

HAWKS POINT WEST HOMEOWNERS' ASSOCIATION, INC.

**ARCHITECTURAL GUIDELINES & COMMUNITY STANDARDS
REVISED 08-14-2018**

Scope & Purpose

This Architectural Guidelines & Community Standards document is established to assist the Owner, Community Association Manager, Covenants (Fining) Committee and the Architectural Review with the guidelines and procedures to maintain high quality aesthetic standards of the Hawks Point West Community. This document supports and amplifies the Declaration of Covenants, Conditions, and Restrictions and other governing documents that bind each Homeowner. Additionally, this document supports the property setback, easement, and other state and county ordinances. Homeowner compliance to these guidelines and standards can enhance the value and marketability of Hawks Point West. This document is not intended to address all possible situations, alterations, etc. Please contact the Community Association Manager with any questions.

Any Owner may report violation(s) of any Community Standard, Architectural Guidelines or the Declaration to the Community Association Manager. The Community Association Manager shall perform regular property inspections. The Community Association Manager shall enforce all violations in accordance with the Covenant Enforcement Policy

Definitions

“ARB”: Architectural Review Board

“Association”: Hawks Point West Homeowners' Association, Inc.

“Board”: Board of Directors of Hawks Point West Homeowners' Association, Inc.

“CAM”: Community Association Manager

“CDD”: Hawks Point West Community Development District

“Declaration” or “DCCR”: The Declaration of Covenants, Conditions, and Restrictions for Hawks Point West Homeowners' Association Inc.

“Owner”: Homeowner

“SWFWMD”: Southwest Florida Water Management District

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Article I. Community Standards

This Article details the Community Wide Standard for Hawks Point West Homeowners' Association, Inc. The Standard is derived from the Declaration. These Standards include what is permitted, restricted and/or what shall require ARB Approval. ARB specifications for specific items are detailed in Article II of this document.

Certain alterations/conditions are not allowed within the Declaration. These include, but are not limited to those listed below:

Sheds or Permanent outside Storage Containers

Window Air Conditioning Units

Satellite Dishes over 39.37 in. Diameter In accordance with FCC rule 47 C.F.R. Section 1.4000

Aluminum, metal, plastic, or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless covered by composite asphalt/fiberglass multi-tab or dimensional shingles

Wood or asphalt mineral surface roll roofs

Room additions or sunrooms with exterior finishes of aluminum or metal siding.

Plastic or Artificial flowers.

Awnings- No window Awnings allowed.

1.01 General

Homes shall be of high quality architectural design that is compatible in external appearance, design and quality with existing structures. "Screened from public view" means using shrubs, trees or an approved material that will prevent the object from being seen from the street. No material alteration, addition or modification to any portion of a home shall be made without the receipt of prior written approval of the ARB.

1.02 Animals/Pets

No animals or livestock of any kind shall be raised, bred or kept within the community for commercial purposes. Owners may keep the number of pets permitted in the Declaration. A determination by the Association that an animal is a nuisance shall be conclusive and binding on all parties. When an Owner receives notice of removal of any pet, the pet shall be removed within 48 hours of giving of the notice. No pet or animal shall be "tied out" on the exterior of the home or in the common areas, or left unattended. Pets shall be walked on a leash, in accordance with the leash law. The person walking the pet shall clean up all litter created by the pet during the walk. Each owner shall be responsible for the activities of their pet. Pets are not permitted in any water body in Hawks Point West. No dog runs, dog pens or dog houses are permitted on any property in Hawks Point West. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. b*)

1.03 Awnings

Require ARB Approval. Refer to Article II, Section 2.01

1.04 Artificial Vegetation

No artificial grass, plants or other artificial vegetation, shall be placed or maintained upon the exterior portion of any lot.

1.05 ATVs

All-terrain vehicles are not permitted to be driven anywhere in Hawks Point West. They must be stored in the garage and put on a trailer to be taken out of the neighborhood. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. a & r*)

1.06 Basketball Hoops

The only allowable residential basket ball goal is a portable goal, which must be stored at top of driveway after each use and must not be used after 10pm in accordance with County Ord. o. Sec. 66-97 (noise or nuisance). (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. v & dd*)

1.07 Bedding Coverings

Require ARB Approval. Refer to Article II, Section 2.02

No bare ground is acceptable.

1.08 Bird House

Require ARB Approval. Refer to Article II, Section 2.03

1.09 Clotheslines

The only type of clothes line equipment is an umbrella-type of clothes line. The umbrella clothes line may only be up between the hours of 7am and 7pm and may not be a permanent fixture. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. cc)*

1.10 Commercial Vehicles

Commercial Vehicles (vehicles used for work purposes and vehicles with writing on the sides or equipment racks or holders) are not permitted to be parked on driveways in Hawks Point West. They must be parked inside a garage at all times. The exception to this is a county or government issued vehicle. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. a)*

1.11 Community Yard Sale Events

No personal events are permitted. The Community may hold two (2) events each year (spring and fall). Property Management will coordinate these events with volunteers. Signage will be placed on common areas. No signage will be placed on individual property. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. n)*

1.12 Curb Numbers

Hawks Point West does not permit painted numbers on curbs.

1.13 Drainage

Require ARB Approval. Refer to Article II, Section 2.04

Downspouts shall not direct water onto common areas or neighboring property and must drain according to approved drainage plan.

1.14 Driveways

Alterations to Driveways require ARB Approval. Refer to Article II, Section 2.05

Driveways need to remain free of grease, oil or other stains. Weeds growing through driveway cracks need to be eliminated. Driveways need to be kept free of debris. Driveway reflectors are not permitted.

1.15 Garages

Garage doors must remain closed at all times, except when vehicle / pedestrian access or an activity requires them to be open i.e. working in garage or yard. No garage shall be converted into any type of living area. Any type of car port is not permitted. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. q)*

1.16 Equipment

Equipment (lawn care, car care, work equipment) is not permitted to be stored in the front of home or sides of home. Any equipment must be stored behind the home, where it is not visible from any street. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. a)*

1.17 Exterior Finish and Colors

Alterations to Driveways require ARB Approval. Refer to Article II, Section 2.06

1.18 Exterior Lighting

Require ARB Approval. Refer to Article II, Section 2.07

Bulbs may be clear or frosted. Yellow or any other color bulbs are not approved except during the winter holiday season.

1.19 Fences and Walls

Require ARB Approval. Refer to Article II, Section 2.08

No wooden or chain link fences are permitted.

1.20 Florida Friendly Landscaping guideline

Require ARB Approval. Refer to Article II, Section 2.09

1.21 Front Doors/Entryway

Require ARB Approval. Refer to Article II, Section 2.10

1.22 Fruit Trees

Require ARB Approval. Refer to Article II, Section 2.11

Homeowner must maintain and pick up falling fruit. Trees are only permitted to be planted in the backyard; fruit trees are prohibited in the front or side yards.

1.23 Fountains/Sculptures

Require ARB Approval. Refer to Article II, Section 2.12

Fountains must be maintained, free of mold and mildew, cleaned and in working order.

1.24 Garage Doors

All sections of garage doors, except the upper most section which may contain windows, shall be of standard solid panel construction, which will conceal the contents of the garage. Garage doors shall be kept closed except when access or an activity requires them to be open. Carports and unattached garages are not allowed in Hawks Point West. The screening of garage doors is not permitted.

1.25 Garbage Cans

No garbage cans, supplies or other similar articles shall be maintained on any Home so as to be visible from the outside of the Home. Garbage cans must be stored either in the garage or behind a fence and may not be visible from ANY street or cause nuisance to neighbors. Garbage cans and trash containers shall not be placed outside the home for pick up earlier than 5pm on the day preceding the pick-up. Please return all containers to their concealed location no later than the evening of the pick-up day. Burning of trash is not permitted. Trash can lids should be secured to avoid animals, odor, and windblown garbage from affecting adjoining homes. Each resident is responsible for picking up litter on their property and preventing windblown debris from originating from their property. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd*)

1.26 Garden/Walkway Lighting

Require ARB Approval. Refer to Article II, Section 2.13

Any lighting shall be maintained at all times by Homeowner.

1.27 Generators

Require ARB Approval. Refer to Article II, Section 2.14

1.28 Glass Block

Require ARB Approval. Refer to Article II, Section 2.15

1.29 Grills

Grills must be covered and stored behind the home on patio when not in use. Refer to Section 1.36 for additional information

1.30 Heating and Air Conditioning Equipment

Outdoor air conditioning units shall be placed to minimize noise to adjacent dwellings and shall be screened from view with shrubs and/or approved fencing. Refer to Section 1.19 for fencing approval. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd & Section 3, ss. e*)

1.31 Holiday Decorations

Decorations may be displayed no earlier than 15 days prior to and must then be removed no later than 7 days after a holiday. These holidays include: Halloween, Valentine's Day, Easter and Independence Day. Fall decorations may be displayed no earlier than October 1 and must be removed no later than December 1st. Winter/Holiday decorations may be displayed one week prior to Thanksgiving and must be removed no later than January 15th of the following year. Care should be taken when deciding on placement of yard decorations, noting that large snow globes or

inflatables may cause dead spots in lawns. All lighting, lighting accessories, extension cords and light clips and decorations shall be totally removed by January 15th. Any lighting that creates a nuisance may be required to be removed (e.g., unacceptable spillover to adjacent Home). *(Reference: DCCR, Article III, Section 3.2, ss. e & ii)*

1.32 House Numbers

All house numbers must be clearly readable from the street, but not so large as to be out of proportion to the structure, and compatibility to the overall design of the structure. Numbers should be between 3 - 4-inches in height. All missing house numbers must be replaced by the homeowner within 14 days notice from the Management Company.

1.33 Hurricane Shutters

All temporary storm/hurricane Shutters may be installed 48 hours prior to the expected arrival of a hurricane in the area and must be removed no later than three days after the warning is lifted. All permanent mounted storm shutters may be panel, accordion or roll-up style and must be white in color or must match the primary color of the house and approved by the ARB. Shutters may not be closed at any time other than a storm event.

1.34 Landscaping Alterations & Maintenance

Changes to landscape require ARB approval. Refer to Article II, Section 2.16. All Lots shall be landscaped in a manner that is harmonious, compatible and consistent with the overall landscaping and general appearance of the community. Each Owner shall maintain the landscaping and yard area in an attractive appearance and free from insects and diseases. Landscape maintenance shall include care of trees, shrubs, ground cover, annuals, turf grass and irrigation systems. Turf areas should be regularly cut to maintain consistent appearance of quality. All damaged plant material, including ground cover and sod, shall be removed.

Each Owner shall provide for the timely replacement of lost plants, sod or grass, bark or ground cover, and trimming and pruning of plants to prevent an overgrown look. No weeds, underbrush, refuse or other unsightly growth or objects shall be permitted to be grown or remain upon any Home.

Any tree, shrub and flowers planted within original landscape being areas (minor landscaping) are permitted without written approval by the ARB, if maintained in an attractive manner. Residents planting annuals do so with the understanding that they are responsible for upkeep and maintenance including removal of annuals when they die. Invasive plants (Brazilian pepper, melaleuca, etc) are not permitted.

Plants and shrubs must be trimmed to a maximum of 36". Hedges may be permitted to grow up to 6' but must be maintained.

The Association is responsible for lawn maintenance for the Townhomes and Villas (including, mowing, fertilization, watering, pruning, and replacing and controlling disease and insects) of all lawns and landscaping installed in the Lot as part of the initial construction on the Lots, specifically excluding any enclosed courtyard, patio or other area not readily accessible from outside the dwelling, and landscaping added by the owner or occupant of a Lot after issuance of a certificate of occupancy for the dwelling on the Lot. 5.1 b (i).

1.35 Landscape Edging

Require ARB Approval. Refer to Article II, Section 2.17

1.36 Mailboxes

Mailboxes shall conform to the original existing design and color (black). All replacements shall be of the same design and color. Residents may inquire at the clubhouse on how to replace their mailbox. No letters, numbers, or designs are allowed on the mailbox other than as originally installed by the builder. No newspaper tubes are permitted. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd)*

1.37 Nuisances

No obnoxious, unpleasant, unsightly or offensive activities shall be carried on, nor may anything be done, which can be reasonably construed to constitute a nuisance, public or private in nature. Any questions with regard to the interpretation of this section shall be decided by the BOD, whose decisions shall be final. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. c)*

1.38 Painting and Cleaning

Roofs and/or exterior surfaces and/or pavement, including but not limited to sidewalks, driveways, or lanais shall be pressure cleaned within thirty (30) days notice by the ARB. Homes shall be repainted within sixty (60) days of notice by the ARB. The Association is responsible for the pressure cleaning of front sidewalks, exterior front steps, roofs and exterior walls of all the dwellings for the Townhomes and Villas 5.1 b (v).

1.39 Patio and Lanai Area Furniture

Patio or Lanai furniture located on the front of the home requires ARB approval. The only acceptable furniture for patios, lanais and front porch areas is tasteful, outdoor furniture. Outdoor grills shall be restricted to rear lanai/patio. Refer to Section 1.28 for additional information. Indoor furniture or full size household appliances of any type shall not be placed or stored in front yards, back patios, gardens or flower beds of homes. No furniture of any type is allowed on driveways.

1.40 Garden Hoses

Garden hose hangers or hose reels should be placed on the side of the home wherever possible and concealed from the street. Hoses must be fully retracted and hung neatly when not in use.

1.41 Play Structures

Require ARB Approval. Refer to Article II, Section 2.19

1.42 Temporary Storage Containers

Only one POD unit or other temporary storage containers are allowed at a residence no longer than 14 days and must not be placed where it interferes with the sidewalk or roadway. Residents wishing to have a temporary storage container must notify the Clubhouse when the container will arrive and be picked up.

1.43 Porches, Decks, Screen Enclosures and Patios

Require ARB Approval. Refer to Article II, Section 2.19

1.44 Potted Plants

Decorative Potted plants are limited to three (3) on driveways, walkways in landscape beds any potted plant must be maintained in good repair.

1.45 Rain barrels

Require ARB Approval. Refer to Article II, Section 2.20

1.46 Rental of Home

REFER TO COMMUNITY DOCUMENTS (*Reference: DCCR, Article III, Section 2, ss. b*)

1.47 Repairs

No major repairs shall be performed on any vehicles upon any portion of the property. All repairs to disabled vehicles within the property must be completed within 12 hours or the vehicle must be moved or will be towed. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. a*)

1.48 Required Repair

In the event fire or other casualty destroys any Home, the Owner of such Home shall commence removal of debris, reconstruction and/or repair. (*Reference: DCCR, Section V, Section 5.1, ss. a*)

1.49 Roofs

In keeping with Hawks Point West's design, only shingle roofs of the current design are permitted. No barrel tiled roofs, cedar or wood shakes, gravel roofs, tar roofs or metal are permitted.

1.50 Satellite Dishes

The installation of satellite dishes that are less than 39.37" in diameter are allowed on individual homeowner's property. Such installation is only permitted on the rear 1/3rd of the home. All satellites mounted to the home must be no lower than 8 feet from the ground. The homeowner should make every effort to have the dishes installed in the

least visible place possible and to incorporate measures to screen or minimize the visibility of the installation so long as this does not unreasonably increase the cost of installation. Exterior antennas are not permitted, In accordance with FCC guidelines. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd)*

1.51 Security Lighting

Require ARB Approval. Refer to Article II, Section 2.21

Lamps shall be aimed so as not to illuminate neighbor's homes. Security Lights may not be left on throughout the night. Homeowner will have to remove if lighting becomes a nuisance to neighboring properties.

1.52 Signs and Flags

There shall be only one approved standardized sign placed in the front yard of a home, either a "For Sale" or "For Lease/Rent" (single or double face) sign. The specific sign copy and dimensions that must be used are available at the Administration offices in the Clubhouse. Signs must be purchased by the homeowner or applicable real estate company from a reputable sign company. A sign of reasonable size provided by a contractor for security services may be displayed within 10 feet of any entrance to the home. (Per FS 720.304(6)) All other signs and flags require ARB Approval. Refer to Article II, Section 2.22

The display of a portable, removable United States flag, not larger than 4 1/2 ft x 6 ft is permitted when displayed in a respectful manner. Sports flags can be put up day of game only. Small decorative flags would fall under 3.65

Any type of lit up, neon or flashing sign is not permitted anywhere in Hawks Point West. *(Reference: DCCR, Initial Use Restrictions, Section 3.2, ss. e, i, ii)*

1.53 Solar Heating Equipment

Require ARB Approval. Refer to Article II, Section 2.20

1.54 Soliciting

Hawks Point West has a "No Soliciting" policy. No handbills or flyers are permitted to be passed out in Hawks Point West. If you encounter solicitors, please report them to the Management Company. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. w)*

1.55 Sports Equipment

No sports equipment including but not limited to basketball backboards shall be mounted in a permanent fashion on a pole or attached to the home or any portion of the property. Portable sports equipment and portable basketball hoops are permitted, but shall be stored in front of garage or in a location screened from view after each use. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd)*

1.56 Swimming Pools, Spas, Whirlpools, and Hot Tubs

Require ARB Approval. Refer to Article II, Section 2.24

1.57 Temporary Structures

No structure of a temporary character, trailer, tent, or other building is permitted. Pop-up canvas type tents or gazebos are permitted only when in use (for events, parties, gatherings) and may not be stored in yards.

1.58 Trailers

Trailers (flat bed, horse, motorcycle, boat, RVs, etc) are not permitted in public view in Hawks Point West. Trailers must be stored in garages and garages must remain closed. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. a)*

1.59 Trampolines

Require ARB Approval. Refer to Article II, Section 2.22

1.60 Trespassing

Each home in Hawks Point West is privately owned. Trespassing through side yards or backyards is not permitted. For safety reasons, parents are encouraged to keep their children out of neighboring yards. Homeowners reserve the right to notify authorities. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss.t)*

1.61 Turf

Artificial turf will not be approved in Hawks Point West.

1.62 Vehicles and Parking

All vehicles must be properly licensed with tags clearly displayed. Vehicles shall be parked on paved surfaces only; parking is not allowed on areas any grass area, the apron of driveways on the street or on the driveways of vacant homes. Under no circumstances will vehicles be allowed to be permanently parked in the clubhouse parking areas. Campers and boats must be parked inside garages. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. a)*

1.63 Vegetable Gardens

Require ARB Approval. Refer to Article II, Section 2.26

1.64 Water Softeners/Conditioners

Require ARB Approval if installed on the outside of the home. Refer to Article II, Section 2.27. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd)*

1.65 Waterways

No owner whose Home adjoins a waterway may utilize the waterway to irrigate. The CDD and/or the Association may use waterways for irrigation purposes. By acceptance of a deed to a home, each Owner acknowledges that the water levels of all water bodies may vary. There is no guarantee by the developer, builder, the CDD, or the Association that water levels will be constant or aesthetically pleasing at any particular time. The developer, CDD and the Association shall have the right to use one or more pumps to remove water from water bodies for irrigation purposes at all times. Fishing in any area of Hawks Point West is prohibited. *(Reference: DCCR, Article VII, Section 7.1 & Article XII, Sections 12.2 & 12.3, & Initial Use Restrictions, Section 4, ss. z)*

1.66 Watercraft

Boats, jet skis, canoes, kayaks and water equipment are to be stored only in garages. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. a)*

1.67 Wetlands

Owners having homes adjoining wetlands or conservation areas are hereby put on notice that the cutting or removal of any vegetation in these areas is strictly prohibited. Answers to any questions about wetlands or conservation areas should be referred to the Association or CDD. In the event that the HOA or CDD is fined by SWFWMD due to the cutting, spraying or removal of any vegetation, said fine shall be passed on to and paid by the homeowner. Once proven that the homeowner/resident is responsible for the cited violation.

1.68 Window Treatments

No reflective foil, sheets, newspapers or other similar material shall be permitted on any window or glass door except for the period of one week after move in date. Drapes, blinds, verticals and other window coverings visible from outside a dwelling shall be of a neutral color, such as white, off-white or wood tones. Security bars are not permitted on windows. Window tinting is allowed as long as it is gray or smoked colored and must be maintained. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. x)*

1.69 Yard Ornamentation

Maximum of two (2) yard ornaments less than 36" in height are permitted per yard and must have ARB approval prior to installation. A picture or detailed description of the item must be submitted with the request, along with the proposed location for the structure which shall be located only in a landscaping bed and must blend in with the home. The materials and color used shall be generally subdued and in harmony with the natural surroundings of the home, lot and community. No bright colors, unusual materials offensive or obscene items will be approved.

Article II. Architectural Guidelines

This Article details the Architectural Guidelines for Hawks Point West Homeowners' Association, Inc. The Standard is derived from the Declaration and the Community Standards (detailed in Article I). These Guidelines include what is permitted, restricted and/or what shall be required for Alterations to Lots which require ARB Approval.

Examples of alterations are:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Driveways: re-construction/resurfacing/painting
- Elevation or grading changes
- Exterior decoration applied above garage doors and fronts of homes Fences
- Flag poles and antennas
- Front door or garage door coverings, such as screen doors or storm doors
- Front door: style and/or color
- Gutters: style, color
- Items in flower beds besides plants
- Lanais, sunrooms and gazebos
- Lighting: placement and size
- Landscaping (refer to Article 4)
- Pools, spas, hot tubs, whirlpools
- Porches, decks and patios
- Roofing
- Screen Enclosures
- Window replacement/changes

2.01 Awnings

Only Awnings permitted are on the rear of the home over the Lanai and must be neutral in color.

2.02 Bedding Coverings

All landscaped plants should be planted with the appropriate topsoil, peat moss and fertilizer mixtures. All shrubs, ground cover and tree beds shall have a 2" minimum layer of mulch.

ONLY the following types of cover are permitted as landscape bed coverings: cypress mulch, pine bark mulch, cedar mulch, melaleuka, pine straw, select rubber mulch, river rock, lava rock and white stone. See Color Book for specific photos of approved mulch

NOT APPROVED: inorganic material including gravel, rubber mulch only approved colors.

2.03 Bird House

One birdhouse and/or bird feeder will be permitted on a revocable and conditional annual basis. If the house or feeder is not maintained or otherwise becomes offensive, the Architectural Control Committee (ARB) has the authority to rescind approval at any time and to require removal of the house or feeder. Birdhouse or feeder may be placed in the rear yard only and may be ground supported or suspended/mounted in a tree. The proposed location shall be at least 5 feet from the property line. If the home site is a corner lot, house or feeder may be located in the side yard common with the street right of way, not closer than 16 feet to the street pavement adjacent to the side yard and not closer than 40 feet to the street pavement adjacent to the front yard. House or feeder may not be suspended from a "street tree" on a corner lot. Ground supported or tree suspended/mounted birdhouses or feeders may not be higher than 6 feet from the ground to the top of the house or feeder. Size and appearance: The Committee will consider the size and appearance of the birdhouse or bird feeder as appropriate to the location on a one by one basis, but in no case shall the total of width plus height plus depth of a birdhouse exceed 50 inches, with maximum dimension of 18 inches, any one side or shall the total of width plus height plus depth of a bird feeder exceed 30 inches, with maximum dimension of 18 inches, any one side. If a ground supported birdhouse or bird feeder is not located in an existing planting bed, then the homeowner shall provide and maintain a mulched area at least 2 feet in diameter at the base of the support.

2.04 Drainage

Roof gutters and downspouts of 6-inch aluminum construction are permitted within the approved color scheme. (See Community Color Book).

2.05 ~~3.13~~ Driveways

Any owner changing the appearance to a driveway including a driveway color, finish, topping, pavers or complete replacement must submit an application to the ARB for summary approval.

All paint color, stain color; finishes including embossing and or stamping patterns must be submitted to the ARB and chosen from the approved Community Color Book. All driveways should, if possible, permit a full size (20 foot) car to be parked in the driveway and not interfere with sidewalk access. Any change in size or shape of the driveway must be approved by the ARB. Extensions on either side of driveway may not exceed 2 feet (for a total of 4 feet) Only concrete or pavers are permitted to line either side of driveway.

2.06 Exterior Finish and Colors

Changes to exterior of home require ARB approval. Exterior surfaces shall be of quality standard stucco compound with a knockdown finish or horizontal siding as originally installed by the builder. This shall apply to any and all parts or attachments to any structure on any lot, including barrier walls. All exterior colors must comply with the approved Board of Directors Community Color Book. Accent colors, not exceeding two (2) per structure, not including front door color, will be allowed. Any change of the existing color to one of the approved community color selections requires the owner to submit an application to the ARB for summary approval stating color selections. Owners wanting to repaint with existing surface colors must also submit an application to the ARB for summary approval. Stacked stone or rock alterations to a home must be chosen from the approved Community Color Book. An owner must submit an application to the ARB for summary approval stating selection. Stone or rock alterations shall be used for accents only to the home. This is the responsibility of the Association for the Townhomes and Villas. (Article 5.1 b (ii))

2.07 Exterior Lighting

Changes to exterior lighting of home require ARB approval. Coach Lights must be the same or very similar to the lights already installed. Lights must be bronze, silver, pewter, black or white in color with clear glass. Light fixtures must be proportionate to home. Lights must be mounted to home, left and right of garage door. Minimum height from ground to the bottom of fixture is 6 feet, maximum.

2.08 Fences and Walls

No walls or fences shall be erected without prior written review and approval of the ARB.

The ARB may permit Owners of Houses on Lots which abut, run along, intersect with or joint the perimeter of any pond, lake, water body or conservation area to install fences up to six (6) feet; however beginning ten (10) feet from the boundary of any pond, lake, water body or conservation area, the fence shall drop or graduate to a maximum height of four (4) feet picket style. No chain link fencing of any kind shall be allowed. All wood fences shall be removed and replaced with vinyl, polyvinyl chloride PVC material or other similar materials as approved by the ARB upon expiration of their useful life. The Board shall determine the useful life of a wooden fence, provided, however, the useful life of a wooden fence shall be deemed to have expired ten (10) years from the date of installation. Fences shall not be installed flush to the ground so that drainage will be blocked in any way. Due to the Associations maintenance requirements and responsibilities the installation of fences within a drainage easement area is not expected to be approved to the ARB. However, in the event a fence is installed within a drainage easement area, with prior written ARB approval, the Owner is solely responsible for fence repair or replacement if the drainage easement area needs to be accessed or as otherwise provided in Section 15.9 hereof. In addition to ARB approval, Owner must obtain, at his or her own expense, an agreement in writing executed by the Association approving such fence, which agreement may be recorded by the Association in its sole and absolute discretion. All screening and screen enclosures shall have the prior written approval of the ARB. All enclosures of balconies or patios, including addition of vinyl windows, shall be approved by the ARB and all decks shall have the prior written approval of the ARB.

The only allowable type of fences is white, vinyl fences. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd*)

2.09 Florida Friendly Landscaping guideline

SEE SEPARATE GUIDELINES THAT HAVE BEEN ESTABLISHED FOR HAWKS POINT WEST.

2.10 3.20 Front Doors/Entryway

Changes to front doors (door style or paint color) require ARB approval. (Painting of the exterior doors for the Townhomes and the Villas is the responsibility of the Association 5.1 b (ii)). Front doors may be of metal, solid wood or fiberglass and may contain glass portions that may be plain, frosted or etched. Maximum of two decorative items are permitted within the alcove or porch. Only one item may be wall mounted. Item must be maintained in the covered entry and not extend into the walkway. Items not wall mounted are not to exceed 3 feet in height.

2.11 Fruit Trees

Must be submitted for approval to the ARB.

2.12 Fountains/Sculptures

Only one fountain or sculpture may be placed on the property at the front of the house. Fountains may not exceed 48 inches and height above grade and 36 inches in width. Fountains must be earth tone in color and constructed of ONLY the following materials: concrete, stone, plaster, granite, bronze, aluminum or copper. No other colors or materials are permitted. Fountains and sculptures must not be overtly offensive to another person and shall be in keeping with the standards of the community. Fountains and sculptures shall conform to the home's existing style and design and shall not be distracting.

2.13 Garden/Walkway Lighting

Any lighting requires approval from ARB. Low voltage garden lights permitted on the home site but only in existing flower and shrubbery beds, and only on a conditional basis. Approval may be rescinded if installation is not maintained... Lights may be placed no closer than eight inches to the edge of the bed. Lights shall not exceed eight inches in height, with white bulbs of 4, 7 or 11 watts. Lights shall be installed in a manner consistent with the purpose intended, shall not reflect into adjacent homes.

2.14 Generators

Permanently installed external propane generators may be allowed. All specifications including size, type, location, appropriate screening, etc., must be approved in writing by the ARB. Local, county & state applicable permits and approvals will be required. Such generators would only be allowed to be used during periods of electric power outages.

2.15 Glass Block

The use of glass blocks on an existing Home or the use of glass block in an addition to an existing Home is subject to approval.

2.16 Landscaping Alterations

Plans to add ANY tree(s), ANY shrub(s), or ANY vegetation which will grow to a height of three feet or taller, first requires the approval from the ARB. Plans to relocate any tree must be submitted to the ARB for approval. Each yard must contain the county mandated tree allocation refer to county code 602.12 See Approved County Tree list for trees that are Trees of Special Significance. Any hardwood/protected tree must have prior written approval from the county before submitting for ARB approval.

2.17 Landscape Edging

All landscape edging must be approved by the ARB prior to installation. Approved edging for Hawks Point West is:

- 1) Professional installed concrete curbing in approved colors. See BOD Community Color Book for approved colors and patterns.
- 2) Stacked brick, block or rock edging. See BOD Community Color Book for approved colors brick sizes
- 3) Properly installed black rubber tube-type edging. Must be properly installed in ground and may not rise up. Improperly installed rubber edging will result in a violation letter.

The following material is not permitted as in landscape edging: any type of rubber, plastic, wooden, wire, fencing or tubing.

2.18 Play Structures

The overall height of play sets may not exceed twelve (12) feet in height.

Play structures must be crafted in wood or recycled plastic. Aluminum or metal tubing is prohibited. A picture and dimensions of the play set must be submitted with the architectural application prior to approval. All play set must be maintained.

Canopies must be of earth toned colors, tan, olive or brown.

Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual impact to neighboring home sites and/or the street must be buffered as much as possible with approved fencing or landscaping.

Fence applications must be submitted in advance of installation of the fence and only current approved styles are permitted. Refer to Section 2.07 for additional information.

If the play structure will be buffered by landscape, the plant material must start at a height of thirty-six (36) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity. The landscape buffer must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the home site. The proposed plant material and location of landscape buffer must be submitted to the committee via application prior to installation. (*Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd*)

2.19 Porches, Decks, Screen Enclosures and Patios

All such structures must be submitted to the ARB for its approval. All structures shall have an appearance consistent with the dwelling and the community. Any porch, patio, screen enclosures or deck shall comply with existing setback governance.

Porches, screen enclosures or decks, which are constructed above ground must be finished to the ground with materials compatible with the deck or the dwelling, free of mold, mildew, weeds and may be screened with landscaping.

Screened in front door areas will be allowed but not to extend past the front door area.

Screen enclosures shall be constructed with white or bronze colored aluminum supports and smoke/charcoal colored screen material. Enclosures shall not exceed the width and height of the home nor extend beyond the dwelling's existing roofline unless the enclosure is at least 40% of the width of the existing dwelling. Screens must be smoke/charcoal colored screen material. All enclosures shall not exceed the height of the home. No porches, decks, screen enclosures or patios will be allowed to have aluminum, metal, plastic or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless it will be covered by composite asphalt/fiberglass, multitab or dimensional shingles. Any future roof replacement costs, on approved ARB additions, shall be the responsibility of the Homeowner.

(*Reference: DCCR, Initial Use Restrictions, Section 2, ss. bb*)

2.20 Rain barrels

Rain barrels require ARB approval before installation. Rain barrels need to be stored behind the home, not visible from any street. Rain barrels must be neutral or earth-toned in color.

2.21 Security Lighting

Security lights mounted on the home are permitted under the following conditions: Homeowner shall obtain and pay for all permits if required by local authority having jurisdiction. Security lights shall be of the simple lamp holder type and not a decorative luminary. Mount holder to the metal soffit under the eave or rake on the roof. Wall mounting not permitted. Maximum of two lamps per holder in any one location. Maximum of four locations on home. Maximum wattage per lamp shall be 150 incandescent. Lights shall be turned on by means of a motion detector or other security

breach detector.

2.22 Signs and Flags

All other signs and flags not detailed in Article 1, Section 1.49, may not be displayed unless approved by the ARB.

2.23 Solar Heating Equipment

The addition of any solar heating equipment must be reviewed and approved by the ARB. May not be installed on the front of home or front portion of property.

2.24 Swimming Pools, Spas, Whirlpools, and Hot Tubs

Swimming pools shall not be above ground. Swimming pools must be of a “built in ground” type pool and must be located behind the home. Pools located on the sides of a home will not be permitted. The perimeter of the pool area shall be enclosed as to prevent access in accordance with governing safety regulations. Pool service equipment must be screened from public view with landscaping and/or approved fencing. Landscaped hedges will be required on corner lots. Freestanding above ground hot tubs must be inside a screened enclosure and screened from public view with landscaping or approved fencing. The homeowner is to maintain the spa in an aesthetic fashion. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. bb)*

2.25 Trampolines

Trampolines require ARB approval. They must be located in the rear of a home and must not be visible from any street.

2.26 Vegetable Gardens

Any type of fruit or vegetable producing plant must be submitted to the ARB prior to planting. No plants may exceed 6 ft; plants must be weeded and maintained. All gardens must be in back of home and screened from view.

2.27 Water Softeners/Conditioners

Water softeners are permitted outside homes but must be screened from view using landscaping or approved fencing. *(Reference: DCCR, Initial Use Restrictions, Section 2, ss. dd)*

Article III. Architectural Review Board (ARB)

3.01 Responsibilities

Under the authority vested to the Board of Director in the DCCR, the Architectural Review Board (ARB) "...shall assume jurisdiction over architectural matters ... and ... shall have the authority to review and approve or reject plans and specifications for the location, size, type or appearance of any structure or other improvement on a Lot."

The ARB shall consist of no less than three, but not more than five, owners. Members of the ARB are appointed by the Board. Members shall serve and may be removed and replaced at the Board's discretion. The Board shall have no more than one permanent seat on the ARB and this Director may serve as the Chairperson. The ARB shall review all submittals to assure procedures and standards conform to design guidelines as set forth in these Architectural Guidelines and in the Declaration. Each ARB member shall be considered a Reviewer.

The CAM shall keep records and shall maintain a file of all alteration application and activity for a period of not less than seven years.

3.02 Policy

All Owners and their contractors must comply with alteration guidelines and requirements prior to commencement of any work. "...no structure or thing shall be placed, erected, or installed upon any Lot, and no improvement of any kind or other work (including, without limitation, staking, clearing, excavation, grading and other site work, exterior alterations or additions, or planting or removal of landscaping) shall take place within the Community, except in compliance with ... the Architectural Guidelines."

"Improvements shall be constructed only by qualified Persons acceptable to the Reviewer"

The ARB shall review plans, materials, site plan, colors and/or landscaping plan to ensure compliance with design requirements, policy and procedures of these standards. "Review and approval of any application ... may be based on purely aesthetic considerations." The Association assumes no responsibility for the structural integrity, safety features, mechanical operation, and permitting or building code compliance of the proposed construction to a lot or a home

"Any construction, alteration, improvement, or other work done in violation of ... the Architectural Guidelines is subject to enforcement action pursuant Section 7.4 [of the Declaration]."

3.03 Committee Discretion

These standards do not cover every possible situation that may require ARB approval. As it applies, the ARB is not authorized to exercise discretion in approving or disapproving a specific proposal as per state statute FS 720. In these cases, Board approval may be needed for a proposal that may conflict with a standard set forth in the Architectural Guidelines.

Board approval does not constitute a precedent for future requests.

Article IV. Alterations Procedure

4.01 Submission of Application for Alteration

ARB Applications, including plans and specifications of the project, shall be submitted in writing to the CAM. “Plans and specifications shall show, as applicable, site layout, structural design, exterior elevations, exterior material and colors, landscaping, drainage, exterior lighting, irrigation, and other features of proposed construction or other activity as the Reviewer deems relevant.”

The CAM shall review the ARB Application for completeness. If the application does not include all documentation as required by this policy, the CAM shall request the additional documentation from the Owner. The received date shall be recorded by the CAM as the date all required documentation was received by the Owner. The CAM shall not act as an ARB Reviewer

Complete ARB Applications will be forwarded by the CAM to the ARB.

4.02 Review of Application for Alteration

The ARB shall appoint a Reviewer for each ARB Application.

The Reviewer shall review the Application for completeness. The Reviewer may request additional documentation of the Owner to ensure their determination of the Application in accordance with the DCCR, Community Standards, Architectural Guidelines, or other factors the Reviewer deems relevant.

The Reviewer is granted easement to the Owner’s Lot to conduct inspections as they deem relevant, but entry into the lot shall only be during reasonable hours and after notice to the Owner. (DCCR, Article XI, ss. 11.5)

The Reviewer shall present determination, along with rationale, if required, to the full ARB at the monthly ARB Meeting. All Applications will receive one of the following determinations by majority vote of the ARB: **“Approved”** (project approved as submitted) **“Conditional Approval”** (subject to conditions noted) **“Denied”** (rationale noted)

Within forty-five (45) days after receipt of the Application—by the ARB, the ARB will act on the submission. Determination of the Application shall be returned to the Owner in writing, by the CAM, and shall also be included in the ARB Meeting Minutes.

4.03 Completion of Application for Alteration

Approved Applications must be completed within 6 (six) months of approval by the ARB. After that time, the ARB’s approval of the application will expire. The CAM shall send in writing the notification to the Owner. A new ARB application must be submitted and approved before any further work can begin.

The Board or the ARB retains the right, but not the obligation, to extend time frames for the Owner to complete the approved Application, provided the request is made in person, by the Owner, at the ARB Meeting.

The Reviewer shall provide the status of all open and approved ARB Applications at each ARB Meeting.

The Reviewer shall monitor progress and ensure alteration is completed as approved by the ARB. Any deviation from the approved project may constitute a violation as detailed in the Covenant, DCCR, Community Standards and/or the Architectural Guidelines. Any such violation will be subject to the Covenant Enforcement Policy.

Once the Reviewer has determined the project has been completed, even if a violation may exist, the Reviewer shall present the project to be “Closed” at the next ARB Meeting. The CAM shall forward, in writing, the completed Application to the Owner.

4.04 Appeal of Application for Alteration

In the event the ARB denies any ARB Application, the applicant may request a hearing by the Board of Directors at the next regular Board Meeting. The appeal and hearing request must be submitted in writing to the CAM no less than 3 days before a Board Meeting. The Board will not hear any appeals if prior written request is not received. The determination of the Board of Directors shall be deemed as final.