

COBBLESTONE CREEK HOMEOWNERS ASSOCIATION, Inc.

## **ARCHITECTURAL GUIDELINES**



Approved by the Board of Directors on: August 18, 2008

Paragraphs amended after the original approved date shall note the amended date at the end of the paragraph.

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### Section 1 – DEFINITIONS

The “Architectural Review Board” shall also be known as the “ARB”.

“Community Documents” is defined to include any and all of the following Cobblestone Creek documents: the Declaration of Covenants and Restrictions (hereinafter, the Declaration), the Articles of Incorporation, the Bylaws, Rules and Regulations as promulgated from time to time, as well as these Architectural Guidelines as modified from time to time.

“Exterior Alterations” shall include alterations, changes, modifications, improvements and additions to the exterior of the premises, be they on the exterior of the building or anywhere on the lot. The use of the words alterations, changes, modifications and additions in the same manner as exterior alterations shall mean the same.

### Section 2 - PURPOSE of THESE ARCHITECTURAL GUIDELINES

The community documents create standards to assure each owner that the quality of the Cobblestone Creek community will be maintained. The authority of the Board of Directors is set forth in the Declaration, the Articles of Incorporation and the Bylaws, including the right to establish the Architectural Review Board and to create these Architectural Guidelines.

The principle purpose of these Architectural Guidelines is to inform homeowners of the design requirements for Cobblestone Creek and the procedures to be followed before making an exterior modification to their property. The creation and enforcement of the provisions in the Architectural Guidelines should serve to assure homeowners that community standards of design and quality will be maintained. This protects property values and enhances the overall environment of Cobblestone Creek. As such, these Architectural Guidelines should be viewed as a benefit and not a burden to the community.

This document is intended to facilitate the identification, enforcement and resolution of any architectural, landscape, or other violations of the architectural rules as outlined in the various governing documents of the community. These Architectural Guidelines are not intended to include or supersede the requirements stipulated in the Declaration of Covenants, Conditions and Restrictions, the Articles of Incorporation or the Bylaws, but rather should be considered as a supplement to said documents.

It is expressly understood that these Architectural Guidelines do not modify the terms and conditions of the Declaration of Covenants, Conditions and Restrictions recorded at OR Book 18696 Page 897-901 as amended from time to time and accordingly, all definitions and provisions as set forth therein including the definition of Approving Party as defined in Section 1.1 thereof shall remain in full force and effect, along with any and all Declarant rights.

Florida statutes, Palm Beach County ordinances, and the community documents of Cobblestone Creek are incorporated by reference into these Architectural Guidelines.

### Section 3 - ARCHITECTURAL REVIEW BOARD OVERVIEW

The ARB is responsible to insure that exterior alterations in Cobblestone Creek comply with the provisions in the community documents, including these Architectural Guidelines, and with community standards.

The ARB is responsible for evaluating whether exterior alterations to a home or lot comply with specific sections of these Architectural Guidelines and other community documents, and whether exterior alterations maintain community standards of the highest quality. Items that exist on the exterior of a resident's home or lot which do not comply with specific sections or with the clear intention of these Architectural Guidelines may be cited as being in violation.

The approval by the ARB of plans or specifications submitted by one homeowner shall not be deemed to be a waiver by the ARB of the right to object to any of the features or elements if the same features and elements are included in any subsequent plans and specifications submitted for approval for use on other homes.

The ARB shall meet as necessary, with proper notice, in order to review all submitted applications by the deadline established. The ARB can delegate its authority to one or more members to act on behalf of the ARB as needed and when necessary.

#### Section 4 - RESPONSIBILITIES of ARCHITECTURAL REVIEW BOARD

On behalf of the Association, the ARB is empowered to take the following action:

- Apply the provisions established by the Board of Directors in these Architectural Guidelines and the provisions of other Cobblestone Creek community documents as they pertain to exterior alterations.
- Recommend to the Board of Directors changes to these Architectural Guidelines.
- Recommend to the Board of Directors the establishment of rules for the submission of plans and specifications.
- Establish rules with respect to the form and content of plans and specifications to be submitted to the ARB.
- Approve or disapprove applications for exterior alterations.

#### Section 5 - LIMITATION of RESPONSIBILITIES of ARCHITECTURAL REVIEW BOARD

The ARB assumes no liability with regard to the structural integrity of any improvements that are the subject of an application. The ARB makes no representation as to its expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on submitted plans or on the ultimate construction of the approved modification. The ARB does not assume responsibility for the performance or quality of work of any contractor.

All contractors hired to perform work that is subject to ARB approval must be properly licensed and insured.

#### Section 6 - STANDARDS to be USED by the ARCHITECTURAL REVIEW BOARD

The ARB shall regulate the external appearance, use and maintenance of improvements in such a manner as to comply with and meet community standards. The ARB shall evaluate all submissions based on the individual merits of each application. In addition to evaluation of the particular design proposal, this includes consideration of the characteristics of the individual site and lot size. The following criteria are general in nature and apply to all of the dwellings in Cobblestone Creek.

##### **Relation to Open Space**

Factors that may be considered include but are not limited to the addition or removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off that may adversely affect neighboring properties, common areas, preserve, and easement areas.

**Conformance with Covenants**

Applications shall be reviewed to confirm that the request is in conformance with all Cobblestone Creek community documents.

**Design Compatibility**

The proposed alteration must be compatible with the architectural and individual characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of material, color and construction details and in accordance with the design specifications as provided herein. The proposed alteration requested must also be sound and appropriate to its surroundings.

**Location and Impact on Neighbors**

The proposed alteration should relate favorably to the landscape, the existing structures and the neighborhood. The primary concerns are access, view, sunlight and drainage. For example, the ARB shall be concerned with whether fences or landscaping may obstruct the views from neighboring properties and whether additions or changes may encroach upon a neighbor's privacy.

**Section 7 - ARCHITECTURAL REVIEW BOARD MEMBERS and PROCEDURES**

The ARB shall consist of no less than three (3) members. The ARB shall meet as necessary to review completed applications that are received and to approve or disapprove them within thirty (30) days of receipt. Meetings shall be held in person and proper notification shall be made pursuant to relevant Florida statutes. The President of the Homeowner's Association, with the consent of the Board of Directors, has the right, power, authority and obligation to appoint and remove at will the chairperson and the members of the ARB.

Applications shall only be deemed approved when a majority of the ARB members present at a properly convened meeting votes to approve the application. If the vote is tied, the application shall not be approved. In that situation, the homeowner shall be entitled to resubmit the application for review and a vote by the ARB at a future meeting.

The chairperson shall have only one vote, equivalent in weight to the votes of the other members of the ARB.

Minutes of all meetings shall be maintained and include the number of ARB members who voted in favor, against and abstained from each vote, as well as all other relevant information.

**Section 8 - WHEN APPROVAL IS REQUIRED**

ALL requests for exterior alterations MUST be submitted to the ARB and be approved BEFORE the alterations may be undertaken. The only exceptions to the requirement of pre-approval are for those items expressly enumerated in these Architectural Guidelines.

No building, outbuilding, garage, fence, wall, retaining wall, landscaping, pool, spa, porch, screened enclosure **or any other structure, improvement, or exterior alteration of any kind** shall be erected, constructed, placed, altered, changed, or modified on any property unless the same shall be approved in writing by the ARB pursuant to these Architectural Guidelines. The foregoing approval also applies to painting the exterior of a dwelling and any other maintenance, repair, alteration or modification which changes the exterior appearance of a dwelling or other improvements on a unit or the surrounding property.

Absence of such an approval does not relieve the homeowner, contractor or other party from the requirement to comply with all the requirements of the Declaration. If unapproved work is begun or completed, removal of or repair to such work shall be at the sole expense of the homeowner, including, without exception, all legal fees and other costs required to defend said homeowner or the association from any legal matters arising from any unapproved work.

Approval of the ARB is not required for normal maintenance and making repairs that do not change the original look, color or style of the structures, landscaping or items requiring repair.

Where there is conflict or confusion as to whether an application and ARB approval is required, that conflict or confusion shall be resolved in favor of requiring the application and the approval.

#### **Section 9 - ARCHITECTURAL CHANGE FORM**

An Architectural Change form (also known as an “application” and as an “ARB form”) is required whenever a homeowner seeks to change any landscaping, add additional landscaping, build or modify any structure or make any exterior alterations to the existing unit, unless specifically exempted within these Architectural Guidelines. Those exterior alterations include the addition of what some people may consider temporary or removable items.

Applications may be obtained from the offices of the management company or from the community web site at [www.CobblestoneCreek.org](http://www.CobblestoneCreek.org), or as otherwise directed by the Board of Directors.

All applications shall be signed by at least one owner of the subject lot/home, or in the case of a corporation or trust, by an authorized agent. Applications shall not be accepted from tenants.

Applications shall not be accepted or reviewed from homeowners who are in arrears with Homeowners Association regular or special assessments or any other fees overdue to the Homeowners Association. In cases where ARB application review is required to remedy violations as a condition precedent to selling a home which will result in the Homeowners Association obtaining past due funds, the ARB may permit the submission of an application and act on the same. In other situations where a homeowner seeks ARB approval of an exterior modification and an approval will result in the Homeowners Association receiving overdue funds or correcting a situation that is the subject of litigation or meditation, the Board of Directors can direct that the application be reviewed.

Applications can be hand delivered or sent to the management company, which shall then forward them to the ARB for review at its next scheduled meeting. It is the responsibility of the homeowner to acquire a date-stamped receipt from the management company. The 30 day period for review shall begin to run when a complete application is stamped as received in the offices of the management company.

A property survey must be included with all applications showing the location of existing structures and the boundaries of the property. Proposed exterior alterations should be indicated, including dimensions and distances from the home and adjacent properties. Landscaping changes should be indicated and detailed as well. Any changes to existing planting beds must also be noted.

A graphic description of the request should be provided. This may be in the form of photographs, manufacturer’s literature, and freehand or mechanical drawings by the homeowner or a contracted company. The amount of detail should be proportionate with the complexity of the proposal. The greater the number of relevant details that are presented in an application, the more information the committee will have in analyzing the suitability of the exterior alterations requested.

Written comments from neighbors and other homeowners concerning proposed changes may be furnished to the ARB. These comments may be considered during the review process. The comments of

neighbors and other homeowners shall only be advisory and not determinative as to whether approval of an application shall be given. The ARB shall make its decisions based on standards set forth in the community documents.

The determination of whether sufficient detail is included in the application shall be in the sole discretion of the ARB, and if it is determined that it is not sufficient, the application will not be considered complete.

Upon approval by the ARB, a copy of the applicant's application cover page bearing such written approval shall be returned to the applicant within ten (10) business days. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded unilaterally by the ARB, provided that all representations in the application are accurate and there has been compliance with all conditions of approval. However, a homeowner can apply to the ARB to make modifications or changes to an application that has already been approved and the ARB can grant such modifications and changes based on the guidelines set forth in the community documents.

If an application is disapproved, a request can be resubmitted with appropriate changes made.

#### Section 10 - APPLICATION FEES and DEPOSITS

Security deposits and inspection review fees shall be required for owners making exterior alterations of a larger scale, e.g., additions, pool, spa, fences and alterations requiring the use of heavy trucks or machinery that may damage common or other areas. The determination of whether a project is large scale shall be made by the ARB. The inspection review fee shall be used to pay a professional engineer or inspector to ascertain that all work has been completed as required. No fee shall be collected if the inspection is to be performed in the regular course of duties by the management company's property manager.

Any owner wishing to make an improvement that falls into one of the categories in the next paragraph shall submit a check for the amount of the deposit with their application to the ARB. Said deposit is intended to cover the cost of incidental damage to association property or to adjacent lots or homes by virtue of such owner's construction or improvements. After the approved work is performed and an inspection is made by the Board of Directors or its designated agent, the amount of the deposit shall be returned, after deducting any costs for damage and inspection review by a professional engineer or inspector.

The following is a list of security deposit amounts that may be required:

- |  |         |
|--|---------|
| • Pool or spa  | \$2,500 |
| • Additions to home  | \$4,000 |
| • Regrading and exterior alterations that require the use of heavy machinery | \$1,000 |
| ○ Heavy machinery includes backhoes, bobcats, etc...                         |         |
| • Major landscape that requires the use of heavy machinery                   | \$1,000 |
| • Fence addition or removal, screen enclosure addition or removal            | \$ 500  |
| • Other work requiring the use of machinery                                  | \$ 500  |
| • Inspection review fee  | \$ 250  |

If a security deposit or an inspection review fee is required, no work on the subject property can begin until the security deposit and inspection review fee have been paid. Generally, when a security deposit and an inspection review fee are required, the inspection review fee shall be deducted from the security deposit.

The ARB shall have the discretion to determine whether a security deposit is required for the improvement requested. The ARB shall also have the discretion to increase, decrease or waive the above fees at the time of application review, as circumstances warrant.

#### Section 11 - PERMITS

After receiving approval from the ARB, the applicant may also be required to obtain a permit from Palm Beach County. The applicant must determine whether this requirement applies to the requested modification and if so, the permit must be obtained before work can begin. If a permit is required, upon receipt of the permit, the homeowner shall forward a copy of it to the management company to be placed in the homeowner's file with the original application. Failure to do so may delay or prevent final approval.

#### Section 12 - TIME LIMITATIONS

All improvements and exterior alterations shall be completed within sixty (60) days from the date the applying homeowner is formally notified of ARB approval. In situations where a permit is required, an application for a permit shall be submitted within thirty (30) days of notification of ARB approval. All improvements and exterior alterations shall be completed within sixty (60) day from the date of the issuance of the permit, except construction of swimming pools shall be completed within seventy-five (75) days from the date of the issuance of the permit.. A reasonable extension can be requested from the ARB and approved for good cause. A \$100 per day fine may be assessed on projects which remain uncompleted for periods of time longer than noted, which are visually objectionable, that are a nuisance, or that is a safety hazard for neighbors and the community. Determination of whether a project is uncompleted after the permitted time period for completion as well as whether a project is visually objectionable, a nuisance or a safety hazard shall be in the sole discretion of the ARB. The ARB may establish a more specific time for completion of a project as a condition of its approval.

In the event the ARB fails to approve or disapprove a complete application for exterior alterations within thirty (30) days of receipt of said request, approval shall be deemed to have been granted.

The ARB shall have the right to disapprove applications in order to request additional information from the applicant or others. If this action is taken, the applicant must resubmit an application. Alternatively, with the consent of the applicant and a majority of the ARB members present at an authorized meeting, if there is additional information requested by the ARB, the application can be put on hold while the additional information is obtained. In no event can the additional time period extend to more than forty (40) days from the first date of review. If more than the additional forty (40) days is needed, a new application must be submitted

#### Section 13 - INSPECTION OF ONGOING WORK

Submission of an application by a homeowner grants the right to have periodic inspections made by the ARB and/or the management company while work is in progress to determine compliance with the approved plans and with provisions of the community documents. *This inspection is not meant to be in lieu of a professional inspection and shall not be relied on by the homeowner as evidence of satisfactory compliance with the application or approval.* The ARB and an agent or agents of the ARB shall not be deemed to have committed a trespass or other wrongful act by reason of such inspection. At least three (3) days prior to any inspection by the ARB or by the management company, notice to the homeowner of intent to inspect, including date and time of such inspection, shall be delivered to the homeowner. In unusual or exigent circumstances, the "at least three (3) days prior" notice requirement may be reduced to one (1) day.



#### Section 14 - JOB SITE CONDITIONS

All job sites shall be kept in a neat and orderly condition as determined by the ARB. The homeowner is responsible to have the exterior of the home and common areas adjacent to the home raked, broom cleaned and hosed down as needed at the conclusion of each day when interior or exterior work has been performed at the home. The area to be cleaned includes streets and sidewalks in front of and adjacent to the subject premises.

The ARB has the right to use part or all of the security deposit paid by a homeowner to secure and/or clean a job site and the surrounding area if such is not properly maintained by the homeowner.

At the discretion of the ARB, fencing may be required to be installed around the site of certain large projects.

If a portable toilet is at a site during the course of an interior or exterior alteration, the ARB can require that the toilet be screened and placed in the least objectionable location. This may include facing the door of the portable toilet away from the street and other homes, erecting plywood walls around the three non-door sides, placing materials around the toilet to screen it, or other reasonable methods.

Commercial construction hours shall be restricted to Monday through Saturday, 8:00 a.m. to 6:00 p.m.

No construction vehicles, storage boxes, etc. may remain after hours. ARB approval is required before dumpsters, portable toilets and other construction items and machinery are permitted to be kept on site overnight or for an extended period.

All construction operations must comply with state & local government ordinances. Work permits must remain posted until job completion.

#### Section 15 - COMPLETION of APPROVED CHANGE

The following text is from section 7.28.4 of the Declaration. References to “approving party” refer to the Homeowners Association and their agents.

***Inspections.** Upon completion of any improvement, the owner shall give written notice of the completion of same to the approving party. Within 60 days thereafter, the approving party shall inspect the improvement, and if the approving party finds the improvement was not completed in conformance with the approved plans and specifications, it shall notify the owner in writing of such non-compliance within said 60-day period, specifying the particulars of such non-compliance, and within 30 days thereafter the owner shall correct the deficiencies set forth in the notice, and upon completion of the work required to correct the deficiencies, the owner shall give the approving party notice of the completion of the work, and the provisions of this section shall again become operative. If for any reason the approving party fails to notify the owner of any deficiencies within 90 days after receipt of a notice of completion from the owner, the improvement shall be deemed to have been completed in accordance with the approved plans and specifications.*

#### Section 16 – MAINTENANCE of APPROVED EXTERIOR ALTERATIONS

Any and all exterior alterations that have been approved and are installed must be maintained in a proper state of repair.

#### Section 17 - VIOLATIONS

If any alteration or modification to a property is made without the required written consent of the ARB, the alteration is deemed to have been undertaken in violation of the community documents. Unapproved exterior alterations may be required to be removed until approval by the ARB is granted. In no event may any alteration or modification be allowed to remain if it is in violation of any of the covenants and restrictions contained in the Declaration or in violation of any zoning or building ordinance or regulation.

The Association is empowered to enforce its policies, as set forth in the community documents, Palm Beach County ordinances, and Florida statutes, including an action in a court of law to insure compliance. The Association also has the right to levy a fine and request full reimbursement of all costs incurred by the Association on exterior alterations made without the written request and approval of the ARB.

#### Section 18 - LANDSCAPING

All individual lots and common areas were landscaped at the time of construction in compliance with a master landscaping plan set forth by the developer and approved by Palm Beach County.

Any and all exterior alterations to this existing plan, must be submitted to the ARB for approval prior to implementation.

Tree removal or relocation requires approval.

No sod, trees or shrubbery shall be removed by the homeowner without approval of the ARB.

Landscape maintenance that involves the use of machinery, including lawn mowers, blowers and hedge trimmers, shall be restricted to Monday through Saturday, 8:00 a.m. to 6:00 p.m.

Plantings on common grounds shall require ARB approval.

- Plantings in lake and utility easements require ARB approval.
- Plantings in the lake maintenance easement may extend into the easement no more than five (5) feet, measured from the subject lot's rear property line, and in every case there shall be at least a fifteen (15) foot setback from the plantings to the normal edge of the lake.
  - The ARB can approve a distance from the rear property line of less than five (5) feet if warranted, but cannot approve a distance greater than five (5) feet.
  - Plantings shall not be permitted to alter either the height of the embankment/easement area in relation to the lake or the slope of the lake maintenance easement.
- Plantings shall not be placed in drainage easements unless a permit, variance and other required documentation is obtained from Palm Beach County.

Plantings, including bushes and trees may be placed along the side property lines of a lot and run to the sidewalk, including through the utility easements. Plantings may also be placed along the sides of driveways. However, except for those plantings that define the side boundaries of the lot or the driveway area, plantings shall not be installed within three (3) feet of the sidewalk, measured from the side opposite the road, and running generally parallel with the sidewalk. The intention is to maintain the original design plan of the builders, including having grass in the front of the home adjacent to the sidewalk.

- Plantings may be placed around utility boxes to screen them.
- Prior to any plantings being placed in utility easements, homeowners shall contact all applicable utility companies, including but not limited to water, electric, cable and telephone companies, to ascertain the location of underground utility lines, to insure that no digging will disrupt any utility service, and to ascertain if there are any restrictions as to the type of landscaping that can

be planted or the location of that landscaping. The homeowner shall be responsible for any damage to utility lines and irrigation systems.

- For the ease of customers in our area, the utility companies use the services of Sunshine Energy, whose phone number is 1-800-432-4770. If you call Sunshine Energy they will send a technician to mark all underground utility lines. There is no fee to the resident as the utility companies pay for this service.
- Approval of plantings on utility easements shall not in any way make the Homeowners Association or the ARB liable for any damage to utility lines or future damage caused to plantings if they must be removed to access the utility easement.

No plantings, including annuals, shall be permitted in the area between the sidewalk and roadways, other than the trees planted by the builders as part of the original development plan.

No plantings, including annuals, shall be permitted around trees and mailboxes located in the area between the sidewalk and roadways. Residents are responsible for cutting off small branches that grow on the trees at the curb line so that there is no branch growth from the ground to approximately six (6) feet high. Tress branches shall be trimmed so that they do not unreasonably interfere with pedestrians on the sidewalk.

Plant material killed by frost, freeze, drought or other means must be replaced within two (2) months.

Annual Plantings must be removed by the homeowner at the end of the planting season.

All mechanical equipment (air conditioners, pool pumps, pool heaters, ground mounted and near ground mounted satellite dishes, etc.) must be fully screened with landscaping.

Maintenance, care and watering of original plants and trees as well as those planted by a homeowner, whether on the homeowner's lot or on common property, are the responsibilities of the homeowner.

Hedges shall be kept at less than six (6) feet high.

The following are limited exceptions:

- Annuals may be planted on a homeowner's property without seeking ARB approval.
- Dead or otherwise undesired plants may be replaced with a plant of substantially like size and appearance, without seeking ARB approval. Such plant shall be similar in size at the time of planting as the one removed and shall be expected to get no larger at the time of its maturity than the one it replaces. If a plant of like size and appearance is unavailable or undesirable, an application must be submitted with details of the replacement plant and ARB approval is required. If a tree is to be replaced by anything other than the same type and size tree, ARB approval is required.

#### Section 19 - PROHIBITED PLANTS and TREES

Non-native invasive plants are not permitted.

Non-native invasive plants that are not permitted include but are not limited to the following:

- Cogon grass
- Brazilian Pepper Tree
- Australian Pine
- Old World Climbing Fern
- Carrot wood
- Air Potato

- Bischofia
- Chinaberry
- Skunk Vine
- Tropical Soda Apple
- Cat claw Mimosa
- Melaleuca
- Australian Paperbark
- Chinese Tallow
- Earleaf Acacia
- Schefflera

Other plant and tree varieties shall not be planted because of various problems they cause. These include but are not limited to:

- Ficus Trees,
- Running Bamboo, and
- Fruit and citrus trees.

#### Section 20 - LANDSCAPE BORDERS, ROCK, MULCH

Landscape borders, rock and mulch shall be consistent with the look of the community (cobblestone and natural rock appearance) and shall consist of neutral colors that blend with the home.

White borders and bright colored rock shall not be permitted.

White marble stone, white rock and shiny rock shall only be permitted as an accent in planting beds and shall not comprise more than ten percent of the total area of the planting bed in which it is in. The planting bed in which it is in shall be defined as that area bounded by pavers, walkways, grass or building walls. A planting bed on either side of a walkway or driveway shall be considered distinct for the purposes of this section. As an example, the planting bed in the front of a home on one side of a driveway shall be considered distinct from the planting bed on the other side of the driveway for purpose of calculating the ten percent.

A homeowner shall file a Request for Architectural Change form prior to installation of a landscape border, even if the border conforms to those deemed acceptable in this section.

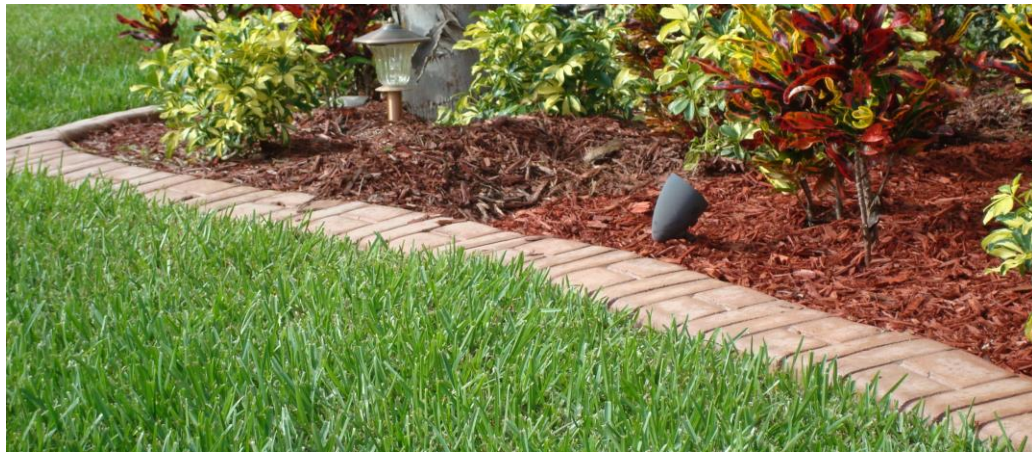
Examples of acceptable borders are provided at the end of this section. These samples may be periodically updated.

Natural mulch (wood products) shall be allowed in existing landscape beds without approval of the ARB, if the mulch is natural in color, consistent with the overall look of the community, and conforms to these Architectural Guidelines. Use of rock, synthetic mulch and other mulch-type ground cover requires ARB approval.

Rock, concrete or wood walls used in landscape design may be permitted, with ARB approval.

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Examples of acceptable borders:







**Section 21 - GARDEN ORNAMENTS, SCULPTURE, WATER FEATURES and YARD ART – FRONT GARDEN**

All garden ornaments, statues, water features, and yard art must be of a natural/neutral coloring.

Planters, wall art or decorations that are not to be placed in the garden, but that will be in the front of the home and visible from the street cannot be installed or placed on the property without ARB approval. The number of attached planters, yard art and decorations shall be at the discretion of the ARB based on the individual characteristics of the home and the size of the items to be displayed.

The effect of fountains, waterfalls, and other features on neighboring properties shall be taken into account prior to approval.

Landscape ornaments of a religious nature and other items of a religious nature shall not be displayed in front of the house where easily visible from the street, unless otherwise provided by law.

Lawn/garden ornaments, statues, water features and yard art, or what they depict, may not be offensive or objectionable or not in keeping with the community standards.

Exterior furniture, benches, chairs, tables, and potted plants that blend with the overall appearance of Cobblestone Creek in color (neutral or natural colors) and style may be placed on the front porch and on the paver entryway of a home without the need for ARB approval. Placement of these items at any other location in the front of a home, including on the driveway, requires ARB approval.

Fountains, bird baths, sculptures and the like of white, blue or non-natural colors including bright stone, and fountains, bird baths, sculptures and the like that appear to be plastic may not be displayed in the front garden or in front of a home.

No artificial plants or trees shall be permitted on the exterior of any portion of the property.

Barbeque units and other cooking devices shall not be used in front of a home.

**Permanent Items:**

All **permanent** items require approval of the ARB.

**Temporary Items:**

This section applies to temporary (i.e., not considered permanent in nature) garden ornaments, statues, water features, and yard art in a homeowner's front garden area.

1. Up to three (3) temporary items, which can be garden ornaments, statues, water features and yard art no larger than 12"x12"x12", or one (1) no larger than 24"x24"x24", shall be allowed in a homeowner's front garden without requesting approval from the ARB, provided the nature of the ornaments or what they depict is not offensive or objectionable. They must conform to the community standards. If a question arises as to whether one or more of the items are offensive or objectionable or not in keeping with the community standards, the ARB reserves the right to require that an Architectural Change form be submitted and an approval received as a condition to the continued display of the ornaments.
2. Homeowners who want to use more than the three (3) temporary garden ornaments, statues, water features, and yard art at 12"x12"x12" or more than the one (1) exceeding 24"x24"x24" shall receive ARB approval prior to placement of the items on the exterior of the home.
3. Up to 3 potted plants placed on driveway or walkway pavers shall be permitted. Pot size shall be limited to 30" in diameter and no more than 30" in height. Pots shall be neutral/natural in coloring or blend with the exterior color of the home or driveway. Pots shall be placed within three (3) feet of the building structure or on paver walkways. ARB approval is not required if the potted plants comply with this paragraph.
4. No plants in pots shall be placed in planting beds or on grassy areas.

#### **Section 22 - LAWN/GARDEN ORNAMENTS, SCULPTURE, WATER FEATURES and YARD ART – SIDE and REAR YARD**

Lawn/garden ornaments, statues, water features and yard art, or what they depict, may not be offensive or objectionable or not in keeping with the community standards.

##### **Permanent Items:**

All **permanent** items require approval of the ARB, regardless of whether the item is located within a screened area, a fenced area or a non-fenced area

##### **Temporary Items:**

ARB approval is not required to install temporary objects that are specifically exempted in this section. All other temporary objects require prior ARB approval.

The following applies to **temporary** (i.e., not considered permanent in nature) items in all side and rear yards. These items do not require approval of the ARB:

1. Items less than four (4) feet high and which meet the color requirements (natural or neutral) in this section may be placed on approved patios and decks without seeking ARB approval, even if there is no fencing.
2. Potted plants and trees, common lawn and patio furniture as well as barbeque units may be placed on patios without seeking ARB approval. Umbrellas used with patio tables and for shade that are muted or earth tone in color can be used, even if more than four (4) feet tall, without seeking ARB approval.
3. Fountains, bird baths, sculptures and the like of white, blue or other non-natural colors including those that appear to be plastic may only be displayed in fenced or screened areas.

A distinction has been made between the following property elements:

- The area of the rear or side yard in question is screened.
- The area of the rear or side yard in question is fenced.
- The area of the rear or side yard in question is not screened or fenced.

The intention of the Board of Directors is to make distinctions that balance a homeowner's right to decorate their property as they desire with the right of all the homeowners to live in a well maintained community based on reasonable design standards.

Within screened areas, homeowners are given the greatest latitude. Inside fenced areas, homeowners are given almost unlimited latitude to display temporary items below the level of the fence. Lots that are not screened or fenced have the least latitude.

Once a screened enclosure or a fence is removed from a lot, the homeowner shall submit a complete ARB application requesting approval of items that were previously inside the screened area or fenced area and which had not required ARB approval. Submission of a complete ARB application shall be made within 30 days of the removal of the structure. ARB approval shall be required to maintain the previously exempt items.

#### Screened Areas

If the area of the rear or side yard in question is screened, temporary lawn/garden ornaments, sculpture, yard art, water features, potted items, planters, wall art and decorations may be placed in that portion without seeking ARB approval.

#### Fenced Areas

A. The area of the rear or side yard in question is fenced:

1. Temporary lawn/garden ornaments, sculpture, yard art, water features, and potted items may be placed in that portion that is fenced without seeking ARB approval, provided the items are below the height of the existing fence.
2. If temporary wall planters, wall art and decorations are inside the fenced area and completely below the height of the fence, it is not necessary to seek ARB approval.
3. No artificial plants or trees shall be permitted on the exterior of any portion of the property.
4. Fountains, bird baths, sculptures and the like of white, blue or other non-natural colors including bright stone and fountains, bird baths, sculptures and the like that appear to be plastic may only be displayed in fenced and screened areas.
5. Landscape ornaments of a religious nature or other items of a religious nature shall not be displayed where easily visible from the street or from another lot, unless otherwise provided by law.

#### Not Screened or Fenced Areas

A. The area of the rear or side yard in question is not screened or fenced:

1. Up to six (6) temporary items, which can be lawn/garden ornaments, statues, water features and yard art no larger than 12"x12"x12", or two (2) items no larger than 24"x24"x24", shall be allowed without seeking ARB approval, provided the nature of the lawn/garden ornaments, statues, water features and yard art or what they depict are not offensive or objectionable or not in keeping with the community standards. If a question arises as to whether one or more of the ornaments are offensive or objectionable as not in keeping with the community standards, the ARB reserves the right to require that an Architectural Change form be submitted and an approval received as a condition to the continued display of the ornaments.
2. All lawn/garden ornaments, sculptures, water features, and yard art must be of a natural/neutral coloring.
3. No artificial plants or trees shall be permitted on the exterior of any portion of the property.
4. Fountains, bird baths, sculptures and the like of white, blue or non-natural colors including bright stone and fountains, bird baths, sculptures and the like that appear to be plastic may not be displayed.
5. Landscape ornaments of a religious nature or other items of a religious nature shall not be displayed where easily visible from the street or from another lot, unless otherwise provided by law.

For all rear and side yard areas that are outside of an enclosed screen area, the following applies:



- The number, size and color of items such as wall mounted planters, wall art and decorations placed higher than four (4) feet from the ground shall be at the discretion of the ARB and ARB approval shall be required. Every attempt shall be made to permit homeowners to decorate as they choose, provided the items are generally of a natural/neutral coloring and are in keeping with the overall appearance of the community.

#### Section 23 - AWNINGS and TINTING

Awnings shall not be permitted on the front or sides of homes. Rear awnings are subject to ARB approval as to size, type, material, color, etc. Awnings must be natural or neutral in color. Awnings visible from the street, a lake lot or from a neighbor's lot must be solid in color. No stripes, dots or designs are permitted. Complete details must be submitted with the Architectural form request.

Mirror finishes on window tinting is not permitted.

#### Section 24 - PAINTING, WOOD FAUX PAINT and DECORATIVE SHUTTERS (Rev. 2018)

The painting, staining or varnishing of the exterior of the home, including doors, may be approved if the color and style are consistent and blend with the other homes in the community. The color scheme must be completely followed for the walls, trim, shutters, doors, etc and must blend with the existing roof color. The color scheme must differ from the immediate neighbors on either side of your property. Pictures of the homes immediately adjacent to your property on either side must be submitted with your architectural application. Pictures of the chosen color scheme must be submitted with the architectural application. **\*At least 3 days prior to the architectural meeting, a 3-foot by 3-foot sample of each color of the color scheme must be painted on the front wall of your home, or the side wall near the front. A member of the Architectural Review Committee must inspect the sample color scheme painted on the wall of your home prior to the meeting in order to receive final approval at the ARB committee meeting.**

***\*Note: This applies even if repainting with existing colors.***

Exterior doors, garage doors, and shutters may be wood faux painted.

Wood faux painting of exterior doors, garage doors and shutters requires ARB approval. A sample of the colors to be used must be submitted with the request. In addition to the color sample, a homeowner may provide the address of another homeowner with the same colors that are to be used.

Wood faux painting of exterior doors, garage doors and shutters and replacement of doors and shutters must be in keeping with the general appearance of the home and the community with regard to style, color and size.

The following are the original paint colors of the homes at Cobblestone Creek:

#### Cobblestone Creek, Northstar Homes (South Side) House Color Schemes

Scheme & Substrate 1	Color Name & Number	Scheme & Substrate 2	Color Name & Number
Stucco (body) Top	Simply Tan 9853O M	Stucco (body) Top	Travertine Trail 98459 PG

Stucco (body) Bottom	Balsam Brown	98520 D	Stucco (body) Bottom	Wuthering Heights	98458 P
Trim	Arizona Heat	90129 PG	Trim	Cotton Blossom	98460 PG
Shutter, Entry	Friar's Cloak	98541 N	Shutter, Entry	Seashore Trim	24968 1
Roof Color	Brick	N/A	Roof Color	Black Matte	
Stone	Chardonnay Mountain Ledge	N/A	Stone	Wheat	
				Pennsylvania Mountain Ledge	
<b>Scheme &amp; Substrate 3</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 4</b>	<b>Color Name &amp; Number</b>	
Stucco (body) Top	Chapelle Tint	98547 PG	Stucco (body) Top	Legato Lane	98561 P
Stucco (body) Bottom	Brittany Beige	98545 M	Stucco (body) Bottom	Supreme Bean	98559 D
Trim	Bone White	23614 P	Trim	Bare Essential	98588 P
Shutter, Entry	Camarron Bay	98774 N	Shutter, Entry	Café Cortado	98573 N
Roof Color	Harvest		Roof Color	Linen	
Stone	Wisconsin Savannah Ledge		Stone	Buckstone Castlerock	
<b>Scheme &amp; Substrate 5</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 6</b>	<b>Color Name &amp; Number</b>	
Stucco (body) Top	Dusty Trail	98506 P	Stucco (body) Top	Fired Bisque	98491 P
Stucco (body) Bottom	Western Wear	98505 M	Stucco (body) Bottom	Light Clay	98489 M
Trim	Dubai Sand	90135 PG	Trim	Classic Ivory	98492 PG
Shutter, Entry	White	150	Shutter, Entry	Nathaniel Hall	98486 D
Roof Color	Marigold		Roof Color	Khaki	
Stone	Cambria Cliffstone		Stone	Ponderosa Cliffstone	

**MAB Paints, Delray Store: (561)-265-1078**

**All color files are at the MAB Store**

**Exterior: Stucco & Fascia =  
MAB Sea Shore Flat  
Exterior: Front & Garage Doors =  
MAB Sea Shore Trim Enamel**

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**Cobblestone Creek, Centerline Homes (North Side)  
House Color Schemes**

<b>Scheme &amp; Substrate 1</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 2</b>	<b>Color Name &amp; Number</b>	
Stucco (body)	Sands of Time	CL610 1	Stucco (body)	Burma Buff	8201W
Trim	Antique White	CL611 9	Trim	Northern Plais	8242W
Doors & Garage Doors	Natural Echo	CW054 W	Doors & Garage Doors	Natural Echo	CW054 W
Roof Color	Papaya		Roof Color	Carlsbad	
<b>Scheme &amp; Substrate 3</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 4</b>	<b>Color Name &amp; Number</b>	
Stucco (body)	Atelier Tan	CL217 0	Stucco (body)	Dhurrie Beige	CL109 2
Trim	Pueblo	CL217 9	Trim	October Oak	CL822 6
Doors & Garage Doors	Natural Echo	CW054 W	Doors & Garage Doors	Natural Echo	CW054 W
Roof Color	Tequila		Roof Color	Nutmeg	
<b>Scheme &amp; Substrate 5</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 6</b>	<b>Color Name &amp; Number</b>	
Stucco (body)	Highland Buff	7763M	Stucco (body)	Light Topaz	7731W
Trim	Clay Urn	7804D	Trim	September Leaf	7744M
Doors & Garage Doors	Natural Echo	CW054 W	Doors & Garage Doors	Natural Echo	CW054 W
Roof Color	Sahara		Roof Color	Tuscany	
<b>Scheme &amp; Substrate 7</b>	<b>Color Name &amp; Number</b>		<b>Scheme &amp; Substrate 8</b>	<b>Color Name &amp; Number</b>	
Stucco (body)	Fenland	8174M	Stucco (body)	Coral Brown	8292W
Trim	Sandy Lane	8211W	Trim	Washed Suede	8304M
Doors & Garage Doors	Natural Echo	CW054 W	Doors & Garage Doors	Natural Echo	CW054 W
Roof Color	Tumbleweed		Roof Color	Nutmeg	

## Section 25 - FENCES

Approval for new fencing and fence modification shall be limited to the color bronze for lots north of the clubhouse and white for lots south of the clubhouse. Exceptions shall not be permitted.

The height of fences shall be five (5) feet for lots north of the clubhouse and four (4) feet for lots south of the clubhouse. However, if the fence serves as a pool barrier and the county requirements are in excess of this minimum, the county required height shall be permitted. Additionally, fences higher than four (4) feet shall be permitted for good reason, including but not limited to proper restraint of pets and child safety.

The only type of fence allowed is aluminum rail fence. Posts shall not extend higher than the top rail.

When a fence is installed on a side yard or a corner lot where the fence is visible from the street, that visible portion of the fence must be screened with plantings on the street side of the fence. Those plantings must have an expected growth height of at least two (2) feet and shall not exceed the height of the fence by more than one foot. If trees or non-hedge bushes are used to screen the fence, the height of the trees is not restricted to the top of the fence.

No fences shall be permitted on the portion of corner lots which cross a utility easement.

If a fence is approved, the owner shall be responsible to meet all county requirements, including but not limited to proper permitting and surveying.

If a fence is approved, the Homeowners Association and its agents, including ARB members, shall not be responsible for the cost associated with any required removal, repair and/or replacement if that fence is erected on or adjacent to a lot line common with a lot where a house is not yet under construction, or if under construction, not yet closed by the owner.

No fence shall be approved which does not provide access to the owner's neighbor for maintenance of the neighbor's zero lot line wall and roof overhang, if applicable.

Fences on lake lots must provide a gate for lawn maintenance to access the lake easement.

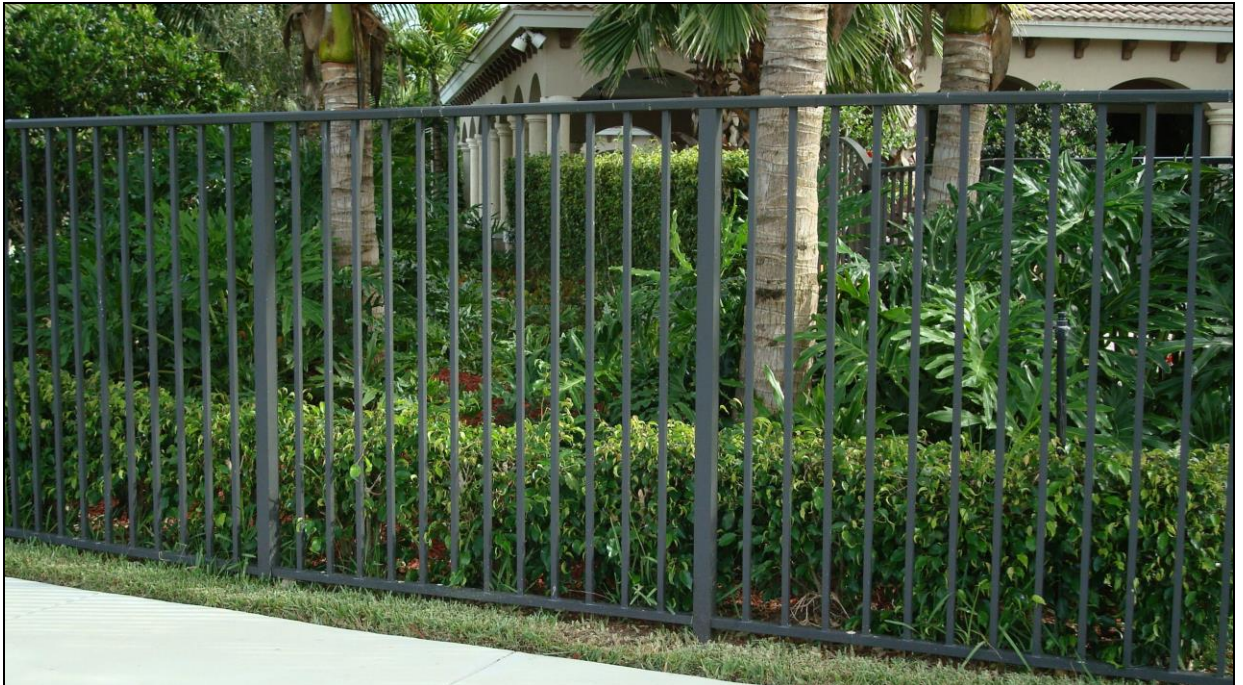
No style of wood, pvc or chain link shall be approved. Existing pvc fences installed by the developer can be repaired or replaced with the same style, size and color fence if needed.

No fence shall be approved which is not set back a minimum of 10' from the front of the applicant's house and from the front of the adjacent house and at least 5' back from the sidewalk, where applicable.

No fence shall be attached to a neighbor's house or neighbor's fence post.

The following photos depict the only style of fence permitted.

### **Acceptable Fences**



**Section 26 - SCREEN ENCLOSURES and PATIOS**

Approval of a screen enclosure shall be limited to screen meshes on the enclosure which are a standard dark color, i.e. charcoal, bronze or black.



All enclosures shall be limited in color to bronze for lots north of the clubhouse and to white for lots south of the clubhouse. Exceptions shall not be permitted.

Kick plates may be approved which are no higher than 24" above the patio and/or pool deck.

Obscure screen materials shall not be permitted.

No enclosures shall be permitted at the front entries.

No aluminum, metal, or flat roofing material shall be permitted.

No flat roof lines shall be allowed. The roof line shall match that of the home.

Screen enclosed patio and pool areas, other than the enclosed portion of the original patio area directly adjacent to the home and not extending beyond the original walls of the home, must maintain the following setbacks, assuming drainage easements and other easements do not further restrict these setbacks:

	<u>non-zero lot</u>	<u>zero Lot</u>
a. Side yard setback from property line – interior lots	7.5'	2'
b. Side yard setback from property line – corner lots	15'	15'
c. Rear yard setback from property line – non open space lot	15'	15'
d. Side yard setback from property line – open space lot*	7.5'	5'
e. Rear yard setback from property line – open space lot *	6'	6'

\*An open space lot is a lot that abuts an open space area fifty (50') feet or greater.

The above setbacks may be greater than are required by Palm Beach County code. Additionally, these setbacks may have to be made even greater than what is specified if it is so required by Palm Beach County code.

Rear and side setbacks for non-enclosed pools, pool decks and non-pool decks shall comply with the Palm Beach County code.

If a homeowner installs or constructs an open patio, or a screen enclosed patio and/or pool deck between two (2) feet and five (5) feet from the side yard lot line on the zero lot line side of a home, landscape screening expected to grow to at least three (3) feet high shall also be installed by that owner within the two (2) foot setback area along that portion of the open patio, screen enclosed patio, and/or pool deck that extends beyond the privacy wall, in order to provide a landscaped privacy barrier.

#### Section 27 - REAR YARD DRAINAGE SWALE AREA

Except as expressly provided in this section, no planting, landscaping and/or other improvements whatsoever, including, without limitation, hedges, bushes, trees, pool decks, patios, screen enclosures, etc. shall be permitted within the rear five (5) feet (the "Rear Yard Drainage Swale Area") of any non-lake lot. For the purposes of this section, non-lake lot is defined to mean a lot in which no portion of such lot is abutting any portion of a lake maintenance easement.

- The Rear Yard Drainage Swale Area is for drainage and flow of storm water runoff.
- Notwithstanding the first sentence of this section to the contrary, subject to the written approval of the ARB, an owner of a non-lake lot may install a pool or spa deck, patio, and/or screen enclosure within the Rear Yard Drainage Swale Area provided that such pool or spa deck, patio, and/or screen enclosure is constructed in a manner that shall not cause storm water runoff to discharge there from onto any adjacent property, including without limitation, an adjacent owner's lot or Association property.

- In that regard, no pool or spa deck, patio, and/or screen enclosure to be constructed within the Rear Yard Drainage Swale Area shall be approved by the ARB unless such pool or spa deck, patio, and/or screen enclosure is designed and constructed in a manner that shall retain all storm water runoff within the non-lake lot including, without limitation, installation of a commercial grade deck drain that shall collect such runoff and discharge it to the side yard of the non-lake lot.
- Each owner of a non-lake lot that requests to install a pool or spa deck, patio, and/or screen enclosure in the rear of the home shall have the right to seek approval from the ARB for the installation of a fence across the Rear Yard Drainage Swale Area of such owner's non-lake lot.

#### Section 28 - MAILBOXES

Mailboxes and posts shall be installed under the direction of the Homeowners Association and shall not be removed, altered or modified by a homeowner. Replacement mailboxes and posts to match in style, color, size and installation with existing mailboxes shall be provided by the Homeowners Association. The cost for repair or replacement may be charged to a homeowner if it is known that the homeowner is responsible for damage or removal of a mailbox.

#### Section 29 - PROPANE CYLINDERS, TANKS and GENERATORS

Temporary propane cylinders shall not be placed on the outside of a home or stored inside a home, except that a propane cylinder up to 20 pounds and one spare tank up to 20 pounds used for a barbeque can be kept with the barbeque on the patio area at the rear of the home.

Permanently installed whole house generators that run on propane from an underground storage tank and an underground propane tank may be installed if in compliance with Palm Beach County regulations. ARB approval for the generator and the underground tank is required prior to requesting a permit from Palm Beach County and prior to beginning any installation work. The ARB approval of the generator and the underground tank may be conditioned on placement at specified locations.

The generator and the filler tube for the underground tank must be screened with landscaping approved by the ARB.

Permanently installed whole house generators that run on gasoline or diesel fuels shall not be permitted.

#### Section 30 – SIGNS

Signs in Cobblestone Creek shall be limited to either one security company sign in the front yard of a residence or one security company decal placed in a front window. No other signs, except as further described in this section, shall be allowed unless approved by the Board of Directors or unless otherwise provided by Florida law.

Temporary Open House real estate signs may be displayed in the home's front yard only and for no more than four (4) hours during any twenty-four (24) hour period.

Real estate signs, including open house signs, may not be placed around the community, including on and around the landscaped berm areas outside the community along Lyons Road.

Temporary signs promoting a company performing exterior work on the premises may be displayed in the front of a home when workers from that company are actually present and performing work at the home. The sign can be no more than eight (8) square feet in area. The sign shall be placed parallel with

the front of the house so that the sign faces the street. The sign shall not be placed perpendicular to the street.

No signs of any kind shall be placed in the entrance court or around the waterfalls, guard house or traffic circle fountain, except authorized notifications of Homeowners Association meetings.

#### Section 31 - DRIVEWAYS, WALKWAYS and ROADWAYS

Changes, modifications and additions to driveways require ARB approval. Approval for widening of driveways for most homes may be considered if the proposed width extends no more than three feet (3') beyond the outside width of the garage door on each side. This measurement of the outside width of the garage door shall be made by drawing a line perpendicular with the garage door and starting at the outside edges of that garage door. Driveways can extend no more than three feet (3') beyond those lines.

Approval for widening of driveways on irregular or oversized lots and lots which are on turns in the roadway may be given even though not within the specific guidelines of the first paragraph. Due consideration must be given to how the change will impact the overall look of the driveway, the home and the surrounding area, as well as ingress to and egress from the driveway. Any exterior alterations must take into consideration the landscaping at the site, with an intention to assure a lush and pleasant look. The modification to the driveway shall not be approved if it will result in a "parking lot" appearance at the home.

If expansion of the driveway requires removal of existing planting beds, plantings shall be relocated, as approved by the ARB.

Approval is not required for sealing, cleaning or refinishing of driveways or walkways, provided it shall not change the original look of the pavers provided by builder.

Vehicles shall be parked on a driveway, the street or in the HOA parking lot. Vehicles shall at no time be parked or stopped on grass areas or swales, including front, side or rear lawns.

Vehicles shall not be parked at anytime so as to block a sidewalk from pedestrian traffic nor shall vehicles be parked on the driveway apron, the area between the sidewalk and the road. The owner and/or operator of a vehicle parked so as to block a sidewalk from pedestrian traffic or parked on the driveway apron, the area between the sidewalk and the roadway, shall be subject to fine and the vehicle subject to being towed.

Vehicles shall not be parked in the roadway overnight. Vehicles parked in the roadway anytime between midnight and 5:00 a.m. shall be considered "parked overnight" and the owner and/or operator shall be subject to fine and the vehicle subject to being towed.

A vehicle that is parked so as to block a sidewalk from pedestrian traffic, or parked on the driveway apron, or parked in the roadway overnight can be towed without further notice to the homeowner or operator of the vehicle, as this section and applicable sections of the Declaration are deemed sufficient notice that such parking is not permitted and that violators are subject to fine and the vehicles subject to being towed.

If the operator of a vehicle is visiting a home in the community, the owner of that home shall be held responsible to inform said visitor of the parking regulations and shall be held responsible for the actions of that visitor, including his/her parking in violation of this section.



A temporary permit for parking otherwise prohibited vehicles on a driveway, in the roadway or in the Homeowner Association parking lot may be issued by a Board Member to a resident for a valid and appropriate reason. Such decision shall be at the discretion of the Board Member. The permit shall be valid for a maximum period of three days and nights. Only one (1) permit shall be issued to a home, not to each resident in the home, in a six (6) month period, even if the permit is needed for less than three (3) days and nights. The permit form and guidelines for the issuance of a permit shall be established by the Board of Directors and may be modified from time to time by the Board of Directors.

#### Section 32 - SPA and POOL CONSTRUCTION

No swimming pool, spa or similar structure shall be installed or placed on property without ARB approval.

Spas, even those considered portable, shall require approval and landscape screening.

An application shall include detailed plans, a survey, and the contractor's license and insurance.

No above ground swimming pools of any kind shall be permitted.

Setbacks, as required by county code, shall be enforced and shall be noted on the plans.

The plan must include proper landscape screening for all pumps, heaters, etc.

Plans for the expansion and construction of a patio shall be included and detailed.

Removal of trees and other landscape elements due to construction shall be requested and replacement or relocation plans detailed.

The original number of required native trees shall be maintained as a minimum. Additional trees can be planted, if approved.

Landscape screening may be required for items such as slides and waterfalls. Set backs shall be maintained.

The permit shall be posted at all times during construction.

Temporary, blow up type child pools may be temporarily set up without approval.

#### Section 33 - CONVERSION of GARAGE

Conversion of garages to living space shall not be permitted.

#### Section 34 - ROOF CHANGES

Metal and aluminum roofs shall not be permitted.

Only replacement roofs substantially the same in style, material and color shall be permitted.

#### Section 35 - ACCESSORY ALTERATIONS

Any exterior alterations to the original dwelling hardware and accessory alterations shall be consistent with the community standards. Requests to make exterior alterations shall be submitted to the ARB.

Replacements or alterations to original doors, window frames, exterior lighting fixtures, street numbers, gutters, downspouts due to malfunction, wear, etc. can be made without approval, provided the

replacement matches the item's original appearance in style, color and size. Replacements that do not match the original as to style, color, and size require approval of the ARB.

All original window frames, exterior lighting fixtures, street numbers, gutters, downspouts, etc. shall only be changed as to style, color or size with the approval of the ARB.

#### Section 36 - ANTENNAS and SATELLITE DISHES

No exterior television or radio masts, towers, poles or antennas shall be erected.

Satellite dishes shall not exceed one (1) meter in diameter.

A satellite dish shall be installed in a manner that limits the view to it from the street and from another lot as much as possible. Given a choice of installation locations with similar reception and installation cost, a homeowner shall use the following considerations listed in priority order in deciding the placement of the satellite dish:

1. Choose the location that is the least obvious from the street.
2. Choose the location that is the least obvious from the lot of adjacent neighbors
3. Choose the location that is the least obvious from the lot of lake lot owners.

Satellite dishes shall not be placed on the front of a home or on the zero lot side wall.

Consideration shall be given to mounting the satellite dish on or near the ground if it is less obvious than if mounted on the home. If mounted within four (4) feet of the ground landscape screening shall be used.

If only a degraded signal is available in areas that comply with this section, a homeowner can submit an ARB application and request installation in an alternative location. Such application must be accompanied by a signed affidavit from a licensed installer attesting to the lack of signal strength at the prescribed locations.

All wiring shall be unobtrusive and hidden from view as much as is possible.

#### Section 37 - SOLAR ENERGY DEVICES

Solar energy devices for heating of domestic or pool water shall be permitted. These solar energy devices shall be installed in a manner that limits the view of it as much as possible from the street and from other lots. Given a choice of installation locations with similar functionality and installation cost, a homeowner shall use the following considerations listed in priority order in deciding the placement of the solar energy devices:

1. Choose the location that is the least obvious from the street.
2. Choose the location that is the least obvious from the lot of lake lot owners.
3. Choose the location that is the least obvious from the lot of adjacent neighbors

The device, mounting hardware and all other components of the system shall match as closely as possible to the existing background on which it is mounted. If there are no colors similar to the existing background, black shall be considered the preferred color.

#### Section 38 - FLAGPOLES and FLAGS

Permanently installed ground-mounted flagpoles no higher than twenty feet in height may be installed in the front of a resident's lot, provided it is located no closer to the street than midway between the front doors of the home and the sidewalk, or the front property line if there is no sidewalk. The pole must be

neutral or black in color, in keeping with the overall appearance of the community, or may be stainless steel. White poles shall not be permitted. ARB approval is required prior to installation of a flag pole. Once ARB approval is received, a Palm Beach County permit must be obtained prior to the installation.

The display of a flag of the United States and other flags in a respectful manner shall be permitted if the display conforms to section 720.304(2)(a) of the laws of the State of Florida. No other flags shall be permitted to be flown on the exterior of a home or to be placed in a window so that it is visible from the exterior.

The following is the text of section 720.304(2)(a) of the laws of the State of Florida (as of August 2008):

*Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association.*

#### Section 39 - TENTS, TRAILERS, SHACKS, and UTILITY SHEDS

Tents and canopy shelters shall not remain erected for more than forty-eight (48) hours in any six (6) month period. Approval to erect a temporary tent or canopy shelter is not required.

Tents and canopy shelters that are to remain in place longer than forty-eight (48) hours in a six (6) month period shall require ARB approval.

No trailers, shacks, or temporary buildings, except temporary tents and canopy shelters, shall be constructed, erected or otherwise placed on a lot.

Utility/storage sheds more than four (4) feet high shall not be permitted. Utility/storage sheds four (4) feet high or less may be permitted in a rear or side yard, if approved by the ARB. Consideration shall be given to the appearance of the shed from other lots. If approved, landscape screening shall be used.

#### Section 40 - EXTERIOR LIGHTING and HOLIDAY LIGHTING

Only white, frosted white or clear light bulbs shall be permitted to be used in permanent exterior light fixtures. Bulb wattage shall not exceed 100 watts; bulbs less than 60 watts are preferred.

Landscape lighting, including tree and pathway lighting and solar lighting, requires ARB approval.

Landscape lights, solar lights, reflective elements, etc, shall not be permitted on grassy swales, the area between the sidewalk and the road.

Lining of property and walkways with lighting elements is not recommended and is subject to ARB limitations. Landscape lighting that lines the public sidewalk shall not be permitted, even if installation would be on the resident's property.

Generally, landscape lighting shall not be permitted if the top of the fixture is more than twenty-four (24) inches above the ground, and hardware shall be limited to natural colors and colors that blend with existing trim colors in the community, including but not limited to black, bronze, brown, tan, beige, copper and stainless steel. The ARB may make exceptions for good cause.

Additional house lighting, fixtures, etc, requires ARB approval.

Exterior lighting shall not shine into neighbors' yards or windows and lights shall not be set in such a way as to create a nuisance.

Seasonal lighting and decorations may be displayed only from November 15<sup>th</sup> thru January 15<sup>th</sup>.

#### Section 41 - HURRICANE SHUTTERS

Permanent hurricane shutters, e.g. accordion shutters, require the approval of the ARB prior to installation. Permanent shutters are defined as shutters, mounting brackets and/or other architectural elements which are permanently affixed to the dwelling.

Shutter and hardware color shall be white or consistent with the exterior paint color of the home.

Approved permanent shutters and temporary shutters shall only be permitted to be closed during the time of a hurricane warning and shall be opened or removed within five (5) days after the lifting of said warning.

The homeowner is responsible for replacing any landscaping damaged due to the installation.

#### Section 42 - PLAYGROUND EQUIPMENT (including trampolines, play houses, swing sets, play netting, etc.)

Generally, all playground equipment shall be installed only in the rear yard. The rear yard is defined as the area created between the side walls of the home if said walls were extended to the rear property line. The ARB may permit playground equipment in side yards if the installation will not be excessively obvious or prominent in a manner that detracts from the overall appearance of the neighborhood or the area around the subject lot. Prior to approval, the ARB shall take into consideration the effect of the installation on neighboring homes.

Playground equipment shall be less than eight (8) feet high at its highest point and placed more than six (6) feet from the property lines and shall be neutral/natural or earth tones in color, if available.

Items shall be screened with landscaping to soften and block the view of it from the street, from lake lots and from other neighboring lots. Such landscaping requires prior ARB approval.

The item shall not impact the view of the lake from neighboring properties.

The item shall not be placed on any easement.

The item requires approval of the ARB if it is installed permanently or cannot be easily moved. If the item is not removed from the exterior of the property on a daily basis, approval of the ARB shall be required prior to placement.

Portable equipment such as hockey nets and skate board ramps shall not be left in the front of homes when not in use.

#### Section 43 - BASKETBALL BACKBOARDS, HOOPS and POLES

The permanent installation of a basketball backboard, hoop, pole, etc, requires approval of the ARB.

Basketball backboards, hoops, poles, etc, may be permanently installed if they meet the following requirements:

- Shall be installed in the garden/grass area of the property immediately adjacent to the driveway and on the side of the driveway farthest from the front door of the home.
- Cannot be installed any closer to the street than midway between the garage door and the sidewalk, or the front property line if there is no sidewalk.
- The face of the backboard must be installed parallel with the sides of the driveway with the hoop facing the driveway so that play is on the driveway of the subject lot.

Basketball backboards, hoops, poles, etc, may not be attached to the home in any manner.

A portable/movable backboard, hoop, pole, etc, shall only be placed on or immediately adjacent to a driveway and requires prior approval of the ARB to ascertain that the device is a standard one that can be purchased at retail establishments and has not been altered so as to make it either unsafe or to detract from the overall community standards. E.g. approval shall be denied if any part of the device has been painted neon green or if it otherwise fails to blend with the colors and appearance in the community.

A portable/movable backboard, hoop, pole, etc, shall not be placed closer to the street than midway between the garage door and the sidewalk, or the front property line if there is no sidewalk.

Temporary basketball backboards, hoops and poles shall not be placed or used in the street.

#### Section 44 – TRASH CANS

Trash cans, garden waste, palm fronds, other refuse and recyclables shall be placed at the curb no earlier than 6:00 p.m. the evening before trash collection and shall be removed from the curb area no later than 11:00 p.m. on collection day. Food waste shall be placed in trash cans and a properly fitting lid shall be used. When not placed at the curb for collection, trash cans and other containers shall be stored indoors or in a manner that makes them substantially concealed or hidden from eye-level view from any street, adjacent property or from a lake lot.

#### Section 45 - NEW CONSTRUCTION (approved and added on 8/24/2009)

##### **General Provisions:**

- a. Construction may only take place between 7:00am and 6:00pm, Monday thru Saturday. Contractors shall not be on site on Sundays or the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving, or Christmas.
- b. For individuals and developer/builders submitting ARB applications for 3 or fewer homes on lots at the same time, \$5000 per lot is required as a security deposit for new construction and it must be submitted with the ARB request. A bond or other security may be provided in lieu of a per lot security deposit, as determined by the ARB. For developer/builders submitting ARB applications for more than 3 lots at the same time, there will be no security deposit or bond required.
- c. Lots must be maintained prior to and during the construction process. As needed, weeds must be routinely removed, lawns mowed, bushes trimmed, etc.
- d. No animals of any type shall be brought into the community by contractors or sub-contractors.
- e. Neither a sales office nor a field office can be placed within the community or established without prior approval as to location, design, etc. Notwithstanding the foregoing, an approved home can be built on lots 63 or 64 and used in part as an office for sales persons, and a construction office trailer can be placed on the western side of the parking lot located on lot 65.

- f. Modifications can be made by the owner/builder to the original ARB plans of a home relative to upgrades, fencing, pools, elevation changes, etc, which conform to the Architectural Guidelines. Modifications made after issuance of a Certificate of Occupancy must go through the regular ARB process.
- g. No “blanket approvals” will be made for lot owners and/or contractors developing more than one parcel. Each individual home site must have a plan submitted, including elevations, for ARB approval. Colors must conform to those approved by the ARB. However, understanding that construction can begin prior to knowing what color a buyer will choose, the specific color of the home does not have to be specified. However, note that a home cannot be painted the same color as a home on either side of it.
- h. A list of contractors and subcontractors shall be submitted to the front gatehouse. This list must be kept current as only those people listed will be allowed entry without prior approval. A contact person should be listed so that the gatehouse officer can make contact in the event someone is attempting access and they do not appear on the list.

#### **House Plans, Styles and Colors:**

- a. Each residence shall have a minimum of a 2 car garage and a maximum of a three car garage.
- b. Each residence shall have a covered front entry way. Homes built on a lake shall have a covered rear patio area. It is preferred that homes built on non-lake lots have a covered rear patio area.
- c. The color of exterior paint, trim, roof tile and pavers shall match that of one of the existing residences, previously established for each side of the community. I.e., if the home is on the north side it should match the Centerline colors; on the south side it shall match the Northstar colors.
- d. The house colors shall be different from the home next to it.
- e. The garage shall be delivered in a color to match the fascia, base or trim of the home. The front door and shutters shall be the same color and shall match the fascia, base or trim of the house. Front doors on the north side can be delivered as white. ARB approval is required for any exception, including wood faux painting.
- f. Elevations shall be similar and/or blend with existing homes and existing elevations. The use of a stone façade is strongly encouraged and should match the existing stone established on each side of community.

#### **Exterior Accessories:**

- a. Exterior accessories including lighting, banding, windows and stone work shall match the style of the existing residences, previously established for each side of the community, but need not be identical to what exists.
- b. Home numbers shall be placed on the new home in a similar location as existing homes on the respective sides of the community. The format, style and size shall match those of the existing homes on the respective sides of the community.
- c. The mailbox and post shall be the same as the existing mailboxes and posts as to style, color, size and location. The HOA can arrange for installation upon receipt of full payment for the cost of the mailbox, post and installation. Mailboxes and posts shall be installed prior to final inspection for a certificate of occupancy.
- d. Fences and screened areas on the north side of the community shall be bronze in color and fences and screened areas on the south side shall be white in color. Style and material shall conform to that which is outlined in the Architectural Guidelines.

#### **Site Appearance and Maintenance:**

- a. All construction refuse must be placed in a construction dumpster on a daily basis.
- b. Work materials must be neatly stacked in order to maintain a tidy and orderly site.

- c. A portable toilet must be placed on the work site at the same time construction begins. It shall be situated away from the road's edge and the door should face the home under construction.
- d. Each home site shall include Live Oak trees in the swale to comply with the existing community plan. It is preferred, but not required, that the size of the tree blends with the existing Live Oaks. The trees shall be warranted for one year and timely replaced, if needed, at no cost to the HOA if they do not survive.

**Area Maintenance:**

- a. A construction barrier shall be placed along property lines where the site adjoins existing homes, to avoid intrusion and/or damages.
- b. Construction debris shall not be left in the road, on sidewalks or on adjoining lots.
- c. Any debris that blows into the lakes must be cleaned up daily.
- d. Lakes may not be used for washing or dumping of any construction related item, material, clean up, etc.
- e. The area in front of and adjacent to a site where a home is being built must be kept clean and swept of debris to avoid mud, dust, and the presence of sharp objects.
- f. Care shall be taken to avoid washing debris, sand and dirt into road drains. If the construction process results in the presence of excess debris, sand or dirt in road drains, removal and clean-up shall be the responsibility of the owner/builder.
- g. If there is a tropical storm warning or hurricane warning, the owner/builder shall be responsible to secure any and all loose materials on the site. The owner/builder shall be responsible for any damage to other properties resulting from materials that were not properly secured.
- h. If exterior paint spraying is to be done, 48 hours personal or written notice must be given to all homes in the general area to allow for removal of cars.

**Damage Prevention and Repair:**

- a. The owner/builder shall be responsible for all costs associated with any damages.
- b. Any damages sustained within the community as a result of construction, including, but not limited to, damage to the gatehouse, entry and exit gates, roads, sidewalks, curbs, cobblestones, pavers, signage or other lots must be immediately repaired or paid for.

**Vehicles:**

- a. Construction vehicles must park on the side of the road where the house is being built. If more than one home is being built in the same vicinity and they are on opposite sides, all construction vehicles must park on one side.
- b. No construction vehicles shall be left on site overnight, except a limited number may be left in the parking lot on lot 65.
- c. All construction vehicles shall proceed at a speed of 20 mph or less.

**Signs:**

- a. No signs may be placed on a home site during construction, other than permit boards and those required by statute, without prior approval.
- b. A tasteful "home is available" or other sign may be approved by the ARB on a site once construction on that site is near completion.
- c. Signs shall not be placed on community property without ARB approval, especially as to location. This includes flags, model signs, etc.