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INTRODUCTION

This document is intended to serve as architectural guidelines for Brandon Lakes, a Townhome subdivision located in St. Johns County, Florida (the "Community"). It contains the necessary information to guide homebuilders and homeowners through the preparation of design requirements for houses to be constructed within the subdivision. This document is prepared specifically for this community and it is recommended that it be reviewed thoroughly before any plans are prepared and presented for review.

All plans shall be reviewed by Land Planners II LLC (the "Master Declarant") and by Brandon Lakes Townhomes HOA (the "Declarant"). The Master Declarant and the Declarant are herein together referred to as the "Review Parties". Plans submitted for review should be addressed to:

Architectural Review – Brandon Lakes Townhomes HOA
Attn: ALSOP
P.O. Box 1389
St. Augustine, Florida 32085

and

Architectural Review – Master Declarant
Attn: David W. Hudson and Travis Hudson
111 Nature Walk Parkway, Suite 104
St. Augustine, Florida 32092

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Section 1. TITLE AND SCOPE

1.1 Title. This compilation of guidelines shall be known as the Architectural Design Guidelines, hereinafter referred to as "Guidelines" for the Community.

1.2 Purpose. The purpose of these Guidelines is to provide certain minimum standards, provisions and requirements for appropriate and acceptable design and minimum required criteria for homebuilders and homeowners implementing new construction within the Community.

1.3 Scope.

1.3.1 All new structures erected within the Community shall conform to the requirements of these Guidelines.

1.3.2 Additions, alterations, repairs or any other type of change to any structures that affect the exterior appearance shall conform to the requirements of these Guidelines.

1.3.3 Items to be reviewed will include any improvement or structure of any kind, including without limitation, any building, dwelling, fence, wall, sign, site paving, grading, sewer, drain, disposal system, decorative lighting schemes, painting or alteration of a dwelling (including doors, windows, roof), installation of solar panels or other devices, screened enclosures, jacuzzis, flower boxes, shelves and statues.

1.3.4 These Guidelines are for the purpose of outlining the requirements for residences located in the Community as well as to assist homebuilders and homeowners in the design of such residences. The evaluation of each submittal relates to matters of judgment and taste in certain instances which cannot be reduced to a simple list of measurable criteria. It is possible that a submission may meet all guidelines and criteria and still not receive approval, if in the judgment of the Review Parties the overall aesthetic impact is of the proposed improvements is not acceptable. The approval of an application for any proposed improvement shall not be construed as creating any obligation on the part of the Review Parties to approve applications involving similar designs for proposed improvements pertaining to different lots. The role of the Review Parties is to ensure that the overall quality level of the Community is maintained at the highest level possible while still allowing for each owner's individual taste in design, colors and materials.

Section 2. PROCESSING**2.1 Process for Construction**

2.1.1 Homebuilders or homeowners shall examine the enclosed material for items required for review of submitted plans and specifications.

2.1.2 Plans are to be submitted along with submission fee (refer to **Exhibit A** as it may be amended from time to time, for fee schedule) to the Review Parties. In cases of prototype

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models, a blanket approval from the Master Declarant may be obtained for particular models to be used in the Community. In cases of individual modifications, individual submittals will be required.

2.1.3 The Review Parties shall release the plans submitted by the homebuilder or the homeowner for building permit after full plan review and approval by the Review Parties is accomplished.

Note: Approval of homebuilder or homeowner plans and specifications by the Review Parties does not release the homebuilder or the homeowner from fully complying with all applicable codes and requirements. The review process described in these Design Guidelines is strictly for compliance with the design parameters as described in the Design Guidelines and all applicable covenants and restrictions.

2.1.4 All revisions to the plans and specifications must be sent to the Review Parties for approval in accordance with the requirements listed in Section 2.1. Should deviations from approved final plans become apparent during or after construction, without having been approved previously, such non-conforming construction shall be subject to removal at homebuilder's or homeowner's expense, and at the discretion of the Review Parties.

2.1.5 Two (2) weeks time should be allowed for processing and plan review.

2.1.6 The homebuilder or homeowner may commence construction upon written approval of the construction plans by the Review Parties and receipt of all required permits from the County and all other authorities having jurisdiction over the project.

2.2 Plans Submittal Requirement

2.2.1 The homebuilder or homeowner shall submit comprehensive construction plans and specifications, which shall include, but not be limited to, the items listed:

2.2.1.1 Architectural construction plans:

- a. Site plan: Showing the location of the townhome with all property lines, adjacent roads, drives or alleys, easements, setbacks and restrictions lines, drives, walks, roof plan, pools, fences, walls, patios, etc.
- b. Floor plans at 1/8" or 1/4" scale with dimensions.
- c. Elevations with finish notations at 1/8" or 1/4" scale with dimensions:
 - i. Showing all exterior materials noting colors and textures. Color samples shall be submitted for all proposed colors
 - ii. Note type, size and material of all openings.
 - iii. Roof pitch, type and quality of roof covering material.
 - iv. Doors, windows, fences, mechanical equipment.
- d. Typical wall section.

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2.2.1.2 Landscaping and irrigation plans:

Showing location, quantity, sizes and species of all plants, trees, shrubs and ground cover proposed as well as the irrigation coverage. (See Section 4.1). Show driveways, sidewalks, patios, and existing trees of 6" in diameter and above at a point one foot (1') above ground level. (See Section 4.2). The homebuilder may obtain master approval of typical landscaping and irrigation plans in lieu of the individual lot plan submissions.

2.2.1.3 Specifications:

Provide information on type and quality of all exterior materials.

2.2.1.4 Square footage (first and second floors):

- a. Air-conditioned space (living area)
- b. Other

Section 3. SITE**3.1 Zoning**

Existing zoning requirements will be considered as per the St. Johns County, Florida (the "County") zoning and PUD ordinances.

3.2 Site Conditions

3.2.1 All lots in the Community have curb and gutter at the front or side of the lots. This paving and drainage design shall not be altered in any way.

3.2.2 Homebuilders and homeowners shall refer to site development drawings for any relevant requirements for these areas.

3.3 Parking

3.3.1 No parking will be permitted on areas where the Community's drainage flow may be interrupted.

3.3.2 Additional driveways for parking purposes are subject to review and approval.

3.4 Setback Requirements**3.4.1 Dwelling unit setback requirements:**

- Front – 20 feet
- Side – 10 feet
- Rear – 10 feet
- Side yard on street side of corner lot - 10 feet

3.4.2 The foregoing setback requirements may be waived by a written instrument executed by the Review Parties. Homebuilders and homeowners are under a legal obligation to comply with applicable County requirements even if a waiver is issued by the Review Parties.

3.5 Height Requirements

The maximum height for all homes shall be 45 feet.

Section 4. LANDSCAPING

4.1 Landscape Requirements

4.1.1 All landscaping shall be in accordance with the requirements of the Development of Regional Impact Order enacted by the County under Resolution No. 2019-165, as amended (the "DRI"), Planned Unit Development Ordinance Number 2019-33, as enacted by the County, as the same may be amended (the "PUD") and the County's landscape ordinances. Nothing herein shall be construed to be less than nor to reduce such requirements.

4.1.2 All front and side elevations facing the street require landscaping as outlined in this section 4.1.

4.1.3 Landscape plans submitted shall not be at a smaller scale than 1" = 20'-0". All trees, shrubs, screen material, berms, paving patterns, groundcover areas and any other elements necessary to convey the design intent shall be shown. Plans submitted for approval shall have botanical and common names, height, container size, spread and quantities of all plant material. Plant distances, in the case of hedge material and groundcovers, and spot elevations where earthwork is part of the design intent, will also be required.

4.1.4 Walks shall be constructed of four-inch (4") concrete. Patterns or alternate paving surfaces may be used if they are in keeping with the materials of the structure. These materials must be submitted and are subject to review and approval. However, asphalt pavement shall not be permitted.

4.1.5 Any plant material, trees or sod which dies or becomes unsightly after installation will be replaced by the Association with approved plants within 2 weeks or any notification by either of the Review Parties.

4.1.6 Equipment Screening: All air-conditioning units shall be screened with landscape or other screening approved by the Review Parties.

4.2 Landscape Intent

The Review Parties consider landscaping to be a critical design element for the community and for the individual homes within the community. Landscape design should be integrated into the design of the home from its inception. The use and preservation of native and natural landscape materials is strongly encouraged. Landscaping plans should strive to have as strong an impact as

possible at the time of installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.

4.3 Preservation of Existing Trees

4.3.1. Preservation and enhancement of any lot areas retaining native vegetation is strongly encouraged. During the initial home construction, no trees measuring twelve inches (12") or more in diameter at a point one foot (1') above ground level may be removed without written approval of the Review Parties, unless it is located within ten feet (10') of the dwelling unit. After the initial home construction, no trees measuring six inches (6") or more in diameter at a point one foot (1') above ground level may be removed without written approval of the Review Parties, unless it is located within ten feet (10') of the dwelling unit.

4.5 Plant Material

4.5.1 Plant material shall be Florida No. 1 grade or better.

4.5.2 Yards shall be completely sodded with St. Augustine sod.

4.5.3 Groundcovers other than sod shall be planted and mulched in such a manner to present a finished appearance within three months after planting.

4.5.4 Hedge shrubs shall be a minimum three gallon (3 gal.) plant, be of a minimum height of twenty-four inches (24") immediately after planting and shall be planted at a distance of a minimum of eighteen inches (18") on center and a maximum of twenty-four inches (24") on center and conditional that the hedge shrubs are capable of growing to close all gaps within the first year after planting. Accent shrubs shall be a minimum seven-gallon (7 gal.) plant, be a minimum height of forty-eight inches (48") immediately after planting and shall be installed as a contiguous design element to accent the hedge shrub material. Groundcovers shall be a minimum one-gallon (1 gal.) plant and shall be planted at a distance of a maximum of twelve inches (12") on center.

4.5.5 Synthetic material in the form of plants is not permitted, unless approved on an exception basis.

4.5.6 Shade trees shall be species with a mature spread of twelve feet (12') minimum and having a trunk which can be maintained in a clean condition with at least three (3') feet of clear trunk.

4.5.7 Shade trees shall be a minimum of eight (8') feet in height when planted. Trunk caliper shall be minimum of two (2) inches.

trees to be planted. The number of hedge shrubs shall be determined by the extent of the exterior elevation(s) fronting a street(s). All front lot elevations require landscaping. For landscaping purposes, the extent of front and side yard elevations is defined as the continuous lineal footage of the exterior walls.

4.6 Irrigation

4.6.1 Plant material in all Townhomes shall be 100% irrigated. The irrigation system shall comply with the applicable utility company's rules and all rules of any governmental agency having jurisdiction. The irrigation system shall be designed with "smart" technology to conserve water. Provisions shall be made for the removal of rust or stain if it is present in the water supply. In the event of rust or stain in the water supply, chemical filtration shall be incorporated in the irrigation system. If staining occurs after the homebuilder has sold the lot, the homeowner shall be responsible for the removal of the stains and the providing of appropriate filters to the system.

4.6.2 Pop-up sprinklers or low pressure staked heads shall be used in all irrigated areas.

4.6.3 Each tree planted subject to the landscape requirements shall have a bubbler nozzle installed as part of the irrigation system.

4.7 Landscape Lighting

Lighting is to be low wattage and when used, should be used on accent entrances and special features. Overall high levels of light are not desired. Intensity should be no greater than required for pedestrian safety, other than on accent landscape. The scale of this lighting should be at pedestrian level. Exterior lighting must be shielded from adjacent properties. Colored lighting is discouraged and shall be subject to the Review Parties' approval.

4.8 Recommended Landscape Material

4.8.1 The following criteria should be considered when selecting plants for use within the Community:

- Native species and evergreens.
- Relatively resistant to insects and diseases.
- Cold hardy material.
- Adaptability to existing soil conditions.
- Long life expectancy.
- Florida Friendly

4.8.2 The selection of plant material for development within the project should be given careful consideration. Attention should be given to year round appearance, maintenance requirements and cold resistance. A list of generally acceptable plants is herein provided. This list is not intended to be complete and is to be used as a guide only. Those listed may be considered to have reasonable maintenance requirements. Plant material has many variables, therefore it is necessary that all plans be reviewed and approved by the Review Parties to ensure that satisfactory plants have been selected for each location.

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4.9 Plant List

Particular attention should be paid to the individual soil conditions and soil preparation to provide adequate drainage for all planted vegetation.

4.9.1 GROUND COVERS

<u>Botanical Name</u>	<u>Common Name</u>
Ilex Cornuta Rotunda	Dwarf Holly
Juniperus spp.	Various Juniper Ground Covers
Liriope Muscari	Lily Turf
Ophiopogon japonicus	Mondo Grass
Arachis glabrata	Perennial Peanut
Trachelospermum asiaticum	Small Leaf Jasmine

4.9.2 SHRUBS (Hedge and accent)

<u>Botanical Name</u>	<u>Common Name</u>
Raphiolepis Indica	Indian Hawthorne
Cocculus Laurifolius	Snailseed
Ilex Burfordii	Burford Holly
Ilex Vomitoria	Yaupon Holly
Juniperus spp.	Various Juniper Shrubs
Mahonia Bealei	Leatherleaf Mahonia
Nandina Domestica	Heavenly Bamboo
Nerium Oleander	Oleander
Pittosporum spp.	Various Pittosporum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Crataegus sp.	Dwarf Tudeau Hawthorne
Ilex crenata 'Compacta'	Compacta Holly
Ilex cornuta "Carissa"	Carissa Holly
Ilex crenata "Helleri"	Helleri Holly
Rhododendron indicum	Azalea
Ternstroemia gymnanthera	Cleyera
Buxus macrophylla	Japanese Boxwood
Ilex x 'Oak Leaf'	Oak Leaf Holly
Gardenia jasminoides	August Beauty Gardenia

4.9.3 SHADE TREES

<u>Botanical Name</u>	<u>Common Name</u>
Quercus Virginiana	Live Oak
Quercus Laurifolia	Laurel Oak

4.10 Florida Friendly Landscaping

Nothing contained in these Guidelines shall be construed to prevent any homeowner from installing or maintaining "Florida Friendly" landscaping in accordance with Section 373.185, Florida Statutes, (2009).

Section 5 STRUCTURES

5.1 Introduction

5.1.1 The following design guidelines pertain to specific items of a structure that give the character and the overall impression of the Townhomes and which must be constant for the design continuity of all the homes within the Community.

5.1.2 Townhomes shall be erected of frame or steel construction or concrete block (CBS). All block and framing must be covered as specified in Section 5.3.

5.2 Roof and Roofing

5.2.1 Roof structures shall be constructed out of conventional frames or wood trusses.

5.2.2 Finish materials for pitched roofs must be consistent throughout the Community. Wood shakes, gravel or barrel tile roofs are not permitted. Other materials not specifically mentioned are subject to review and approval by the Review Parties. Shingles may be used as long as they are specified to be fiberglass or asphalt architectural dimensional roofing shingles and fungus resistant (FRS). Townhomes shall have no more than one (1) shingle color permitted within the Community, which shall be Dual Black or Harvard Slate. Metal accent roofs (only) shall be allowed and all such roofs shall only be silver in color.

5.2.3 Mansard roofs and Gambrel roofs, characterized by steep lower slope and flatter upper portion, shall not be permitted.

5.2.4 Roof top mechanical equipment must be so located to reduce or eliminate its visibility from street, sidewalk of adjacent properties.

5.2.5 Gutters and down spouts may be exposed only if painted properly to match the color of fascia, wall or column.

5.2.6 All exposed roof vents, valleys, flashings, eave drip, and pipes extending through the roof shall be painted the same color as the roof.

5.3 Exterior Walls

5.3.1 The following requirements apply to all exterior walls and all kinds of facade applications for all structures. All elements of all elevations shall complete a total and

continuous design.

5.3.2 All materials must be in compliance with the Florida Building Code.

5.3.3 Exterior wall finishes will be consistent in color schemes, texture, compositions and character throughout the Community. All exterior finishes will be subject to review and approval by the Review Parties. Exposed concrete block walls, walls with any other type of exposed modular concrete units, and walls with metal finishes are not permitted.

5.3.4 All exterior walls shall be constructed with lap siding, although accent stone, board and batten, hardie shake, stucco or brick shall be permitted. All exterior siding will be finished, painted, stained or otherwise protected from the elements of nature.

5.3.5 Where monolithic slab construction is proposed for foundations, a sufficient footing shall be incorporated into the slab construction so that any exterior walls requiring brick or stucco finish can be constructed with stucco or the first row of brick starting below finish grade. In other words, the brick or stucco wall section should have the same appearance as if the foundation slab was constructed with a stem wall design.

5.4 Exterior Wall Colors

5.4.1 Homebuilders may offer color schemes previously approved by the Review Parties.

5.4.2 When finish materials for the exterior of the structures require painting, the color selection shall be based on compatible colors throughout the Community. Paint colors are subject to review and approval by the Review Parties.

5.4.3 Proposed paint/color schemes and color samples shall be submitted to the Review Parties and color coordinated with the elevation for approval. Pre-selected color schemes for prototype models may receive blanket approvals.

5.4.4 The following colors are prohibited within the Community: red, bright yellow, bright green, pink, purple and similar loud colors.

5.5 Garages and Driveways

5.5.1 All townhomes shall have a minimum of one (1) car garage.

5.5.2 All driveways shall be constructed with pavers. The pavers shall Tremron "Sierra" pattern.

5.5.3 No metal or fiberglass covered carports will be permitted throughout this subdivision.

5.5.4 Driveways shall be constructed with pavers. Pavers shall be required to be

one color throughout the Community, with the color to be determined during the review of the plans for the initial homes to be constructed within the Community.

5.6 Doors

5.6.1 Screen doors shall be compatible with the design and color of the home.

5.6.2 Entrance doors shall be compatible with the house design and made of solid wood, fiberglass or metal insulated type. Glass inserts may be included.

5.6.3 Garage doors shall be compatible with entrance doors and may include glass panes.

5.7 Screened Enclosures

5.7.1 No screened enclosure shall be permitted on the front of the house. Patio screened enclosures shall be permitted, but subject to review and approval by the Review Parties.

5.8 Awnings

Awnings shall not be permitted only at the discretion of the Review Parties.

5.9 Detached Structures

Any freestanding structure contemplated for a property such as, but not limited to, a pavilion, gazebo, platform, playhouse, cabana, etc. must be submitted for approval with the required drawings and information. Storage sheds are not permitted. Approval will be granted only upon the merit of the structure and desirability for the neighborhood.

5.10 Fencing

5.10.1 The only types of fencing allowed on lots within the Community is fencing installed by the Builder.

5.10.2 No fences are allowed in front yards except the Review Parties may allow builders to fence front yards of model homes. Front yard fencing of model homes shall be aluminum and must be removed when the home is no longer used as a model home.

5.11 Recreation Structures

All recreation structures (including without limitation, basketball backboards) shall be subject to Architectural Review. No platform, doghouse, playhouse or structure of a similar kind or nature shall be constructed on any part of the lot located in front of the rear line of a residence constructed hereon and shall be constructed so as not to not adversely affect the adjacent lots or the use thereof. Any such structure must have prior approval of the Review Parties and

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without limiting any other criteria for approval, the Review Parties shall review the height of such structures to assure the privacy of neighboring homeowners.

5.12 Air Conditioners

No window or wall air conditioning units will be permitted. All air conditioner compressors shall be screened from view, insulated by a fence, wall or shrubbery so as to minimize noise.

5.13 Fireplaces and Chimneys

All proposed chimneys shall be submitted to the Review Parties for review and approval. A detail of the chimney top should be shown.

5.16 Satellite Dishes and Antennae

Satellite dishes and antennae may be permitted subject to review and approval of the Review Parties in accordance with all applicable FCC regulations. Subject to FCC regulations, satellite dishes shall be installed in the rear or side of the home out of view from the street.

5.17 Cable Television, Telephone And Alarm Systems

Each new Townhome constructed in the Community must be pre-wired in accordance with the specifications attached and made a part hereof as **Exhibit D**.

5.18 Electric Meter Box and Conduits

Electric meter boxes and conduits shall be painted to match the color of the exterior wall finish.

5.19 Mailboxes

Group or cluster mailboxes are required through the Community. No individual mailboxes shall be permitted.

5.20 Waivers

The architectural design criteria set forth herein are intended as guidelines to which adherence shall be required by each homebuilder and homeowner; provided, however, the Master Declarant shall have the express authority to waive any requirement set forth herein if, in its professional opinion, it deems such waiver is in the best interest of the community and the deviation requested is compatible with the character of the community.

5.21 For Sale Signs

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5.20.1 Prior to commencing any new construction, all Builders shall submit for approval a marketing sign plan which shall include without limitation "Now Selling", "Banners", "Model Home" and "For Sale" signs.

5.21.2 All Builders must obtain prior written permission from the Review Parties prior to displaying any prices on any signs.

5.21.3 "For Sale" or "For Rent" signs used for resales or renting existing homes shall substantially conform to the drawing attached as **Exhibit C**.

5.21.4 No "For Sale" or "For Rent" signs shall be displayed in any windows of any completed residences or other structures.

Section 6 MAINTENANCE

6.1 Maintenance During Construction

6.1.1 During construction, all debris shall be placed in a single location on the ~~construction~~ site. The debris shall be contained by some type of barrier (e.g. wire fencing) to assist in keeping the debris from being scattered.

6.1.2 After construction, no debris or trash of any kind shall remain on any lot, or on sidewalks or streets contiguous thereto, and no excess building material, storage shed or trash shall remain on such a lot, sidewalk or street. It is the duty of the homebuilder or his agent, or the homeowner, to remove or cause to be removed any and all of the above debris within seventy-two (72) hours of notification by either of the Review Parties. Failure to comply with the request will cause removal of the debris by action of the either of the Review Parties and all related costs plus an administrative fee will be charged to the homebuilder or the homeowner.

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Exhibit A**Fee Schedule for Master Declarant**

New Construction

- Complete plans – new house plan, site plan, landscape plan and exterior colors NA
- Pre-approved house plan with site plan, landscape plan and exterior colors NA
- Landscape plan and exterior colors submitted after original submittal NA
- Resubmittals NA
- Miscellaneous approvals for pools, screen enclosures, fencing, etc. on new construction NA
- New construction plan submittals must be accompanied by a check payable to _____.

Miscellaneous Approvals:

Any improvement, addition, alteration, or structure of any kind including, but not limited to, any building, fence, wall, painting, alteration of dwelling (including doors, windows, roof), installation of solar panels, swimming pool, screen enclosure, Jacuzzi, and addition of awnings and landscape improvement.

Miscellaneous submittals must be accompanied by a check payable to The Hutson Companies in the amount of \$150.

SUBMITTAL FEES ARE SUBJECT TO CHANGE

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Exhibit C

For Sale Signs



Sign stands shall be made of aluminium or rod iron and shall have dimensions of approximately 48" by 14".

For Sale signs shall have dimensions of approximately 12" by 12".

The "For Sale" lettering shall be cream or beige in color with a forest green background. All other lettering shall be forest green with a cream or beige background.

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Exhibit D**Pre-wiring Specifications**

Inside Wire between the service demarcation points and the Central Wiring Panel (CWP) inside each Home and between the CWP and each outlet for the Services must consist of at least one UL Listed CAT-5e UTP 4-pair homerun cable. Inside Wire within each Home shall be installed in a star configuration from the CWP to each outlet and the Services outlets in each Home must meet the following minimum specifications:

- (a) ~~At least four~~ (4) outlets for the Services
- (b) Services outlets must be equipped with RJ45 ports, and
- (c) Outlets must be within 3' of a standard, duplex 110V AC Non-switched, Grounded outlet

Additional Requirements for FTTP Served Properties. HSIA/AEVS will be provided via fiber to the premises ("FTTP") technology, to each Home, which will be equipped with an optical network terminal ("ONT") and will require AC power for the ONT from an uninterruptable power supply that AT&T will mount in a controlled environment (32° - 113° F) inside the Home, and within a maximum of 100' from the ONT. Owner will provide a minimum of one UL Listed 16 gauge stranded copper 1-pair cable, between the ONT and a standard duplex 110V AC non-switched, grounded outlet in a controlled environment (32° - 113° F) and no farther than 100' from the ONT.

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