
3. House numbers should be 2” high on flag side of mailbox.
4. Install the box on the side of your driveway where you will not put out your trash cans on trash pick-up day.
5. Customer built (stucco or brick enclosed) mailboxes must be installed flush with the curb.

These are some of the approved existing mailboxes.

The homeowner will be responsible to ensure that the mailbox placement is in compliance with the U.S Postal Guidelines.

Molded Vinyl, Wrought Iron, and Aluminum Mailbox

Molded Vinyl

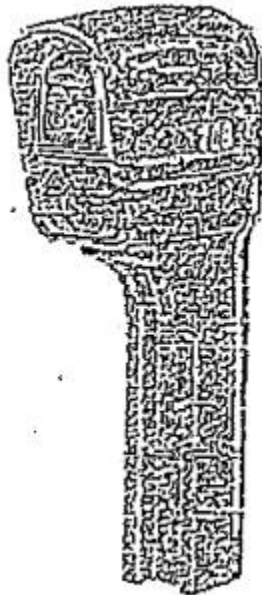
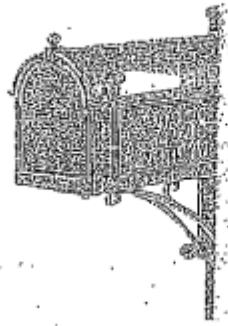


EXHIBIT E (continued)
Mailboxes

Ornate Cast-Iron and Aluminum



Mailbox posts



Custom built (stucco or brick enclosed) Mailboxes

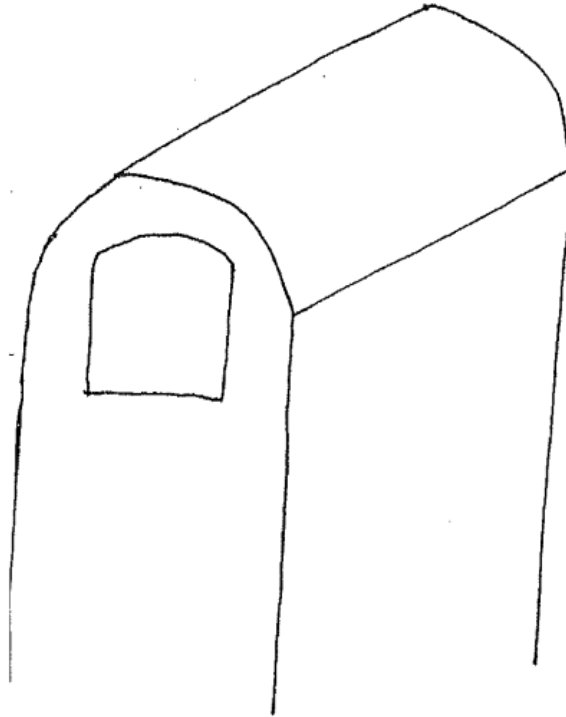


EXHIBIT F
Section 6.18 Page 25-26
Playground Equipment

