

VENTANA

ARCHITECTURAL STANDARDS MANUAL

December 13, 2011

This Manual supersedes the Ventana Architectural Standards Manual (ASM) of March 15, 2000 and July 18, 1995. This version includes several amendments and article renumbering. It is recommended that this ASM be read in its entirety to ensure all owners are familiar with, understand and comply with the rules and regulations provided herein for the benefit of all owners in Ventana.

Questions, comments or concerns will be directed to the Chairperson of the Architectural Review Board (ARB.) After a discussion with the ARB members, a reply will be forthcoming in a timely manner. Members of the ARB are listed on the Ventana website at:

WWW.VENTANOA.COM

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ARTICLE I

GENERAL ADMINISTRATION

- 1.1 **Authority:** The authority for the Architectural Review Board (ARB) is set forth by the Declaration of Covenants (Cov) and Restrictions encumbering Ventana. The ARB is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the total community.
- a. The Association, acting by and through the Ventana Owners Association (VOA) Board, shall have the right to appoint and replace, from time to time, all members of the ARB (Cov 12.3, b.)
 - b. The number of members on the ARB shall be determined by the Association but at no time shall be composed of less than three (3) persons. The members of the ARB need not be owners or members of the Association (Cov 12.2.)
 - c. The action of a majority of such members that are present at a meeting of the ARB shall determine the action taken by the ARB at such meeting (Cov 12.2.)
- 1.2 **Function:** In accordance with the Ventana Owners Covenants, Article XII, the purpose and function of the ARB is to:
- a. create, establish, develop, foster, maintain, preserve and protect a unique, pleasant, attractive and harmonious, physical environment grounded in and based upon a uniform plan of development and construction of the highest quality and with consistently high architectural, ecological, environmental and aesthetic standards and
 - b. review, prevent, approve, change and otherwise control the design of any and all buildings, structures and other improvements of any kind, nature or description, including landscaping, to be constructed upon any lot and all common property within Ventana (Cov 12.4, a. and b.)
- 1.3 **Architectural Standards Manual and Rules and Regulations:** The ARB shall develop, adopt, promulgate, publish and make available to all owners and others who may be interested, either directly through the Association, an Architectural Standards Manual and/or Rules and Regulations information for a reasonable charge (Cov 12.7, para 1 and 12.8.)

a. Architectural Standards Manual (ASM):

- (1) The ARB may from time to time change, modify and amend a manual or manuals setting forth detailed architectural and landscape design standards, specifications and criteria to be used by the ARB as a guide or standard for determining compliance with the Declaration and the acceptability of those components of development, construction and improvement of the subject property requiring review and approval by the ARB (Cov 12.7, para 1.)
- (2) Any such ASM may include a detailed interpretation or explanation of acceptable standards, specification and criteria for a number of typical design elements, including, without limitation, site planning, architectural design, building materials, building construction, landscaping, irrigation and such other design elements as the ARB, in its sole discretion, shall determine (Cov 12.7, para 2.)

b. Rules and Regulations: The ARB, at its discretion, may develop and implement Rules and Regulations governing the submission of plans and specifications to the ARB for its review and approval. Unless such Rules and Regulations are complied with, in connection with the submission of plans and specifications requiring review and approval by the ARB, plans and specifications shall not be deemed to have been submitted to the ARB (Cov 12.8.)

1.4 **Improvements:** All improvements, *unless otherwise specifically stated*, are subject to the approval of the ARB (Cov 12.5.) The ARB has the right to refuse to give its approval to the design, placement, construction, erection or installation of any improvement on the subject property which it, in its sole discretion, deems to be unsuitable, unacceptable or inappropriate for Ventana (Cov 12.6.)

a. No buildings, structures, walls, fences, pools, patios, paving, driveways, docks, decks, sidewalks, landscaping, planting, irrigation, landscape device or object or other improvement of any kind, nature or description, whether purely decorative, functional or otherwise, shall be commenced, constructed, erected, made, placed, installed or maintained upon subject property except in compliance and conformance with and pursuant to plans and specifications therefore which shall first have been submitted to and approved in writing by the ARB (Cov 12.5.)

b. No change, maintenance or addition to, 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, shall be made or undertaken upon subject property except in compliance and conformance

with and pursuant to plans and specifications therefore which shall first have been submitted to and approved in writing by the ARB (Cov 12.5.)

- 1.5 **Application for Architectural Review:** The Application for Architectural Review can be obtained from the Ventana Owners Association (VOA) website at WWW.VENTANOA.COM, a VOA Board member or ARB member. The application is to be made in duplicate with each application containing the same required information and/or documentation.
- a. The requested item(s) on the application MUST be specifically and clearly noted. The guidance provided in the Rules and Regulations must also be adhered to in the submission of the application. Applications that are not will be considered invalid and must be corrected prior to review (Cov 12.8.)
 - b. Items requiring an application for approval by the ARB are noted in each respective section within the Architectural Standards Manual (ASM).
 - c. Applications are to be given to the Chairperson of the ARB in duplicate or mailed to Ventana Owners Association, P. O. Box 560328, Rockledge, FL 32956-0328 for posting date upon receipt.
- 1.6 **Variances:** Requests for exception or variance must be submitted in the same fashion on the Application for Architectural Review request form. Any variance granted shall be considered unique and will not set any precedent for future decisions.
- 1.7 **Standards for Review:** Review of applications by the ARB shall take into account the objects and purposes of the Declaration and the purposes and function of the ARB. Such review by and approval of the ARB shall also take into account and include the type, kind, nature, design, style, shape, size, height, width, length, scale, color, quality, quantity, texture and materials of the proposed building, structure or other improvement under review, both in its entirety and its individual or component parts, in relation to its compatibility and harmony with other, contiguous, adjacent, nearby structures or other improvements and in relation to the topography and other physical characteristics of its proposed location and in relation to the character of the Ventana community in general (Cov 12.6.)
- a. All requests are subject to the approval of the ARB (Cov 12.5.)
 - b. The Architectural Standards Manual (ASM) shall be used by the ARB and other affected persons only as a guide and shall not be binding upon the ARB in connection with the exercise of its review and approval functions and ultimate approval or refusal to approve plans and specifications submitted to it pursuant to the declaration. (Cov 12.7, para 3.)

- c. The ARB shall be entitled, in its discretion, to establish, determine, charge and assess a reasonable fee in connection with and for its review, consideration and approval of plans and specifications pursuant to Article XII taking into consideration actual costs and expenses incurred during the review process (Cov 12.8, para 2.)
- 1.8 **Time Limitation on Review:** The ARB shall either approve or disapprove a received application within thirty (30) days after the same has been duly and completely submitted in accordance with any Rules and Regulations regarding such submission as implemented by the ARB (Cov 12.9.)
- a. All efforts will be made by the ARB Chairperson to contact each ARB member for review of each application and decision; however, an application will be held no longer than fourteen (14) days for this purpose.
 - b. Notwithstanding 1.7, a., the majority vote of ARB members will constitute an approval or disapproval of an application.
 - c. Notwithstanding 1.7, a., in the event the total number of members available equals an even number and the vote results in a tie, an officer of the VOA Board may vote in the absence of an ARB member.
- 1.9 **Duration of Approval:** Any approval of plans, specifications and other materials, whether by the ARB or the Board of the Association following appeal, shall be effective for a period of one year from the effective date of such approval (Cov 12.10.)
- a. If construction or installation of the building, structure or other improvement for which plans specifications and other materials have been approved has not commenced within said one year period, such approval shall expire, and no construction shall thereafter commence without a resubmission and approval of the plans, specifications and other materials previously approved (Cov 12.10.)
 - b. The prior approval shall not be binding on the ARB upon resubmission in any respect (Cov 12.10.)
 - c. It is the responsibility of the Owner(s) to ensure compliance with any government regulations, Architectural Standards Manuals and/or Rules and Regulations implemented by the ARB prior to resubmission.
- 1.10 **Limitations of Responsibilities:** The primary goal of the ARB is to review the applications, plans, specifications, materials and samples submitted to determine if the proposed structure conforms in appearance and construction criteria with the standards and policy set forth by the ARB. The ARB assumes no

responsibility whatsoever to any applicant, owner or third party for any construction, improvement or related events.

- 1.11 **Exculpation:** Owners are responsible **to verify** all requirements of the various governmental agencies.
- a. Plans, specifications and other materials submitted to and approved by the ARB or Board of the Association on appeal shall be reviewed and approved only as to their compliance with the provisions of the Declaration and their acceptability of design, style, materials, appearance and location in light of the standards for review and approval specified in the Declaration and the Architectural Standards Manual (ASM).
 - b. Applications shall not be reviewed or approved for their compliance with any applicable governmental regulations including, without limitation, any applicable building or zoning laws, ordinance, rules or regulations (Cov 12.13.)
 - c. Neither the directors or officers of the Association, the members of the ARB nor any person acting on behalf of any of them, shall be **liable** for any costs or damages incurred by any owner or any other party whatsoever due to any mistakes in judgment, negligence or any action of the ARB in connection with the inspection, review, approval or disapproval of any improvements or proposed improvements.
 - d. Each owner agrees, as do their successors and assigns by acquiring title thereto or an interest therein or by assuming possession thereof, that they shall not bring any **action or suite** against the directors or officers of the Association, members of the ARB, or their respective agents, to recover any damages caused by the actions of the ARB.
 - e. Neither the directors or officers of the Association, the members of the ARB, nor any person acting on behalf of any of them, shall be responsible for any **defects** in any plans or specifications, nor for any defects in any improvements constructed pursuant thereto. Each party submitting plans and specifications for approval shall be solely responsible for the sufficiency thereof and for the quality of construction performed pursuant thereto.
- 1.12 **Conflicts:** In the event of a conflict between this Architectural Standards Manual and the Declarations, the Declarations shall prevail.

ARTICLE II

SITE PLAN STANDARDS

- 2.1 **Utility Structure:** All utility company pull boxes, transformers, etc., have been set within the easement or right-of-way. Future grading around these structures shall insure drainage. Planting shall be done in a manner that reduces the visual impact of these structures.
- 2.2 **Side and Rear Easements:** Some lots may have easements for drainage pipes, utility crossings and wall maintenance. Reference the recorded plat and your individual lot survey for details.
- 2.3 **Building Setbacks:** Setback (in feet). Points of reference are from the owner's property line and right(s)-of-way (which commence with the edge of the sidewalk closer to the dwelling).

Front 25 From right-of-way

Rear 20 From property line to dwelling

Side The minimum side setback shall be not less than ten (10) feet from either one of the side lot lines of property and eight (8) feet from the other (opposite) side lot line of the property.

Corner lots Corner lots shall have a setback of not less than twenty-five (25) feet from both street rights-of-way.

Pool Deck Curb/Base and Screen Not to exceed sidewall of house
Screen Enclosure at Side Yard

Rear Decks and Patios 7.5
(None if abutting a designated water retention area: Rockledge Policy – Bldg Dept 690-3978)

Drives and Walkways 4' from the property line
(At Side Yard)

Building Height 35' to the highest point

- 2.4 **Fences:** *Requires ARB and city application and approval.* Ventana homeowners selected their home site locations as best suiting their desire for privacy or unobstructed views of wildlife activity on lakes, canals or natural areas. Fences achieve three purposes: screening of utilities, overall or semi-privacy and trellis-

plant supports. Each situation will be approved on a case-by-case basis; however, all fencing will comply with the following criteria when seeking ARB approval:

- a. Fence applications will be submitted on Application for Architectural Review, Homeowner's Addition/Change Request Form with the landscaping plan as appropriate or on the original application.
- b. Privacy fences and lakeside fences in lieu of vegetation buffers in general are discouraged.
- c. Fence material in all cases will be white PVC (vinyl) only.
- d. Fences which abut community walls will not exceed wall height including supporting post caps. Non-abutting fences will not exceed 6 feet.
- e. Fences for properties that side-abut or rear-abut will be installed close to but within the property line of the fence owner with panel designs the same on both sides or best side facing out. Semi-private panel design with landscaping is encouraged.
- f. Privacy fences which degrade views from homes on corner lots are discouraged.
- g. Fences parallel to the water on the interior lakes and along the canal south of Ventana are discouraged beyond the rear structure of the house or pool enclosure. Homeowners will be encouraged to install landscaping in lieu of fences to improve aesthetics without degrading community openness. In those cases, where authorized on an interior water or canal lot, the structure will be a semi-private fence of 4 feet in height with a requirement for landscaping strategically placed to break up at least one third of fence lines. The fence approval application will include a landscaping plan. If approved, the fence and landscaping will be installed at the same time.
- h. Homeowners installing fences are responsible for all maintenance on both sides of the fence and associated landscaping. The landscaping is to be kept and maintained on the owner's side of the fence without extending over the fence or onto the neighboring property.
- i. Common areas between front wall and adjacent lots may be enclosed if maintenance and needed-access and/or expense-responsibilities are accepted by the homeowner in the ARB application.
- j. Fence installation on a property line shared by two homeowners will

require a notarized letter of intent signed and dated by all affected parties that clearly states their agreement. The language of the document must contain

- (1) a paragraph acknowledging the ownership of the shared or common fence boundaries
- (2) the home addresses and the name(s) of the property owners
- (3) the nature of responsibilities concerning ongoing maintenance, replacement and repair due to damage
- (4) the effects of a future sale of property on the existing agreement

An example of such a letter follows:

We, the undersigned, acknowledge that the common fence separating our properties located at _____ and _____ is jointly owned by Mr/Mrs _____ and Mr/Mrs _____, respectively. We, the property owners of record, are jointly responsible for ongoing maintenance, replacement, and repair due to damage. When ownership of either property transfers to subsequent homeowners, so does the 50% interest in the shared fence.

k. Installation of the two (2) types of approved fence designs are:

- (1) Four (4) foot fencing with a semi-private design which must be installed with a minimum offset of five (5) feet from the frontal area of the home.
- (2) Private design fencing must be installed with a setback from the frontal area of the home to at least the mid-point of the house.
- (3) Any variations from the above offsets must be discussed and approved by the ARB before construction can begin. Please note that fencing on both sides of the home must be uniform in design. For example, lattice on both sides with fully private rear or all lattice or fully private.

2.5 **Irrigation/Wells:** An underground sprinkler system tied to the central water distribution system is required. If central re-use water distribution is not available at the time of construction, a conventional well and pump system must be constructed until reuse water becomes available. The switch-over is optional.

2.6 **Surface Water Management (Storm Water Drainage):** A Master Surface Water Management System has been designed for Ventana to provide a working system of integrated flood control in the event of a large storm. The basic system

and contiguous retainage and percolation zone has been established by the Developer. Close attention must be given to maintaining the integrity of the grades, slopes and swales. Storm water from any lot shall not be allowed to flow or drain onto any other lot, roadway or common area unless so designated in the master plan. No Owner is permitted to alter or redirect the drainage flow from that as designed in the Master Storm Water Drainage System. Each owner must meet an individual Lot Grading Plan shown in Annex "B" and "C."

- 2.7 **Septic Tanks:** No septic tanks will be permitted unless required by a governmental agency.
- 2.8 **Minimum Living Area Requirements:** The ARB has established the minimum living area as 1,700 enclosed square feet to ensure that all homes have a relative minimum to minimum level of values. All measurements are square footages of living area which is defined as that enclosed portion of the home being served by the Central HVAC system.
- 2.9 **Garages:** All residential dwellings shall include a two-car garage capable of accommodating a minimum of two cars. Other rooms or uses contemplated in the garage area are subject to the approval of the ARB but are discouraged.
- 2.10 **Insulation:** The minimum insulation for living areas is R-30 for ceilings and R-10 for walls. Ceiling insulation can be R-19 if used in conjunction with a radiant barrier.
- 2.11 **Natural Gas Service:** Natural gas service may be available to each lot at the owner's expense.
- 2.12 **Roofs:** Roofs will be in compliance with the following specifications:
- a. Roof Pitch - Only hip and gable roofs will be allowed for the main structure of the residence. The main roof of each residence must have a minimum pitch of 6:12 and a maximum pitch of 12:12.
 - b. Roof Overhang – Overhang depths shall be a standard of 18" and a maximum of 4'. Others can be requested for approval with application.
 - c. Roof Finishes - The following materials will be acceptable roof finishes; others must be approved in writing by the ARB.
 - (1) Clay tile (color to be approved).
 - (2) Cement tile (color to be approved).
 - (3) Architectural grade asphalt or fiberglass shingles with a minimum

weight of 240 lbs. per square.

(4) Finished metal roofs.

- d. Roof Mounted Mechanical Equipment: Solar collectors, or any other mechanical equipment, is subject to approval of the ARB by application. Devices must be integrated as part of the roof design and shown on the plans and renderings. Roof mounted mechanical equipment shall not be visible to roadways or other public spaces and are to be placed towards the rear of the house.
- e. Roof Details: Plans and elevations must show all details being incorporated into the roof plane including plumbing, stacks, solar panels, skylights, vents, gutters and other such items.

2.13 **Approved Exterior Finish Materials:**

- a. Stucco in a smooth, sand or other light to medium texture for exterior wall is permitted. Heavy textures (swirl, heavy trowel or Spanish lace are discouraged. Imitation brick is prohibited)
- b. Stone
- c. Wood
- d. Brick
- e. Artificial or cast stone (limited.) Request ARB approval.
- f. Aluminum cast or wrought iron gates, grilles, ornaments, etc. (aluminum recommended).
- g. Leaded or stained glass.
- h. Fiberglass screening in black, white or bronze.
- i. Others as specifically approved by ARB.

2.14 **Siding (Limited):** Masonite, vinyl or aluminum siding are not permitted for use as primary wall surfaces. Exterior wood must have a solid stain or painted finish. Use exposed wood sheathing only on the underside of soffits and patio decks. Limit use of high-density cedar siding to gable ends only.

2.15 **Windows:** Windows will adhere to the following:

- a. Window Construction - Metal windows are permitted and must have an

anodized or factory applied color. No silver or natural aluminum color is permitted.

- b. Reflective Glass – The use of 100% reflective glass is not allowed in the exterior facades. Energy saving insulated glazing is recommended, such as solar bronze, solar gray, etc.

2.16 **Shutters:** Operable shutters and removable storm shutters are permitted and, if permanent, must be incorporated into the design.

2.17 **Canvas Awnings:** Awnings above windows, doors or other openings are permitted with the ARB approval. Awnings must relate to the overall design and color theme. The Association will have the right to require that the awnings be replaced as soon as they show any signs of wear or fading. Excessively zealous, bright or loud colors or patterns shall not be permitted. Solid or pastel colors are preferred.

2.18 **Air Conditioners:**

- a. All homes must have a central heating and cooling system.
- b. All exterior air conditioning units shall be shielded and hidden so that they shall not be visible from any street or adjacent lot. Shielding shall include a 4' high white PVC (vinyl) fence wall or appropriate landscaping.
- c. Window and/or wall air conditioning units shall not be permitted.

2.19 **Antennas and Flagpoles:**

- a. No radio, microwave or other electronic transmission equipment, including ham radios, citizens band radios, outside antennas, outside sending devices and the like, shall be permitted on any lot. By request, the Association may approve the use of small dish-type receiving devices so long as the operation of such equipment does not interfere with ordinary radio and television reception communication equipment and so long as the placement of such equipment is not visible from any common street or road and as deemed aesthetically acceptable by the ARB.
- b. Only one flagpole for display of the American and Florida flags is permitted.

2.20 **Accessory Structures, Play Equipment and Decorative Objects:**

- a. Accessory structures, such as play equipment, shall require that the structure be tasteful and permanent in nature. The placement of an

accessory structure shall not substantially reduce the view nor create a nuisance to the adjacent lot owners and must be approved by the ARB.

- b. Outside clothesline shall not be permitted unless completely secluded from any adjacent lot or public view. Any outside clotheslines must be specifically approved in writing by the ARB and must always be within the confines of the structure or pool area.

2.21 Color: While the ARB strives to accommodate homeowner desires wherever possible, the intention of the review process is to promote variations of house colors while maintaining community home value through subtlety and good taste. To that end, outdoor house color, trim and accents will adhere to the following conditions:

- a. New home sites must follow the pre-approved color guide book as determined by the ARB. Any builder (Phase 1 or Phase 2 lots) who does not follow the pre-approved color guide must adhere to the test pattern process as outlined for repainting existing home sites.
- b. Existing home sites:
 - 1. If house, trim, door and garage colors are the same as the current house colors, no action is required. As a courtesy an application with color chips should be given to the ARB for its records.
 - 2. If the applicant is repainting the house with a new color choice from either the ARB pre-approved color guide book or another source, a request for approval must be submitted to the ARB with the following conditions:
 - (a) House color test: The requested house color will be painted on the house, at a minimum of eighteen inch wide by five feet in length.
 - (b) Trim color test: The same width and length as house test.
 - (c) Door and Garage color test: The same dimensions as the house color test only if different from the trim or house color test.
 - (d) Color test items a, b and c above must be viewed and approved by the ARB prior to painting.
 - 3. To further aid the applicant in the non pre-approved selection process, the ARB has defined the following set of rules and regulations which provide direction on how to go about choosing the right house, trim, garage and door colors. This process is intended to

enhance the selection process while keeping in step with the overall appearance of our community.

- (a) Colors should be limited to pastel colors that are substantially muted due to the brilliant effect of the Florida sun.
- (b) Dark colors are permitted as accents for shutters, louvers, millwork, doors, etc. The use of bright and glossy colors other than white are prohibited as the dominant color.
- (c) A solid stain or paint is required for all wood and wood trim. All accents should be coordinated with the architectural design and character of the building. Basic color values should be light with darker or lighter hues. Accented items would include cornices, inlaid tile, balcony railing and awnings.
- (d) The color of the roof is expected to enhance the overall appearance of the building.
- (e) The combination of house, trim and door colors should coordinate effectively with fascia and roof shingle colors; fascia color should match either house or trim color.
- (f) Whether using earth tones or pastels for house color, the trim should be either neutral or a lighter/darker variation of the same color.
- (g) Neutral trim colors should be used in combination with pastels or house colors – use of pastel on pastel is discouraged.
- (h) Earth tone colors can be applied with more intensity for house or trim color as long as they do not become “bright” in nature.
- (i) Contrasting front door color is allowed while contrasting garage door color is discouraged.

2.22 Streetscape Requirements: Deleted

2.23 Minimum Landscape Expense:

- a. New home site owner(s) will expend a minimum of \$1,500 for plants and trees, excluding sod, mulch, sprinkler system, grading and preparation work as verified by a bonified third party landscape plan and detailed bid. Trees planted in the parkway (sidewalk to curb) are in addition to the \$1500 minimum.
- b. In an effort to maintain community home value, it is highly

recommended that all property be kept, as a minimum, to new home site owner regulations.

c. Further guidance is provided for new and existing home site landscaping:

1. A minimum of four (4) trees will be planted and maintained on each property at all times as required by the City of Rockledge.
2. Each lot will have, as a minimum, a mulch bed adjacent to and located at the front of the house. The size must be at least three (3) feet wide and extend the full width of house less any paved areas to the extent as feasibly possible and aesthetically pleasing.
3. Edging to contain the mulch is highly encouraged.
4. Shrubs, plants and flowers may be planted within the confines of existing beds without approval of the ARB.
5. Any planting or removal of trees, shrubs or flowers outside the confines of mulch beds must be approved by the ARB.

2.24 **Landscaping:** The following direction is provided for all common areas and the owner's property landscaping:

- a. For those lots abutting the common open space areas, landscaping compatible to the "naturalistic" planting is encouraged. Views to the open space are desirable.
- b. The intent of landscape development on each lot is to provide a sense of community identity and to re-establish the natural character of the landscape. The planting scheme should attempt to have as mature an effect as possible at the time of installation.
- c. All plants must be planted and maintained in good, Class A, healthy condition.
- d. All **mechanical equipment** visible from the street or any lot shall be screened from view by shrubs, trees or white PVC fencing.
- e. Mulch: Shredded cypress bark or pine bark nuggets shall be used, applied AND MAINTAINED WITH A MINIMUM OF at least 1 ½ " in thickness.
- f. Gravel or Rocks: Gravel and rocks shall be permitted AND MAINTAINED WITH A MINIMUM OF at least 1 ½ " in thickness.

- g. All grass must be the St. Augustine variety of Floritam.
- h. Existing trees and shrubs must be preserved and maintained unless permission to remove them has been obtained from ARB. The creation of natural hammocked areas is encouraged where possible.
- i. No artificial grass, plants, vegetation, rocks or other artificial landscape devices shall be placed or maintained upon the exterior portion of any lot without the prior approval of the ARB.
- j. Right-Of-Way sections are to be landscaped in accordance with Annex D.
- k. Plantings in the Rockledge City controlled right-of-way (parkway) are subject to the following conditions:
 - (1) Each planting is subject to direct approval by the City and is the responsibility of the individual LOT owner with no Association involvement.
 - (2) The City has legal responsibility; the Association has none.
 - (3) Complaints on safety or maintenance are to be directed to the City.
 - (4) City inspections can be requested for code enforcement.

2.25 Common Area Maintenance:

- a. Clearing and Pruning of Natural Areas on Common Property: Only light clearing of undergrowth on common property is permitted by owners adjacent to that common property. No trees or substantial bushes are to be removed. The area should be left substantially natural. Mulching and weeding is permitted. No structures, improvements or apparatus, either temporary or permanent, may be put or installed in a common area. Owners who violate this provision may be required to replace the vegetation that was removed. Authorization by the ARB is required prior to any work.
- b. In recognition of Association liability issues, homeowners will not provide volunteer effort in support of association infrastructure assets located in the "common areas." Certified contractors will be employed as necessary for maintenance of the following items: wall and flower box structures, entryway lighting, irrigation system electrical circuits, major irrigation system and sprinkler head repair or landscaping to include sod, trees, plants and flowers.

2.26 **Painting of Drive-Ways/Sidewalks:** Painting/staining of driveways and sidewalks leading into house is permitted only with the approval of the ARB. Paint or stain color must be in harmony with house colors and approved. Driveway painting will not continue onto the street sidewalk or apron to the street. Street sidewalk will not be painted as this is the property and responsibility of the City of Rockledge by ARB.