



PROPERTY OWNERS ASSOCIATION, INC.

EXHIBIT "A"

ARCHITECTURAL PLANNING CRITERIA

| | |
|---|---|
| Objective | 2 |
| Approval Procedure | 3 |
| Architect, Builder or Contractor Approval | 4 |
| Construction Requirements | 5 |
| Remodeling or Improvements | 9 |

EXHIBIT "A"

ARCHITECTURAL PLANNING CRITERIA

THIS DOCUMENT IS TO BE READ THOROUGHLY BY YOU, YOUR ARCHITECT AND CONTRACTOR. IT IS IMPORTANT THAT THE PLANNING AND BUILDING REQUIREMENTS CONTAINED HEREIN BE ADHERED TO AND THAT THE ORCHID ISLE ESTATES PROPERTY OWNER'S ASSOCIATION, INC. COVENANTS AND RESTRICTIONS BE FULLY UNDERSTOOD AND CONFORMED TO.

Whereas, the declaration of covenants and restrictions for Orchid Isle Estates subdivision with address being Post Office Box 39, Wabasso, Florida 32970, provide that the Board of Directors form a **committee** known as the Architectural Review Committee (the ARC). The ARC will consist of three (3) Association members, one of whom shall be a member of the Board of Directors; and

Whereas, the above referenced declaration and covenants and restrictions provide that the Board of Directors of the Orchid Isle Estates Property Owner's Association, inc., shall adopt and modify or amend from time to time the architectural planning criteria for the subdivision, which criteria are to be set forth in writing and made known to all owners and all prospective owners in Orchid Isle Estates subdivision;

Now therefore, the Board of Directors of the Association, upon recommendation of the ARC does hereby adopt the following architectural planning criteria:

Objective It is the objective of the Orchid Isle Estates subdivision to be a highly restrictive community of quality single-family homes. The ARC shall evaluate new construction and exterior improvement proposals to:

- I. Ensure the preservation of the natural beauty of site and setting;
- II. Prevent all but essential clearing of property, removal of trees and earth moving;
- III. Ensure that the location and configuration of structures are visually harmonious with their sites and with the surrounding sites and structures, and do not unnecessarily block scenic views from existing buildings nor tend to dominate the developed areas or the natural landscape;

- IV. Ensure that the architectural design of structures and their materials and colors are visually harmonious with overall appearance, with surrounding development, with natural land forms and native vegetation; and
- V. To ensure that plans for the landscaping of open spaces conform to the regulations prescribed herein, provide visually harmonious settings for structures on the same site and on adjoining and nearby sites, and blend harmoniously with the natural landscape.

Approval Procedure The following four-step procedure shall be followed by the owners in submitting the necessary documentation to the ARC. These steps are established for the purpose of minimizing misunderstandings and expense to the owners.

Step one

- I. Owner will request an architectural requirements checklist from the ARC chairperson. The checklist is a material requirements checklist to be used as a requirements guide by the homeowner, architect, and contractor.

Step two

- I. Owner will submit the completed architectural requirements checklist to the ARC for review and conceptual approval; and
- II. Owner will submit a check for *two thousand five hundred dollars* (\$2,500) to the ARC. Of this total amount, *two thousand dollars* (\$2,000) will be considered as a surety, which will be refundable when the residence is completed, less any damages, fines, or additional professional fees that may be incurred during construction. *Five hundred dollars* (\$500) is non-refundable, to be used to pay for architectural and or other professional services rendered to Orchid Isle Estates Property Owner's Association, Inc. for the evaluation of the owner's proposal and plans. In the event that the cost of the professional evaluation of the owner's project exceeds *five hundred dollars* (\$500), the owner will be notified. The monetary amount submitted by the owner may not be applied to annual dues and or assessments.

Step three – after receipt of tentative conceptual written approval from the ARC, owner will submit the following:

- II. A certified copy of the property survey with all tree locations - the survey must be less than twelve months old. The survey should also include the location of adjacent property water wells and septic systems;
- III. An accurately drawn, dimensional plot plan showing all building setbacks, easements, fences, walls, drives, walks, concrete pads and impervious surfaces;
- IV. Foundation plan, floor plan and exterior elevations of buildings as they will appear after all backfilling is done from finished ground up;
- V. Actual specifications of all exterior materials such as roofing, siding, brick, etc., as well as all exterior color schemes must be submitted for approval;
- VI. Landscape plan showing the location of all existing and proposed landscaping and sprinkler system layout;
- VII. Topographical drawings with elevations and detailed drainage plan. Drainage plan must conform to all local, state and federal regulations;
- VIII. Exterior lighting plan;
- IX. All plans must be drawn in a professional manner to a one-quarter (1/4) inch scale.

Step four – owner must submit a certified copy of the form board survey prior to placing concrete.

Architect, Builder or Contractor Approval:

- A. ALL builders or contractors must be currently licensed by the State of Florida.
- B. The ARC must approve all architects and general contractors. In approving any general contractor or architect, proposed to be utilized in connection with the construction of a dwelling, the ARC may require the submission of resumes, financial information and such other information as is reasonably necessary to confirm the experience and good reputation of the architect and or general contractor.
- C. Regardless of prior approval by the ARC, any poor, negligent, unsafe, and or unworkmanlike behavior by the general contractor or his/her sub-contractors in Orchid Isle Estates subdivision may cause suspension of all work until the situation has been corrected to the satisfaction of the ARC.

- D. Each owner, or his / her assigns, by purchasing property in Orchid Isle Estates subdivision hereby gives his / her permission to the ARC or its representatives to inspect the work done on his / her property at such reasonable time and manner so as to assure conformity with these guidelines and restrictions.
- E. A clean and orderly job site must be maintained at all times, both inside and outside the home under construction.
- F. Construction must proceed on a timely and continuing basis without interruption.

Construction Requirements

A. Project Commencement

- I. No change in grade or topography of the lot shall be made or foundation for the building or construction may commence in any manner or respect without written approval by the ARC. The approval is required to ensure that no trees are unnecessarily disturbed and that the home is placed on the lot in its most advantageous position and complies with the architectural planning criteria stipulated herein.

B. Exterior Color Plan

- I. The ARC shall have the final approval of all exterior color plans.
- II. The owner must submit to the ARC a color plan showing the color of the roof, exterior walls, shutters, trim, etc.

C. Roofs

- I. There shall be no flat roofs.
- II. The roof should have a pitch of not less than a 4/12 ratio except porches, patios, and flared eaves.
- III. Composition shingled roofs are prohibited.

D. Roof Overhang

- I. There shall be a minimum roof overhang of 24 inches, unless approved in writing by the ARC.

E. Block

- I. There shall be no unfinished, exposed block.

F. External Flues

- I. External flues must be enclosed, using design and materials consistent with the style and design of dwelling.

G. Exterior Flashing and Vents

- I. Exterior flashing, vents, etc., shall be of copper on all roofs with the exception of metal roofs.
- II. No plumbing vents, exhaust fans, etc., are to protrude through the front side of the roof.
- III. Every effort shall be made to ensure that they are not visible from the street.
- IV. Solar collectors and other equipment shall also not be visible from the street.
- V. The ARC must approve in writing any exceptions.

H. Fascia Board Size

- I. All dwellings shall have exterior fascia boards of a minimum nominal size of six (6) inches wide.

I. Storm Shutters

- I. The ARC must approve in writing the design, color, and materials for permanent storm shutters.

J. Mailboxes

- I. All mailboxes and paper boxes must be visually harmonious with the style and design of the dwelling.

K. Security Systems, Telephone, and Cablevision

- I. All dwellings must be pre-wired for security systems, telephone, and cablevision.

L. Antennas

- I. Standard satellite TV antenna dishes are permitted.
- II. All other antennas require ARC written approval prior to installation.
- III. No antennas shall be visible from the street without prior written approval from the ARC.

M. Driveway and Walkway Dimensions and Construction

- I. ALL dwellings shall have a paved driveway of at least eighteen (18) feet in width at the entrance to the garage.
- II. Type and surface to be approved in writing by the ARC.
- III. All exterior walks must be of a composition compatible with the surrounding dwelling, porch, and patios.

N. Fences and Walls

- I. The composition, location, and height of any fence or wall to be constructed on any lot is subject to the final written approval by the ARC.
- II. No chain link or wood fences will be allowed.

O. Exterior Lighting

- I. The exterior lighting must be approved in writing by the ARC.

P. Landscaping

- I. A basic landscaping plan for each lot must be submitted and approved by the ARC.
- II. The lot owner is responsible to ensure that no invasive plant species are planted on the lot. A list of the invasive plant species is available from the Florida Exotic Pest Plant Council (FLEPPC), Department of Environmental Protection, or from the Indian River County Planning Department.
- III. All lots are required to have installed an automatic, underground sprinkler system. The sprinkler system shall be of sufficient size and capacity to irrigate all sodded or landscaped areas and must be maintained in good working order on all lots.
- IV. All well water used for irrigation purposes must be treated chemically if it is determined to cause unsightly stains.
- V. Except for impervious surfaces, the entire lot, together with the area between the street pavement and the right of way line, shall be sodded, or landscaped, irrigated, and maintained.
- VI. The sod shall be of the St. Augustine grass (or Floritam) with no other types permitted.
- VII. Finished sod landscaping shall be installed to flow smoothly into neighboring yard and shall be graded (or underground drainage installed) so that there will be no pooling or standing of water along the common property line.
- VIII. LANDSCAPING must be planted so that at full growth they will not overhang adjacent property lines.

Q. Natural Landscaping and Trees

- I. In reviewing the building and site plans, the owner shall take into consideration the requirement to preserve the natural landscaping of the lot.
- II. Every effort should be made to save as many trees and natural shrubs as possible.
- III. Clear cutting of a lot is not permitted.

R. Water Drainage

- I. It is the owner's responsibility to ensure that the completed drainage plan protects adjacent properties and common areas from improper water drainage.
- II. New construction must follow the drainage pattern established for Orchid Isle Estates subdivision by the St. John's River Water Management District;
- III. The swale slope to be a minimum of 3/1;
- IV. No landscaping and or structures allowed in the drainage swales;
- V. A perforated underground drainage pipe is allowed in lieu of a swale;
- VI. A swale to the rear of the property line, parallel to the river or lagoon is required in all new construction.

S. Run-off from Down Spouts and Drainpipes

- I. Excessive water run-off from down spouts, drain pipes, etc., will be piped underground to a common swale or drain to minimize silt washing and sod undermining.

T. Septic Tanks

- I. The location of septic tank drain fields must comply with health department regulations.

U. Silt Control

- I. Silt control fences will be properly erected and maintained along common property lines (unless the adjacent property owner waives the requirement) and wetlands during construction. No other encroachment of adjacent property is permitted unless approved by the owner.

V. Construction Material and Debris Removal

- I. All construction material, trash, landscaping scrap, and other superfluous items must be removed from the lot on completion of construction or improvement works.

Remodeling or Improvements

Upon completion of their residences and with the passage of time, homeowners may be desirous of remodeling or performing further improvement to their existing residential dwellings or property. The following are the requirements to conduct the desired work:

- I. All remodeling work or improvements must be submitted to the ARC for review and written approval prior to the commencement of any work.
- II. If the total cost of the work is in excess of *fifteen thousand dollars* (\$15,000), the owner is required to submit with the improvement application an improvement deposit for *one thousand two hundred dollars* (\$1,200). Of this total amount, *one thousand dollars* (\$1,000) will be considered as surety, which will be refunded when the work is completed, less any damages, fines, or additional professional fees that may be incurred during the work. *Two hundred dollars* (\$200) is non-refundable, to be used to pay for architectural and or other professional services rendered to Orchid Isle Estates Property Owner's Association, Inc. for the evaluation of the owner's proposal and plans. In the event that the cost of the professional evaluation of the owner's project exceeds *two hundred dollars* (\$200), the owner will be notified. The monetary amount submitted by the owner may not be applied to annual dues and or assessments.
- III. Restoration or repair work, which restores the dwelling to the original design, condition, and color, will require ARC notification only prior to the commencement of the restoration project.