

**Architectural Guidelines, Standards & Criteria**

**For The**

**SOLTERRA RESORT HOMEOWNERS  
ASSOCIATION**

**(AS MAY BE AMENDED BY THE BOARD OF DIRECTORS)**

**August 18, 2020**

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# **Architectural Guidelines, Standards & Criteria**

## **I. INTRODUCTION**

The intent of the contents of this guide, as well as the existence of the Design Review policy, is to provide the guidelines required for maintaining an aesthetically pleasing community. Adhering to these guidelines is beneficial for all involved in that they are meant to protect the investment of the homeowners, as well as portray a quality community of well-planned homes constructed with long lasting materials maintaining high construction standards.

The Architectural Guidelines have been adopted by the Board of Directors of Solterra Resort Homeowners Association pursuant to Articles VII and VIII of the Declaration of Covenants, Conditions and Restrictions (Declaration). The Board of Directors and/or its sanctioned committees will enforce these Architectural Guidelines. The Board of Directors may amend and/or modify these Guidelines from time to time by simple majority vote of the Board.

In conjunction with the recorded Documents for Solterra Resort Homeowners Association Inc. ("SRHA"), the design standards are binding on all parties having interest in any portion of Solterra and each homeowner is required to comply with the requirements as set forth. Any failure to comply with these requirements will be subject to remedies provided for in the recorded documents.

These Guidelines are designed to provide an overall framework that will allow the community to develop and progress in an orderly, cohesive and attractive manner. They include minimum standards for the design, size, location, style, structure, materials, color, and mode of architecture, mode of landscaping and relevant criteria for the construction or addition of improvements of any nature. They also establish a process for judicious review of proposed changes within the community.

SRHA was developed with the intent that homes harmonize with each other and present a pleasing and consistent style. Except as required by the Declaration, this style is not the result of a formal architectural code but rather the result of the vision of the community Association. In the event that an owner wishes to modify their property and these guidelines do not address the type of modification that the owner wishes to install, the Board of Directors hereby recognizes and adopts the style and form of the existing, as-built (and properly approved as otherwise required by the Declaration) as the standard. This standard shall continue in effect until the adoption and publication of new guidelines and standards thus ensuring the preservation of the existing harmonious design and preventing the introduction of design that is not in keeping with the community. This does not eliminate the need to submit an Architectural Modification Request Form and receive approval prior to starting any proposed modification.

The architectural review process has been established to maintain the integrity of the architectural and design character of SRHA. To this end, the Board of Directors or their appointed representative will review all proposed additions, improvements or alterations on homes for conformity with the Architectural Guidelines. The reviewing entity may be the Declarant, its designee or the Architectural Review Board and will commonly be referred to as the "Reviewer".

Terms such as "good taste" and "sound design" are difficult to define and even more difficult to legislate. It is the intent of these guidelines to encourage "good design" by showing examples of the desired result. Elements such as deed restrictions, appropriate attention to scale, proportion to the community should be considered with all requests.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these guidelines, the government standards shall prevail. To the extent that any government ordinance, building code or regulation is less restrictive than these guidelines and any standards contained herein, or the Declaration, these Architectural Guidelines and the Declaration shall prevail. Nothing contained in these guidelines shall obligate any agency, governmental or otherwise, to approve plans submitted, nor shall the approval of the Reviewer be construed as meeting either the requirements of Polk County or any governmental agency required for approval.

The Declaration contains a disclaimer by the developer, the Association and the Reviewer of liability or responsibility for the approval of plans and the specifications contained in any request by an owner. Prior to submitting plans or information for review, you should read and understand this disclaimer. It is also recommended that you review your builder warranties prior to submitting any request for alterations to your property since certain additions, alterations and renovations to a home or lot may void any existing warranties.

The Reviewer has the right to modify, revise, add, delete or make any changes to this manual by a majority vote of the Board of Directors.

## **II. ARCHITECTURAL MODIFICATION REQUEST**

### **A. General**

A homeowner wishing to make an exterior change or modification to their home and/or lot shall apply for and receive written approval for such change or modification prior to beginning the project. The application is made by completing the Architectural Modification Request Form. One form should be submitted for each alteration that is being planned. Multiple projects should not be included on the same form. The completed form, together with all applicable information should be submitted to the SRHA management company. All improvements on a lot shall not encroach on the neighboring property or district property. ALL requests require the submission of a copy (not an original) of the owner's lot survey showing the signature and seal of the surveyor and the location of the proposed modification marked on the survey. An Architectural Modification Request Form is not considered complete until it is accompanied by all of the information necessary for the Reviewer to make an informed decision. Incomplete applications will be "Rejected" and shall not be considered until resubmitted with the necessary information.

### **B. Supporting Documents and Materials**

An Architectural Modification Request will not be considered accepted until it is accompanied by the required plans, and/or specifications showing the nature, kind, shape, height, materials and color to be used and the location of the proposed alteration. As stated above, ALL requests require the submission of a copy of the owner's lot survey showing the signature and seal of the surveyor and the location of the modification marked on the survey.

Requests for room additions, extensions, modifications including swimming pools and their screened enclosures, and fences require a copy of the lot survey clearly depicting the location, size and measurements of the proposed change and the measurements to the lot boundary line; contractor drawings; list of materials to be used; and sample of roof shingles and/or paint if applicable. Requests for exterior dwelling surfaces including painting, installation of pavers or tiles require a lot survey with a sketch of the area(s) to be covered and a sample of the proposed material such as paver, tile or paint chip.

A request for landscaping requires a copy of the lot survey depicting the location where plants are to be installed, a sketch of the proposed landscape areas and a list of plants to be installed. Please indicate measurements from the property lines when installing trees, landscape beds, etc. Requests to remove trees shall include a diagram depicting the approximate location of all existing trees and their types, along with the trees to be removed and the reason for their removal.

### III. THE REVIEW PROCESS

The design and construction review process is a 4-step procedure: Initial Review, Submission of Plans, Construction Commencement and Inspection. Thorough and timely submission of information, as well as, adherence to the guidelines set forth in the process will prevent delays and minimize frustration of all parties involved. Questions concerning interpretation of any matter set forth in the guidelines should be directed to the Reviewer or Management Company.

#### A. Initial Review

It is required that a homeowner submit to the Reviewer an Architectural Modification Request Form for the modification that is being requested, along with a set of plans. Any and all modification requests and submission of supporting documentation should be made by regular mail or in person to the management company. Facsimile or electronic submission with verification of transmittal will not be acceptable. The information required for the review is as follows:

1. Architectural Modification Request Form with a detailed description of the planned modification
2. Site Plans showing the approximate location and dimensions of all improvements, including driveway, irrigation, and swimming pools
3. Lot survey
4. Floor Plans if applicable
5. Exterior elevations (all sides) if applicable
6. Concept Landscape Plan if modification involves changes to the current landscape
7. Any other information, data, and drawings as may be reasonably requested by the Reviewer

No construction or structural improvement, no alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, type, shape, size, color, materials and location of same shall have been submitted to and shall have received final approval by the Reviewer. In the case of an incomplete application or the request by the Reviewer for more information, the applicant will have fifteen (15) days to comply with the request. Failure to comply within the 15 days will result in the need for a new application to be submitted.

The Reviewer shall review the information and indicate its approval, disapproval, or recommendations for change to the plan. The Reviewer will review the accompanying documents within thirty (30) days and send notice of Reviewer's decision with appropriate response shown below:

1. Approved – the entire project submitted is approved in total subject to installation per the existing Architectural Guidelines.
2. Approved with Stipulations – the project submitted is partially approved. The owner may proceed with the work to be performed as modified by the Reviewer. Owner must comply with any and all notations made by the Reviewer regarding the project and the existing Architectural Guidelines.
3. Disapproved – the entire project submitted is denied and no work may commence. In some cases, the project may be denied because additional information is required in order to make an informed decision.

Any Modification Request not approved or disapproved within 30 days from date of receipt of application by Reviewer shall be deemed to be disapproved.

#### B. Submission of Plans to the Building Department

Following the approval of Step 1, the owner may submit their plans to the Building Department or the required agencies that have jurisdiction for the required permits that may be needed for the modification project. Changes required by the said agencies must be reapproved by the Reviewer. Approval by the Reviewer for installation of

a project does not negate the owner's responsibility to comply with all terms and conditions of any municipal permit or existing codes required for the project. The owner is responsible for investigating and following municipal requirements and obtaining permits.

### **C. Construction Commencement**

Upon completion of Step 2, a copy of the building permit must be submitted to the Reviewer prior to the owner beginning construction. Any modification to the original application for any reason must also be reapproved.

The owner shall be held responsible for the acts of his employees, subcontractors and any other persons or parties involved in construction or alteration of the home site. The responsibilities include but are not limited to the following:

1. When contractors will be crossing over property not owned by the project owner, the owner shall obtain permission of the neighboring lot owner, the Association, or the Avalon Groves Community Development District "CDD" in instances where the neighboring property is commonly owned by the Association or the CDD.
2. Ensuring that the construction site, community properties and roadways are kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion.
3. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site.
4. Upon completion of the project, owner is responsible for restoring any common property or neighboring property that may have been damaged during the construction of the project to its original state or better.
5. Cleanup of the project site is to be completed within 7 days of completion of the project. If a longer period of time is needed to accomplish this, owner should contact the Community Manager for a variance.
6. In instances where common property may be crossed, the Board of Directors may require that the contractor or installer, other than the record titleholder of the project lot, provide the Association with an insurance certificate listing the Association as a named insured prior to commencing work. The Board can establish minimum limits for required insurance that will include coverage for General Liability and Worker's Compensation.

### **D. Final Inspection**

The Reviewer shall have the right to enter upon and inspect any property, after giving a minimum of 24 hours notice to the homeowner, before, during, or after the completion of work for which approval has been granted. Upon completion of the improvement the homeowner shall give notice to the Reviewer. Any damage to streets, curbs, drainage inlets, sidewalks, street signs, walls, community signage, landscaping, irrigation, etc., must be repaired or the damage will be repaired by the Association or CDD and such costs will be charged to the owner. All work must be completed within one (1) year of commencement unless otherwise specified in the notice of approval or unless the Reviewer grants an extension in writing prior to the expiration of the application deadline (which it shall not be obligated to do).

If projects will require additional time, the owner should contact the Reviewer with the anticipated completion date. Application approvals are valid for a period of six (6) months and a new modification request application must be submitted after that time has elapsed if construction has not commenced. The Reviewer is not obligated to perform a final inspection and it is up to the owner to ensure that the completed project complies with the Reviewer approved plans.

### **IV. Express Approval**

In order to provide a speedier process for certain types of modification requests, the Community Manager will have the authority to approve certain modifications as delegated by the Reviewer upon receipt of a completed Modification Application with the proper supporting documents and the request shall be deemed approved by the Reviewer. Some of the modifications that may be approved by the Community Manager in writing are:

- Re-paint house exteriors and trims in the identical color previously approved by the Reviewer or installed by the original builder.
- Replace existing screening with identical screening materials previously approved by the Reviewer or installed by the original builder.
- Replace existing exterior doors with identical exterior doors previously approved by the reviewer or installed by the original builder.
- Replace existing mailbox or security lighting with identical mailbox or security lighting previously approved by the Reviewer.
- Replace existing roof with identical roof material to that previously approved by the Reviewer or installed by the original builder.
- Installation of annuals and other plant materials within the original plant beds installed by the builder.
- Install satellite receivers per Guideline specifications

All references in the paragraph to "identical" shall mean that such item shall be replaced with an item that is identical in all respects to the existing item (i.e., the identical style, texture, size, color, type, etc.) or to the examples shown in these Guidelines.

**V. Reconstruction**

In the event that a residential structure or any part thereof is destroyed by casualty or natural disaster, the owner must notify the Reviewer and remove all debris within sixty (60) days, complete repair or reconstruction of the damaged Improvements within one (1) year in a manner consistent with the original construction (allowing for necessitated changes or improvements due to changes in applicable building codes), or such other Plans as are approved by the Reviewer. The Reviewer will make every effort to accommodate the owner in the application process in order to repair or rebuild in a timely manner.

**VI. Appeals Process**

In the event that the Reviewer disapproves any plans and specifications, the applicant may request a rehearing by the Reviewer for additional review of the disapproved plans and specifications. The meeting shall take place no later than 30 days after written request for such meeting is received by the Reviewer, unless applicant waives this time requirement in writing. The Reviewer shall make a final written decision no later than 10 business days after such meeting. In the event the Reviewer fails to provide such written decision within 10 business days, the plans and specifications shall be deemed disapproved.

Upon final disapproval by the Reviewer, the applicant may appeal the decision of the Reviewer to the THA Board of Directors within 30 days of the Reviewer's written review and disapproval. Review by the Board shall take place no later than 30 days after receipt of the applicant's request for appeal. The Board shall make a final decision at such meeting. The Board will then provide a written decision to homeowner within 10 business days. The decision of the Reviewer or, if appealed, the Board shall be final and binding. If the Board fails to hold such a meeting within 30 days after receipt of the request for such appeal, then the plans and specifications shall be deemed disapproved.

**VII. SITE IMPROVEMENT STANDARDS**

These Architectural Guidelines are supplemental guidelines for the recorded Declaration for SRHA. Additional requirements may be contained in the recorded documents. Applicants are encouraged to review the Declaration in addition to these guidelines prior to submitting a modification request.

**A. Additions / Setbacks**

Additions must be compatible with the architectural style, colors, detailing, and materials of the original structure.



The height of any addition shall not be higher than the original ridgeline and the proposed eave-line must be at the same height of the existing eave-line. No alterations or improvements shall be made which provide a roof pitch that varies from the roof originally constructed. Additions shall be built within the building setback lines originally established for SRHA (See chart below.) Storm water from a new addition roof must be discharged no closer than five feet of any neighboring property. Down spouts installed as a part of the addition shall not materially increase the drainage of storm water onto adjacent property. No addition shall be permitted if it is determined to have a material adverse impact upon neighboring properties and/or the community. All additions shall meet the minimum wind load requirements of the applicable building codes (latest edition) concerning wind resistance and other applicable requirements. An engineer's statement of wind load capacity is required.

**Building Setbacks**

Front Yard	20 feet to front facing garage 15 feet to front of structure
Side Yard	5 feet
Rear Yard	15 feet (5 feet to pool deck or screen patio)

**B. Air Conditioners**

No air conditioners shall be mounted through a window, door, hung on a wall or mounted on a roof. Replacements of air conditioner components shall be installed in the original component's location unless approved by the Reviewer. All exterior air condensers/equipment shall be landscaped with hedges and not visible to a street or adjoining home.

**C. Antennae & Satellites**

No outside television, radio, or other electronic towers, aerials, antennae, satellite dishes, or device of any type for the reception or transmission of radio or television broadcasts or other means of communication shall hereafter be erected, constructed, placed, or permitted to remain on any portion of SRHA or upon any Improvements thereon, unless expressly approved in writing by the Reviewer; provided, however, that this restriction and approval requirement shall not apply to those antennae and satellite dishes that are one (1) meter (39.37 inches) in diameter or less and specifically protected by 47 C.F.R. Part 1, Subpart S, §1.4000, as may be amended from time to time, and/or other Applicable Law.

**D. Barbecues/Smokers/Grills/Fire pits**

Barbecue grills and smokers may be located or permitted upon the back patio or yard of a home. They must remain covered when not in use.

Built-in barbecue units shall be located within the rear lanai area or outdoor living area a minimum of 5' from any property line, and designed as an integral part of the home. Their location must be carefully planned to minimize smoke or odors affecting neighboring properties.

Outdoor wood burning and fire pits of any type are prohibited.

**E. Canopies**

Installation of a canopy (fabric gazebo) that is to remain in place for more than seventy-two (72) hours requires approval of the Reviewer. The Modification Request must include a picture of the canopy/gazebo that is being requested and also a description detailing dimensions, color and location of installation drawn on lot site plan. Approvals will be considered based upon the following criteria:

- **Canopies are not allowed in the short-term rental areas, only in Solterra Springs.**
- Canopies or fabric gazebos may be installed on the patio or in the rear yard of a home.
- Canopies must be bolted into the concrete of the patio or anchored in concrete if located in a grassy area meeting wind codes
- All safety installation instructions of the product must be followed.
- Dimensions may not exceed 10' X 10' X 10' (at peak height).
- Canopy must be a solid neutral color. No bright colors or obvious stripes and patterns will be approved. The canopy color must compliment the colors and/or construction of the exterior of the home.
- The canopy/gazebo must be maintained. If notified by the Community Manager that maintenance is needed (i.e. mildewed, stained, etc.), the owner must comply in no less than fourteen days of receipt of the notice. If torn or aged, the canopy/gazebo must be removed. A new application will be required to install a replacement canopy/gazebo. No other type of tent or canopy cover will be approved. Umbrellas larger than a pool umbrella must have approval of the Reviewer.

#### **F. Clotheslines**

Visible outside clotheslines or other outside facilities for drying or airing clothes are specifically prohibited and shall not be erected, placed, operated, or maintained unless completely screened from view from any Common Areas, streets, other lots, and/or other units.

#### **G. Patios**

All patio extensions shall be concrete, concrete pavers, stone pavers in colors that complement the color scheme of the residence. The size of the patio shall be determined by the available space per lot and meet all required setbacks and impervious requirements of Polk County. Construction of patios that conflict with the drainage pattern for the lot will not be allowed.

#### **H. Dog Houses/Kennels/Dog Runs/Invisible Fences**

Dog houses, kennels, dog runs and invisible fences are not permitted.

#### **I. Drainage Swales**

No drainage easement, swale, pond, or any related drainage, stormwater management, or Surface Water Management System structures, facilities, or infrastructure may be obstructed, filled in, or altered without the written approval of the Association and all applicable Governmental Authorities. If any Owner and/or Permittee obstructs, fills in, or alters any drainage easement, swale, pond, or any related drainage, stormwater management or Surface Water Management System structures, facilities, or infrastructure, then the Association shall have the right to enter onto such Lot(s) and/or Tract(s) and repair, replace, and restore such drainage easement, swale, pond, or any related drainage, stormwater management, or surface Water Management System structures, facilities, or infrastructure as necessary, all without liability or responsibility, criminal or civil, for trespass or any other action. Additionally, the Owner of such lot(s) and/or Tract(s) shall be responsible for any and all costs and expenses (including but not limited to, attorney's fees and costs) incurred by the Association in the repair, replacement, and restoration of such drainage easement, swale, pond, or any related drainage, stormwater management, or Surface Water Management System structures, facilities, or infrastructure, which costs and expenses shall become and be levied and recouped by the Association as a Specific Assessment.

#### **J. Driveway and Sidewalk Extensions**

Additional concrete walking area(s) adjacent to the driveway, which extends the overall total driveway width, may Additional concrete or paver walking area(s) adjacent to the driveway, which extends the overall total driveway

width to no wider than the outside corners of the garage, may be approved. The parking area of the driveway may only be widened by one additional car width (approximately 10 feet) from the inside corner of the garage towards the interior of the yard. In no cases shall the driveway be wider than three cars wide. No additional walking area may be added to expanded driveways. Painting or staining of concrete paved surfaces is prohibited. Concrete surfaces may be sealed in a clear matte finish and a request must be submitted to the Reviewer. Parking is limited to the garage and driveway of the home. Other parking rules may be adopted by the Board.

Additional sidewalks in any location require approval of the Reviewer and must be four (4) feet or less in width, a minimum of 18 inches from the property line. The area between the home and sidewalk should have landscaping or groundcover installed. Sidewalk addition must not obstruct drainage or cause ponding of water between the sidewalk and foundation of the home.

Driveways shall be constructed of pavers or concrete with broom finish that shall be the width of the garage door (s) and extend to the roadway curb. Sidewalks shall be constructed of concrete with broom finish throughout Solterra.

#### **K. Elevation of Lots**

No lot elevation changes shall be permitted which materially affect the surface grade of surrounding lots or common property.

#### **L. Encroachment and Plantings on Common Grounds**

No extension of the landscaping of a home site will be permitted on Association or CDD common grounds (property owned by either the HOA or CDD and shared by all members of the community), including pond banks. Residents shall not put trees, bushes, plantings, bird baths or feeders, lawn ornaments, planters, flower pots, picnic tables, furniture, fences, walks, hedge enclosures and other types of groupings on common grounds. However, owners shall install and maintain sod and irrigation in pond banks and buffers adjoining lots.

#### **M. Exterior Painting**

All exterior paint colors must be painted as reasonably necessary to achieve and maintain a first class appearance, but in any event within forty-five days of receipt of a written notice from the Reviewer. No exterior colors will be permitted that will be inharmonious or discordant with other Improvements in Solterra, or incongruent with the architectural style of the Improvement itself. No overly bright or highly contrasting colors will be permitted. As much as possible, colors should work with the natural characteristics of Solterra. Primary colors are not permitted for exterior walls. Reds, yellows, and greens should be muted. No Owner may change the exterior color of a building or other structure on the Lot without the written approval of the Reviewer.

#### **N. Fences, Hedges and Walls.**

Except as approved by the ARB, no fences of any kind shall be permitted, except for temporary fences installed by the Declarant or a licensed homebuilder in any part of Solterra except for Solterra Springs. Under no circumstances shall wood, chain-link, be permitted on any Lot and/or Tract. Within Solterra Springs, fences may be constructed of beige/tan PVC or with bronze aluminum required on lots abutting any lake or preserve and must be installed per the following criteria:

- Privacy fence shall be 6' tall PVC beige/tan in a tongue & groove design with boards 6" wide with flat tops. This type of fence is only allowed on back to back lots or lots which back up to a wall. A solid hedge line of viburnums may also be installed as a privacy fence.
- Any fences on lots on lakes or preserves shall only be bronze aluminum 5-foot tall 3 rail fence Jerith/ Style #202. A puppy style fence with additional pickets along the bottom portion of the fence is allowed.

Commented [RC1]: What about "green" fences?

- All fences shall be at a height of six feet if your home backs up to another home.
- Fences shall not be installed flush to the ground so that drainage could be blocked in any way.
- Irrigation systems must be reconfigured to provide complete coverage outside and inside of the fenced area.
- Fences must be kept clean and in good repair.
- No posts or stringers may be visible from the outside of the fence.
- All fences that will abut an existing fence must be installed with the final end side section graduating in height to meet the height of the existing fence or below the top of a perimeter wall.
- No fence shall be constructed closer to the street, which the house faces, than ten (10) feet back from the forward facing corners of the house not including any open front porch. No fence shall be permitted to extend beyond the front corners of the house in any circumstance.
- Fences for corner lots require close coordination with the ARB due to their unique layout and concerns for vehicle visibility/safety and compliance with existing easements and county building code setback requirements. Fences on Corner lots or lots that back up to a road may not extend closer than eleven (11) feet back from the side or rear property line and must have a solid hedge planted to buffer fence from side or rear street.
- Except where easements or swales exist, fences will be installed no more than six (6) inches inside the property line. Alleyways between fences will not be permitted.
- Any and all required governmental approvals/permits for fence construction are the responsibility of the homeowners and must be obtained prior to construction. **It is the responsibility of the owner to comply with all County and/or Association requirements, whichever is most stringent.**
- It is recommended that fences not be installed in drainage easements. However, if the ARB grants permission for a fence to be installed in a drainage easement it is the responsibility of the homeowner to correct any changes in drainage on the homeowner's home site or adjoining home sites at the homeowners expense. Should the Association, CDD or County be required to use drainage easement for access to a pond or lake, or correct a drainage situation either above or underground, the homeowner is responsible for all costs associated with the removal and replacement of the fence installed in said easement.
- Fences may not be installed past any wetland conservation setback lines on any home sites within the community.
- Any damage that may arise to another owner's property during the installation process is the responsibility of the owner who is contracting for the fence installation.
- Fences may finish below a perimeter wall, but in no case may finish above a perimeter wall.

#### **SOLTERRA SPRINGS APPROVED FENCE STYLES - See Sample Sheet Attached**

##### **O. Firewood**

Firewood must be maintained in good order and must be located within the sidelines or in the back yard of a home vista and not visible to adjoining streets or lots. Covering firewood is allowed only if the cover is natural in color or consistent with the exterior colors of the home. Firewood stacks may not exceed 3' high x 6' wide x 2' long.

##### **P. Flags**

In accordance with Florida Statutes 720.304, any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day may display in a respectful manner, portable removable official flags not larger than 4 ½ feet by 6 feet, which represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

Other than outlined above, one flag per home will be allowed. The flagpole may be mounted to the home directly to the left or right of the front door or garage centered in the middle of the garage above the garage doors. Flagpoles attached to the home may not exceed 5 feet. Ground-mounted flagpoles will not be permitted. Flags must be flown on the pole in an outward fashion from the home. The American flag, Florida state flag, Military

Service or MIA flag Flags which are no larger than 4 ½' X 6', attached to the home in the above locations shall be permitted without Reviewer approval.

The U. S. flag shall be flown in accordance with the requirements of the United States Flag Code. In no instance shall the flag be flown in violation of Section 720.304, Florida Statutes.

No other flag of any sort may be displayed along with the United States flag or in lieu thereof except for Military, POW and MIA flags. They shall be no larger than the American flag nor shall they be flown above the American flag. Flags shall be replaced if faded, tattered, or in poor condition. Proper flag etiquette must be employed at all times.

Notwithstanding the foregoing, one decorative flag, no larger than 24" X 36", attached to the home in the above locations and displayed for the purpose of a holiday, shall be permitted without Reviewer approval.

#### **Q. Front Entryway/Storm Doors**

Screen enclosures, storm doors or screen doors are not allowed for front entrances. Wicker, wood or wrought iron tables and chairs may be used in the front porch/entryway. Plastic stackable furniture is not permitted.

#### **R. Front Roof Changes**

No changes will be permitted on any roof, which is visible from the front of the home unless prior approval is received by the Reviewer. An extension for the purpose of creating a shelter for a boat, recreational vehicle, automobile or other items is strictly forbidden. Solar tubes may be installed on front roofs but not sky lights. Skylights may be added to side and rear roofs upon approval of Reviewer.

#### **S. Garage**

No screening is allowed temporarily or permanently on garage door openings. Garage doors shall remain closed when the garage is not in use. Replacement of garage doors shall meet current County codes at the time of replacement. If there is more than one (1) garage door, all must be replaced at the same time. The new doors must match or coordinate with the color of the garage door trim or stucco.

#### **T. Garbage /Screening of Containers /HVAC & Other Equipment**

Each Owner of a Lot and/or Unit shall provide visually screened areas to serve as service yards in which garbage receptacles, electric meters, pool equipment, air-conditioning equipment and other outdoor equipment shall be located. Materials supplies, and equipment which are stored outside by Owner must be placed or stored in order to conceal them from view from Common Areas, streets, other Lots and/or other Units. Any such visual barrier shall consist of the approved type of fencing from Item N above along with landscaping, or plantings and shall be at a height and type which is approved by the Reviewer. Within the Short Term Rental and Townhome Service areas of the community, the garbage containers shall be located in the entryway by the front door or at the front corner of the garage (not in front of the garage door).

Screening of garbage cans and ground-mounted equipment (i.e. HVAC, pool equipment, water softeners) shall be of material and color compatible with the design of the residence. All screens, landscape structures or plant materials shall be located a minimum of two (2) feet from the ground mounted equipment to allow for adequate air circulation around the equipment, but may not encroach or trespass on a neighboring property.

Appropriate enclosures for ground mounted equipment; garbage cans, etc. shall be landscaping or approved fence style with landscaping. Overall height of the enclosure, including posts shall not exceed five (5) feet. Overall length shall be kept to the minimum necessary to accomplish the screening.

If landscaping is used for screening, "adequate screening" shall be plantings which initially (i.e. when first planted or installed) screens a minimum of eighty percent (80%) and which completely screens the cans or equipment within one (1) year from the date of approval.

Within Solterra Springs, garbage cans shall not be placed outside for pick up earlier than 6 pm the night before and empty containers shall be removed from sight the same day as pick up. Within the Short Term Rental and Townhome Service areas, trash must be placed within the trash receptacle by 6am for daily pickup. All food refuse shall be placed in a covered receptacle to avoid attack from animals. Trash may not be accumulated or stored on the exterior of the home and open burning of garbage and other refuse is not permitted.

Trash of any type may not be placed in the onsite compactors by owners, guests, or residents. Unauthorized use of the compactors or leaving trash on the ground at the compactors or anywhere other than the trash bins is not allowed and will result in a violation fee of at least \$100 up to the maximum allowed by the community Declarations. Trash dumped on the ground at a compactor site will result in a violation fee of up to \$1,000.

#### **U. Garden Hoses**

Garden hoses shall be on a hose wrap attached to the house or on a mobile station. Hoses may be neatly coiled on the ground in a flowerbed behind shrubbery out of sight from the street, common grounds or nearby neighbors. Circular (spiral coiled) hoses shall be secured. All hoses should be screened in a manner similar to screening of garbage containers. Reviewer approval is required prior to installing screening.

#### **V. Gas Tanks (Propane and/or Natural)**

Solterra is serviced with natural gas. Any modifications to the existing lines require ARB approval. Owners may install a propane tank in the rear yard only provided all services lines and any tanks (except for meter) shall be installed underground. Small above ground tanks are only allowed mounted on gas grill.

#### **W. Gutters**

All gutters must match the color of the fascia or exterior body of the home. Gutter down spouts should match the gutters and must not concentrate water flow onto neighboring properties.

#### **X. Holiday Decorations**

Holiday displays in the front entryway and on the front door, along with traditional holiday lighting do not require approval from the Reviewer. Holiday lights and decorations shall not create a nuisance to the adjacent residents or the community. One decorative flag, no larger than 24" X 36", attached to the home in locations specified in Section P (Flags) and displayed for the purpose of a holiday, shall also be permitted without Reviewer approval.

Holiday lights to celebrate Christmas, or similar holiday, may be installed commencing on Thanksgiving and shall be removed not later than January 10<sup>th</sup> of the following year. Holders for holiday lights that are installed on a home **must** be removed at the time that the lights are removed.

Holiday displays (i.e. Halloween, Easter) other than those defined above may be installed no earlier than two (2) weeks prior to the holiday and must be removed within seven (7) days after the holiday.

#### **Y. House Numbers**

To aid emergency personnel, delivery people and to conform to County ordinances, each house shall have a readily visible number permanently attached to the front of the home. The numbers shall be located in a location

clearly visible from the street. The approved style is 6" high black numbers.

## Z. Lake Slope Maintenance and Erosion Standards

The owner will be responsible for repairs and maintenance of the lake slopes and banks to the water's edge for any lake or slope that is part of a lot or adjacent to a property line. This includes regular irrigating and mowing of sod. Owners must ensure that the easement located around the lake banks remains free of any structures or landscaping in order for the area to be accessed for maintenance. Owners must further ensure that conditions on property will not cause erosion to occur on the lake banks. (i.e. installing drains from gutters or pool backwash). Naturally occurring erosion must also be repaired and maintained by owner; include resod, rock installation, etc. Native wetland plantings shall be maintained and not removed by homeowner.

### AA. Landscaping/Borders/Arbors/Trellis/Water Features

Individual plantings of annuals and other plantings which are seasonal in nature, are planted in existing beds and that do not exceed thirty-six inches (36") in height shall be permitted without approval of the Reviewer; however, plans for all other modifications to any existing landscaping beds or additional landscape beds must be submitted to and approved by the Reviewer. All landscaping must be installed to fit in with neighboring properties. The Reviewer may reject the landscape plan based upon its review of the overall design and impact.

The landscaping plan must detail the location of beds and planting materials. **No invasive or non-native (e.g., melaleuca, Brazilian pepper) plants are permitted.** With the exception of dead trees or plants, no landscaping shall be removed without the prior written approval of the Reviewer. **All varieties of citrus or fruit trees are permissible within the confines of a fenced rear yard.** Fruit that drops from the tree may not be allowed to become a nuisance to neighbors or extend into a neighboring yard or common area. All ground surfaces on all portions of the lot outside of the planting beds shall be covered with St. Augustine turf and fully irrigated as part of the pressurized, smart irrigation water system serving each lot within Solterra. Please keep in mind that changes in landscaping can alter drainage plans for a lot and have a negative impact on neighboring property. When submitting a request for any landscaping projects, a photograph of the home and a site plan depicting the area where the project is to be installed must accompany the request.

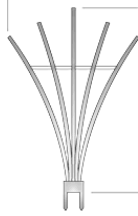
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Decorative borders around landscaping beds require the prior approval of the Reviewer. Approved styles of landscape borders are shown below.



Trellises/Arbors require the approval of the Reviewer. No more than three (3) trellises will be permitted and only one (1) trellis is allowed to be placed on the front façade of the house. Trellises may be constructed of PVC composite material and be kept in good repair. Trellis designed to be 80% covered within two (2) years in plant material. Examples of approved styles are shown below.

**Approved Trellis / Arbor Styles**



**Approved Arch Styles**





Arbors may be constructed of wood or composite material with a maximum size of 400 square feet. Minimum 6" X 6" post shall be used and shall be properly anchored to meet all wind codes. The style of arbor should include decorative beams and ties. Arbors shall only be installed in the rear yard.

Water features to include ponds and fountains must have the written approval of the Reviewer. A site plan showing the location of the pond must be submitted with the application. Fountains and water features shall be limited in height to four feet (4') above the natural grade of the lot. Any fountain shall be of natural material, color and design, each of which is compatible with the overall architectural theme of the community. Design of these features should discourage creation of stagnant pools of water. A picture or conceptual drawing is required to be submitted with the request.

#### **BB. Lawn Furnishings/Decorative Accessories/Statutes/Feeders**

Lawn furniture shall be located in the rear of the home and not visible from the street in front or side of the home. Swings and patio style furniture will not be approved for placement in the front yard. Decorative accessories include items such as bird baths, bird feeders, bird houses, decorative flags (including holiday, sports, etc.), fountains, patriotic display items (yellow ribbons, decals, etc.), personal items other than furniture, plants on hooks, plaques, potted plants, statues, sun dials, and tiki torches. Decorative accessories that are visible from the street or a common area shall not exceed thirty-six (36) inches in any dimension. The color must blend with the color and architectural features of the home.

No ornaments or decorative accessories shall be hung from trees except for birdhouses or bird feeders. Decorative accessories shall not be placed down driveway perimeters, on street catch basins or on utility boxes.

Flowerpots or decorative pots may be placed in the front yard and/or entryway but cannot exceed six (6) in number. Pots must be maintained in good condition at all times and must be continually planted with live foliage. Legal herbs or other vegetation may be planted in pots and placed in the rear patio of the home, but may not exceed thirty-six (36) inches in height. Partially buried pots will be allowed in the front yard. Pots located in the front yards of the home must be made of clay, masonry or other traditional garden material. Plastic containers are not permitted in the front yard of the home. Artificial plants may not be placed in landscape beds but may be located on a front porch/entryway or lanai. Artificial plants must be removed when faded or damaged. The Reviewer reserves the right to limit or restrict the use of artificial plants placed on a front porch/entryway.

In Solterra Springs a garden box may be placed in the rear of the house with approval. The box must be wood or plastic and may not exceed twelve (12) inches wide and thirty-six (36) inches long.

Statues, decorative accessories and other types of lawn ornaments are permitted. The combined number of statues and decorative accessories will be limited to three. The statues will not be greater than four feet (4') in height above the natural grade of the lot, must be placed in landscape beds and must blend in color with the home. Statues should be made of clay, masonry or metal. Plastic will not be permitted. The Reviewer reserves the right to require screening of statutes and decorative accessories whether they are located in the front yard or rear yard of homes. If plantings are used for screening, they should be large enough and in a quantity that will screen a minimum of 50% of the statute or decorative accessory at the time of installation and will substantially screen the statute or decorative accessory within one year from the date of installation. A picture or drawing of the statue or decorative accessory must accompany the request.

Birdhouses, bird feeders and birdbaths will be permitted in the back yard only and limited to no more than three (3) in total. Birdhouses may not exceed the roof eave in height and may not be attached to the house. House and support structure must be kept in good repair. Birdbaths may not exceed four feet in height above the natural grade of the lot. A picture or drawing of the birdbath must accompany the request.

For safety reasons, each unit Owner who intends to be absent from his/her/its Unit during the hurricane season

(May 1<sup>st</sup> through November 30<sup>th</sup> of each year) shall prepare his/her/its Unit prior to departure by: removing all furniture, potted plants, and other movable objects from the yard and patio; and designating a responsible person, satisfactory to the Association, to care for the Unit should it suffer hurricane damage. Unless otherwise approved by the Reviewer, temporary or permanent exterior shutters may only be closed during a Storm Event. A "Storm Event" is defined as when a hurricane or tropical storm watch has been issued for the County by the appropriate Governmental Authority.

#### **CC. Lighting**

Except for seasonal holiday decorative lights, no exterior light fixtures shall be installed without adequate and proper shielding of fixtures and without ARB approval.

#### **DD. Lightning Rods and Brushes**

Lightning rods and brushes may be installed and shall be done in a manner that is least obtrusive and uses the minimum number to accomplish the desired purpose. Lightning rods shall not be allowed to fall into disrepair.

#### **EE. Mailbox**

No mailboxes of any kind shall be permitted on any lot within the Short Term Rental and Townhome Service areas. It shall be the responsibility of an Owner or tenant to arrange for off-site access to mail facilities, such as post office boxes. There will be a community mailbox installed at the designated common area for residents in the Solterra Springs Community.

#### **FF. Outbuildings**

No temporary or permanent utility or storage shed, storage building, tents, trailers, shacks, or other temporary accessory buildings or structures shall be erected or permitted to remain on any Lot.

#### **GG. Patios and Screen Enclosures**

Patios and Screen Enclosures must be located on the areas shown as "Patio" or "Lanai" on the house plans. If a screened patio extension is requested on the rear of the home, a set of plans must be submitted with the Modification Request, as well as a site plan showing where the proposed extension will be placed. Additionally:

- Framing may be only bronze anodized or electro statically painted aluminum.
- Screening shall be charcoal and of standard mesh size. No privacy screening is permitted; except below chair rail.
- No decorative railing, grilles or bars will be permitted on screens and doors.
- No use of aluminum or vinyl windows to enclose a rear patio or porch or screen room is allowed. All enclosed spaces must be of similar construction to main home.
- A 16-inch aluminum kick plate that matches the framework will be permitted on rear screen enclosures.
- Knee walls shall not exceed 24 inches in height and shall be constructed of concrete block with stucco finish and painted to match the body of the house.
- Acceptable roofs for patio extensions are as follows:
  - Constructed to match the existing roof with matching shingles
  - Composite or "Elite" panel roof or an equivalent aluminum roofing with shingles that match home
- Screen "cage" of opaque Florida glass
- Roofline may not exceed the height of the home.
- Exterior of the enclosure must be landscaped if not located within a fenced area.
- Irrigation systems may require modification to ensure 100% coverage of the property. This should be a part of the Modification Request.

- Patio enclosures may NOT be used as a storage area.
- Screens must be maintained in good condition at all times.

#### **HH. Play Equipment and Accessory Structures**

All exterior recreation and play equipment, swing sets, jungle gyms, soccer goals, tennis courts, volleyball courts, batting cages, bicycle racks or stands, tree houses, sandboxes, trampolines, etc. require the prior written approval of the Reviewer. Such structures are only allowed within the Solterra Springs area. All such equipment must be located within the rear yard of the property and must be screened from public view (i.e. with fence and/or mature landscaping) and must be located at least five feet from any property line. All play equipment must be maintained on a regular basis by the owner to preserve community standards. Tree houses are not permitted. Skateboard ramps may be used in the fenced rear yard of a home but cannot be used on a driveway, pedestrian walkway, street or common area of the community such as basketball court or parking lots.

Specifications for recreational and play equipment are as follows:

- The overall height of play structures may not exceed twelve (12) feet in height. However, the height may be reduced by the Design Review Committee based on the lot size and impact on neighboring lots. This will be determined by a site visit.
- Play structures must be crafted in wood or recycled plastic. Aluminum or metal tubing is prohibited. A picture and dimensions of the play structure must be submitted with the architectural application prior to approval.
- Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual impact to neighboring lots and/or the street must be buffered as much as possible with approved fencing and/or landscaping.
- Play structures must be securely anchored to withstand high winds that may accompany a tropical storm or hurricane. Any detachable parts must be removed and stored in a safe location when a tropical storm or hurricane warning is in effect.
- Fence applications must be submitted in advance of installation of the fence and only current approved styles are permitted.
- If the play structure will be buffered by landscape the plant material must start at a height of forty-eight (48) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity. The landscape buffer must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the lot. The proposed plant material and location of landscape buffer must be submitted to the committee via application prior to installation.

Basketball equipment: Permanent basketball goals will not be allowed. One regulation-size or smaller, professional mobile backboard may be placed in the driveway of the home. Equipment may be used on the driveway but not on sidewalks or on streets. Equipment must be maintained on a regular basis by the homeowner to preserve community standards. Damaged or rusted equipment must be replaced or disposed of. Equipment must be removed at night and stored inside the enclosed garage of a Unit.

Trampolines must be located within a rear yard that has a six-foot privacy fence only and should be placed a minimum of twelve feet (12') away from neighboring property lines.

Please note that all recreational equipment requires approval of the Reviewer. An Architectural Modification Request Form must be submitted to the Reviewer along with a site plan showing the area where the equipment will be located. All recreational equipment to include (but not be limited to), large toys, and other miscellaneous personal items should be stored out of public view when not in use. Basketball equipment and trampolines may not be used between dusk to dawn.

## **II. Signs**

No sign of any kind (including but not limited to and without limitation, for lease, circulars, billboards, and/or posters) shall be displayed on any Lot, except as permitted by the Declaration and/or required to be permitted by Applicable Law.

- When needed for permit purposes, contractors may place a sign box on the property during construction of the approved modification but no advertisement sign may be installed.
- One security/alarm sign not to exceed one (1) square foot in size may be installed within ten (10) feet of a front entrance.
- "No Soliciting" notifications shall be limited to placards or stickers not to exceed six by eight inches (6" x 8") in size may be placed to the side of the front door frame or in a window near the front door or within the landscaped bed nearest to the front door of the home.
- Two signs advertising a political candidate or party may be posted in the front yard of a home five days prior to an election day and must be removed on the day following the election. Signs may not be larger than twenty-four inches (24") in height or width.

#### **JJ. Skylights and Solar Collectors**

Skylights must be integrated as a part of the roof design and shall only be put on a side or rear facing roof. Color of framing should blend with the roof shingle color.

Subject to Applicable Law, the following restrictions shall apply to the installation of solar collectors and other energy conservation equipment. No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless it is harmonious with the attached structure (if affixed to a structure) or the surrounding Improvements (if not affixed to a structure), as determined and approved in writing by the Reviewer (which approval shall not be unreasonably withheld or denied). No solar panel, vents or other roof-mounted mechanical equipment affixed to a Unit's roof shall project more than one foot (1') above the surface of the roof. All such equipment, other than the actual solar panels, shall be consistent with the color scheme of the portion of the Unit to which such equipment is installed and/or the surrounding Improvements if not attached to a Unit. (Note: Roof mounted solar collectors and equipment may void that portion of the roof warranty where the panels are installed.)

#### **KK. Storm/Hurricane Shutters**

Permanently installed hurricane shutters may be accordion or roll-up style and must be approved by the Reviewer. Temporary shutters include Lexan panels or similar type material, aluminum panels and fabric panels. While not advised, if using plywood panels they should be marine grade and ¾" thick. Any permanent attachment brackets that are required to be installed on the home must be finished to match the color of that part of the home to which it is attached.

Unless otherwise approved by the Reviewer, temporary or permanent exterior shutters may only be closed during a Storm Event. A "Storm Event" is defined as when a hurricane or tropical storm watch has been issued for the County by the appropriate Government Authority. Said temporary or permanent exterior shutters must be removed no later than three (3) days after the warning is lifted. In the event of an actual storm event causing substantial damage to the home, panels may remain in place for a period not to exceed six (6) days.

#### **LL. Swimming Pools/Spas/ Jacuzzis**

Any swimming pool to be constructed upon any home site shall be subject to review by the Reviewer. The setback should be 5' on side and 5' minimum as required by County on back; as the design must incorporate at a minimum, the following:

- The composition of the material must be thoroughly tested and accepted by the industry for such construction.

- No lighting of a pool or other recreation area shall be installed without the approval of the Reviewer, and if allowed shall be designed for recreation character so as to buffer the surrounding homes from the lighting.
- All applications for the installation of a swimming pool must be accompanied with a certified lot survey showing the proposed pool. The pool must comply with all applicable setback requirements. Once obtained, a copy of the building permit must be submitted to the Reviewer.
- Pool filter equipment must be placed out of view of neighboring properties and the noise level to neighboring properties must be considered in locating equipment. Pool equipment shall be screened with shrubs or fencing. All screening must have the prior written approval of the Reviewer.
- Pool heating equipment must comply with all applicable building, zoning and fire codes. Please refer to Section JJ for roof mounted solar panel guidelines.
- When screening the pool filter and heating equipment with landscaping, plants shall be a minimum of thirty-six inches in height and provide seventy-five percent (75%) density at the time of installation. Plants shall be allowed to grow to the height of the pool equipment, then properly trimmed and maintained at that height. Any dead plants shall be replaced immediately with a plant of the same type and similar height.
- Only in-ground pools will be approved – above ground pools are prohibited.
- Spas and Jacuzzis must have the prior written approval of the Reviewer and should be of the in-ground type with the exception of above ground types not exceeding three feet (3') in height above the existing grade level. They shall be located in the rear yard with appropriate screening or enclosure to be screened from street view and the view of any neighboring property. All gas tanks for heaters shall be buried underground.
- The pool is required to be either fenced or enclosed by a screen enclosure. Screen enclosures require the prior approval of the Reviewer – see Section GG for screen enclosure installation standards. Plans of the proposed screen enclosure or fence must be included with the application and a written description showing design, color, height, etc. is also required.
- Irrigation system must be re-installed to insure 100% coverage of sodded and landscaped property.
- Disposal of chlorinated water may only be performed by either (i) discharging the chlorinated water into the sanitary sewer (wastewater) system through a direct connection or through a household drain such as a bathtub, sink, or floor drain), (ii) using a licensed sewage handling service to drain and dispose of the chlorinated water, or (iii) dechlorinating the water to less than 0.1 mg/L prior to discharging the water into any Lot, Tract, the Common Areas, streets, or into the waterways, canals, or Greenway Buffers.

Under no circumstances may chlorinated water be discharged onto lawns, other lots, common properties, and streets or into storm drains or retention ponds. Damage, including erosion, to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be billed to the owner.

#### **MM. Water Softeners**

Water softeners shall be screened from view from the street with appropriate screening as described in Section T herein. Installation may require a permit from the local municipality. Please check with the County Building Department. Discharge from water softeners shall be routed to an open-air sanitary waste line or it may dump into a laundry tub or sewer line with a "P" trap. It shall not drain to the outside open areas.

#### **NN. Windows, Awnings and Shutters**

Owners may request to install energy conservation films on windows. No reflective tinting or mirror finishes (to include aluminum foil) will be permitted. Window tinting film applied to the interior of the windows shall be gray in color with no more than 21% solar reflectance and no less than 30% light transmittance. The degree of darkness allowed for non-reflective tinting shall remain with the Reviewer on a case-by-case basis. A brochure or manufacturer's description must accompany all tinting requests. All requests must include a sample of the material to be used. This sample will remain with the application and will not be returned.

Window treatments shall consist of drapery, blinds, decorative panels or other tasteful window covering. Any window treatments facing the front street of the home should be white, off-white or other light-toned neutral solid

color (i.e. interior shutters in a wood tone). Non-patterned neutral colored material or other temporary window covering (not to include newspaper) may be used for periods not exceeding one (1) week after an owner or tenant first moves into a home or when permanent window treatments are being cleaned or repaired.

Awnings and shutters will be considered on a case-by-case basis. Awnings will be allowed only on the rear of a home and may not be roof mounted. Design, color and materials must be compatible with the home and neighboring properties. A sample of the color and material should accompany the request. Awnings with stripes, patterns, advertising or logos will not be allowed. Shutters must appear as an integral part of the building elevation and must be made of materials that complement the home and neighboring properties. Color must coordinate with that of the home.

**OO. Landscape:**

The purpose of the landscape review process is to ensure a harmonious neighborhood streetscape and to protect the aesthetic quality of the overall community. The landscape design standards are intended to provide for the needs and desires of the lot owner in a manner which also protects the lifestyle of adjoining neighbors. Landscape plans shall be submitted for approval by the SRHA.

**1. Landscaping of Easements and Right of Ways:** Within the boundary of a Lot, landscape material in easements shall be limited to sod, low ground cover or small shrubbery, subject to the approval of the Reviewer. Trees are not permitted in easements or within the right of way (between curb and sidewalk) which will prevent maintenance of utilities or impede drainage. **Owners of Lots shall be responsible, at the Lot Owner's expense, for the prompt removal and subsequent replacement of any landscape improvements within easements as may be required for access, installation and maintenance of utilities or other purposes.**

**2. Approved Landscape Palette:** The shade trees, accent trees, palms, listed in the **Solterra Landscape Palette (attached)** are permitted, and native landscape materials are encouraged. Approval of landscape will be based on the selection of plant materials as well as the overall landscape design.

**3. Prohibited Landscape Materials:** The following landscape materials are not permitted for use within the community:

Common Names	Botanical Names
Arbor Vitae	Thuja Orientalis
Australian Pine	Casuarina Spp
Brazilian Pepper	Schinus Spp.
Chinaberry	Meloa Acedarach
Chinese Tallow	Sapium Sebiferum
Eucalyptus	Species Eucalyotus Species
French Mulberry	Morus Alba
Jaranda	Jaranda Mimosifolia
Mimosa	Albiza Supp.
Peltophorum	Peltophorum Pierocarpum
Punk Trees	Melaleuca Spp.

Commented [RC3]: Fruit trees other than citrus?

**4.** In order to maintain a framework of cohesiveness from which Applicants may express their landscape choices, the following landscape zones have been established:

- Streetscape Zone
- Front Yard Zone
- Side Yard Zone
- Rear Yard Zone

e. **Streetscape Zone:** The Streetscape Zone stretches from the curb to the front property line, and runs the full width of the Lot. On Corner Lots, this zone also extends the full length of the street side yard to the rear property line.

The entire Streetscape Zone shall be sodded as per turf specifications in this section. No other landscape material is permitted in Streetscape Zones unless approved by the Reviewer.

f. **Front Yard Zone.** The Front Yard Zone runs the full width of the width of the Lot and is the area between the front plane of the Structure and the Streetscape Zone. The minimum landscape requirements within the Front Yard Zone shall include the following:

- One (1) Live Oak tree 3" caliper 12' high minimum shall be planted in the Front Yard Zone plus one (1) yard tree per 2,000 square feet of total area within the Front Yard Zone or a minimum of one (1) yard tree, whichever is greater. The yard tree may be substituted by a cluster of two (2) approved palm trees or a large ornamental tree. Live Oak trees shall be planted a minimum of 8' away from sidewalks or utility easements.
- The turf area to planting bed ratio shall be a **minimum of 4:1** and a **maximum of 3:1** in the Front Yard Zone. Essentially, this means that the landscape allocated to shrub and ground cover shall be **no less than 25%** and **no more than 33%** of the Front Yard Zone (excluding hardscape areas).

g. **Side Yard Zone:** The Side Yard Zone is from the front to the back of the Structure on both sides over to the respective property lines. The minimum landscape requirements within the Side Yard Zone shall include the following:

- **Interior Lots:** One (1) approved shrub per 3 linear feet along each side elevation for a minimum of 6' back from the front corner of structure.

- **Corner Lots – Street Side Yard:** For all widths of Corner Lots, a continuous foundation hedge is required with a minimum of one (1) approved shrub per 3 linear feet along the street side yard elevation of the building structure and any pool enclosure or fence. Only shrubs beyond those required for the foundation hedge may be clustered. In addition to the continuous foundation hedge, one (1) Live Oak tree min 3" caliper and 12' height shall be planted per 2,000 square feet of total area within the Side Yard Zone or a minimum of two (2) Live Oak tree min 3" caliper and 12' height shall be planted approximately 10' back from side lot line and 50' spacing in the street side yards in accordance with approved plan by Polk

- County.

h. **Rear Yard Zone:** The rear Yard zone runs the full width of the Lot and is the area between the rear plane of the Structure and the rear property line. Unless otherwise approved by the Reviewer, the minimum landscape requirements within the Rear Yard Zone shall include the following: One (1) approved shade tree shall be planted per 2,000 square feet of total area within the Rear Yard Zone or a minimum of one (1) shade tree, whichever is greater. The shade tree may be substituted by a cluster of three (3) approved palm trees or a cluster of three (3) pine trees or cypress trees if on pond or wetland area.

## 5. General Landscape Requirements:

a. **Design Approach:** The recommended landscape character of yard areas should emphasize either a **casual** or **natural environment** or a **formal appearance for contemporary style architecture**.

b. **Landscape Quality and Installation:** Trees and shrubs shall be nursery grown in containers and free from disease, insect infestations, defects and injuries. Installations should allow adequate area to promote a healthy growth pattern and to accommodate the mature growth requirement of each plant species. Trees shall be correct

in form for their species and have a normal growth habit with well development and densely foliated branches.

**c. Street and Yard Tree Staking:** All street trees and yard trees must be staked as shown on the tree staking exhibit in this section using a Tree Frog Environmental Products, Pro40E System as manufactured by Staking Systems Supply, Inc. or an equivalent system.

**d. Existing Trees:** Unless otherwise prohibited in conservation areas, existing trees selected to remain on a Lot must be selectively pruned to remove dead wood and undesirable branches. Clusters of smaller trees and natural areas must be groomed and mulched for a neat appearance or planted with shrubs or ground cover.

**e. Tree Fences, Wells and Aerators:** Protective tree fences, tree wells, and aerators shall be installed as required by the Reviewer to protect existing trees to be saved.

**f. Mulch:** All shrubs shall be top-dressed with 3" of Grade "A" cypress or pine bark mulch after watering in. Stone, rock, gravel, crushed brick or similar materials are not allowed as a substitute for mulch for new construction or modifications.

Ground covers shall be planted in such a manner to present a finished appearance within one (1) year of planting. Shrubs shall be planted such that the gap will be closed within the first year of growth.

Shrubs and ground cover in Front Yard Zones shall be planted in clusters or within curvilinear planting beds or in formal rows. Shrubs of the same species shall be massed together, in general, and random mixing of different species is discouraged. Different shrub species should be tiered in height with the taller shrub species closest to the Structure and the lower species in front. Plant masses should be arranged to provide visual excitement by the use of color and texture and to soften stark building elements and corners as well as to enhance architectural features. Plantings may be required by the Reviewer to screen portions of driveways, service yard areas, blank walls, patio decks and swimming pools.

The use of linear buffer hedges along property lines in Front Yard Zones is not permitted. Berms, trees and clusters of shrubs may be used to create a sense of separation and definition when appropriate between front yards. Linear buffer hedges in side and rear yards must be routinely trimmed not to exceed 72" in height.

**g. Landscape Rocks:** The use of landscape rocks as a design element for new construction or modifications shall be limited to no more than three (3) accent boulder rocks areas in the landscape and no larger than a 3' X 3' area for each rock area. Any such materials must be used in moderation and must be shown on plans submitted for Design Review, Landscape Review, or Modifications Review (as applicable).

**h. Sod:** All portions of road right-of-ways and the Lot shall be sodded, except for conservation area required to remain natural. To insure a consistent turf color and texture throughout the community St. Augustine must be used. After initial installation, turf areas may not be removed or replaced with mulch, stone, rock, gravel, crushed brick or similar materials without written approval of the Reviewer. As part of initial construction, Builder shall re-sod any lake banks abutting a Lot with St. Augustine sod from the Lot boundary to the mean normal water design elevation, if not weed free.

**i. Utility Equipment:** All utility company boxes and transformers are set within road right-of-ways or easements. Grading around these items must ensure positive drainage. Upon maturity, the shrubs used to screen utility equipment shall be the type and size necessary to screen the full height of any such equipment.

**j. Service Yard Access:** Air-conditioning compressors, pool pumps and related equipment in service yards areas must be screened by a service area wall or landscape material.

**k. Sight Distances at Intersections:** No fence, wall, hedge, or shrub planting shall be placed, permitted or maintained where such improvements would create a traffic or sight problem at intersections for Corner Lots or at



the intersections of streets and driveways or pedestrian trails. No trees shall be permitted unless the foliage line is maintained at a sufficient height to prevent obstruction of sight lines for Corner Lots and intersections as set forth above.

**l. Artificial Vegetation and Decorative Embellishments:** No artificial vegetation shall be permitted on the exterior of any portion of any Lot or Unit within Solterra except on front porch/entryway. Exterior sculptures or lawn ornaments must be approved by the Reviewer and include but are not limited to the following: deer, swans, flamingos, ducks, birdbaths, sculptures, windmills, or similar items.

**m. Wells:** No wells of any kind shall be permitted. Such prohibition shall not limit the Developer or the SRHA from drawing upon lakes or installing and maintain wells within the Property.

**n. Irrigation Systems:** The Developer has installed or will install, a reclaimed water irrigation line serving each Lot, Tract, and the Common Areas in Solterra, to be owned, maintained and operated by Utilities Inc., the local water and sewer provider ("Reclaim System"). At this time the Reclaim System does not have irrigation water available to the community but is anticipated in the future. In the meantime, potable water from the house supply shall be used for irrigation water. If a Lot Owner initially connects to the potable water system and reclaimed water becomes available at a later date, the Lot Owner is obligated, at Lot Owner's expense, to connect the Lot's irrigation system to the reclaimed water system. No other sprinkler or irrigation systems of any type which draw water from wells, lakes, rivers, ponds, canals or other surface waters within Solterra shall be installed, constructed, or operated within Solterra.

Each Owner shall be responsible for installing and maintaining a fully automatic, full yard coverage irrigation system servicing their Lot. As part of initial construction, each Builder shall install in conformance with the RESIDENTIAL IRRIGATION PERFORMANCE SPECIFICATIONS (attached) and Lot Owner shall subsequently maintain an underground irrigation system on a Lot in accordance with the following requirements:

- Irrigation systems shall be of sufficient size and capacity to provide full coverage for the Lot or as may be reasonably achieved.
- Irrigation systems shall be designated to minimize over-spray to adjacent properties, sidewalks, streets and driveways.
- Coverage shall include right-of ways and pond/lake areas adjoining Lots. Sprinkler heads shall be located between the outside edges of the sidewalk and curb.
- Irrigation systems shall utilize an automatic control device and an automatic rain cut off switch.
- Pop-up spray shall be utilized in shrub beds; bubblers for each tree location; and pop-up rotors in sod areas. Drip irrigation may be used in areas immediately adjacent to building walls in tight planters. PVC pipe is to be a class no less than 160 PVC.
- Owners of Lots on any lake or other body of water shall maintain and irrigate, at such Owner's expense, all landscaping between the Lot boundary and such water's edge. As part of initial construction, Builders shall extend irrigation lines into the shoreline area with sufficient lines and heads to provide full coverage as may be reasonably achieved.

Maintenance by Owner to repair any damaged sprinkler heads, valves, water lines, irrigation controller, or soil moisture sensors, shall commence within five (5) days of the notice of the occurrence of the irrigation service being inoperable or not fully functioning as a result of the failure or damage to the equipment located on, under, or within such Person's property. All repairs required to be performed by owners shall be completed within fourteen (14) days of the loss of or reduction in irrigation services, or when the repairs cannot reasonably be completed within such period the Person shall commence repairs within such period and continue thereafter in an expeditious manner until completion. Further, the Association may engage the maintenance services of any irrigation services provider to repair any damaged sprinkler heads, valves, water lines, irrigation controller, or soil moisture sensors in the event the property owner does not timely commence and complete a repair, the Association may levy a penalty or repair at the owner's expense (in accordance with Applicable Law) for each day the irrigation system is inoperable or otherwise in disrepair.

**6. Lot and Landscape Maintenance:**

a. **Maintenance of Lots:** Within the Short-term Rental and Townhome Service areas, the Association shall maintain all landscaping of the lots and conservation areas where special preservation provisions may apply. Within Solterra Springs, Lot owners will routinely mow lawns; edge beds; prune shrubs and groundcovers; control weeds, pests and diseases via spray application of appropriate products; remove and replace dead trees and plants; dispose of trash; apply water and repair irrigation systems; replace mulch; and other necessary maintenance measures, including fertilization, to sustain the landscape in a neat, orderly, vigorous and healthy condition. Grass areas on Lots with a finished Structure may not exceed 6" in height between lawn cuts.

b. **Maintenance of Roofs and Driveways:** Roofs, exterior surfaces, pavement areas (including, but not limited to, driveways and private sidewalks), and other Improvements comprising the Unit, as well as the public sidewalks, driveways, and curbs immediately adjoining each Lot or Unit shall be pressure washed by the Owner as often as necessary to maintain a clean and kept appearance.

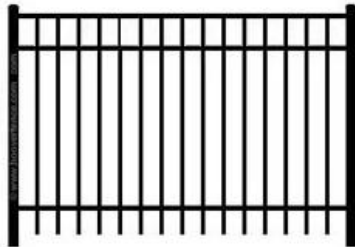
c. **Maintenance of Right-of-Ways:** Lot owners shall be responsible for maintaining and irrigating sod within the right-of-way between the pavement edges or back of curb and the Lot. Lot Owner is responsible for maintenance of sidewalks including keeping level and replacing if cracked.

d. **Shorelines Areas:** Owners of Lots encompassing or bordering on any body of water or wetland shall keep the shoreline free of litter and debris and shall maintain and irrigate, at Lot Owner's expense, sod and any landscaping between the Lot boundary and such water's edge maybe covered elsewhere. Maintenance of landscaping shall be in accordance with requirements of the Association and requisite governmental authorities.

# EXHIBIT

Approved Perimeter & Pool Fence Design

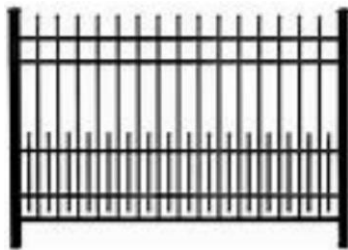
## Jerith Style #202 Fence



Style #202 Fence Panel



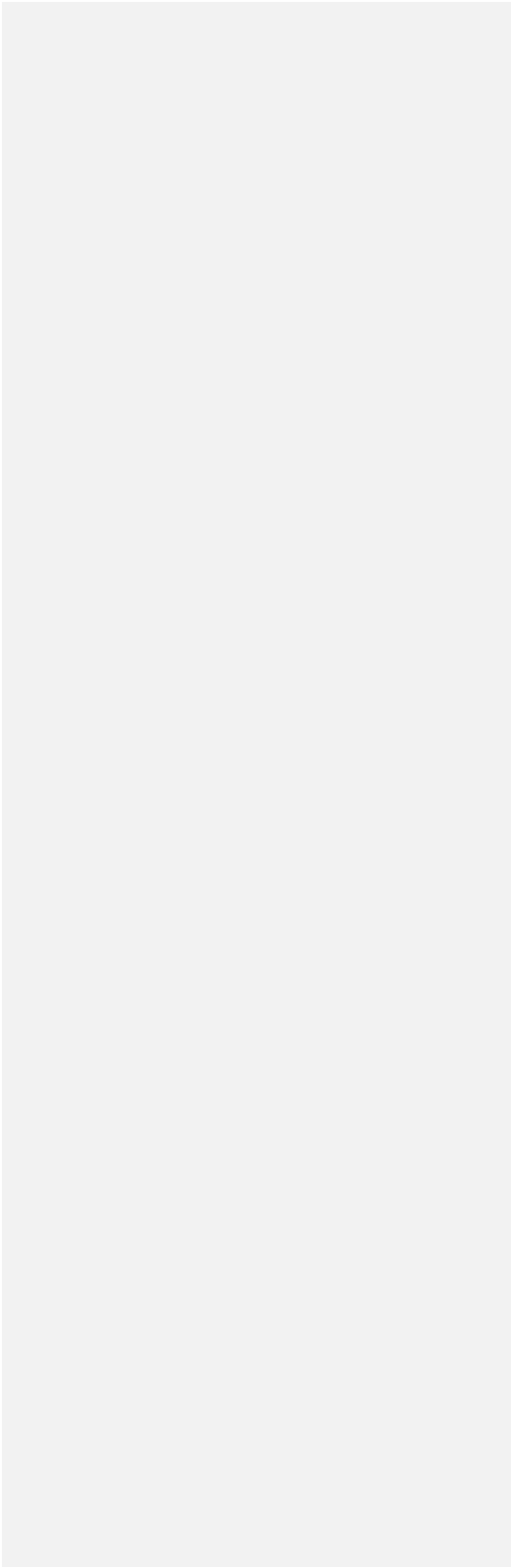
Style #202 Panel with Gate



Style #202 Puppy Style Fence



Approved Privacy Fencing: 6' PVC beige color, tongue & groove, flat tops



Solterra Landscape Palette

**SOLTERRA**  
**RESIDENTIAL IRRIGATION**  
**PERFORMANCE SPECIFICATIONS**

Edition December 2019

**I. GENERAL**

**A. Work Included**

- 1 The Irrigation Contractor (IC) will be working under the authority of the Home Building Company.
- 2 The IC shall provide all labor, materials, equipment, technical supervision, services, construction equipment to perform the work in connection with the irrigation system, as indicated within these performance specifications and detail drawings.

**B. Substitutions**

- 1 All equipment specified here in, listed on legend or as shown on detail drawings shall be incorporated within the residential irrigation installation.
- 2 **NO SUBSTITUTIONS WILL BE ALLOWED WITHOUT PRIOR WRITTEN APPROVAL BY THE DEVELOPER**

**II. SYSTEM OPERATION**

- A.** The irrigation system will be controlled by an automatic timer in accordance with local ordinances and requirements.

**III. LAYOUT**

**A. Point Of Connection (POC)**

1. A one inch (1") reclaimed water service whip will be provided for each Residential Lot but connection shall be made to potable water line until reclaim water becomes available
2. A control zone (single 1" automatic control valve) shall be limited to a maximum output of 20 GPM.
3. The automatic control valves, master valve, filter and pressure reducer are to be installed by the IC within valve boxes adjacent to garage at the front of the property.
4. Typically four (4) to six (6) automatic control valves per Residential Lot. Two (2) sprays zones one (1) rotor zone and one (1) drip zone plus a Master Valve (MV) at the Point of Connection (POC)
5. The IC shall connect to the service whip installing:
  - a) Master Valve
  - b) 1 ½" Filter
  - c) 1" Pressure Regulator
  - d) Automatic Control Valve(s)

Extend control wires from the Automatic Control Valves and MV to the Control Timer located on the Outside Wall of the Garage.