

Monterey Cove

ARCHITECTURAL DESIGN GUIDELINES Rules and Regulations

This set of guidelines was created in order to merge all pertinent information regarding architectural additions, changes, or alterations. As allowed in the Declaration of Covenants, Conditions and Restrictions of Monterey Cove (CC&Rs) and all amendments to date, this document will provide you with all of the latest information relevant to improvements. It should serve as a quick and easy reference.

The Architectural Review Committee (ARC) mainly concerns itself with *Article II, Architectural and Aesthetic Requirements*, and *Article III, General Restrictions – Use and Requirements*. The committee will, however, refer to all articles in the CC&Rs as required.

ARC

In accordance with Article II of the CC&Rs, an Architectural Review Committee shall exist and shall perform the duties set forth in the CC&Rs. In addition, the Board of Directors shall adopt guidelines and procedures for the preparation, submission, and determination of application for any approvals required for the construction of any structures, landscaping, or other improvements within the community.

Architectural Theme

1. All improvements erected within Monterey Cove must be approved by the ARC in addition to any submittal to the city prior to the commencement of construction.
2. Architectural styles may vary from neighborhood to neighborhood. However, these styles should be cohesive throughout Monterey Cove. Improvements are encouraged by the ARC, however, any change that would affect the community styles must be approved by the committee.
3. When a building design or landscape alteration has been approved (and necessary building permits obtained from the city where required) the applicant will proceed in a timely manner with the commencement and completion of the work. All construction and landscaping approved by the Committee shall be completed within nine (9) months from the date of *written approval*. The Committee may grant a greater period of time to complete said construction or improvement if petitioned.

Orientation

All applications and plans are reviewed for the limited purpose of determining aesthetic compatibility with the community in general in the subjective opinion of the approving authority, and whether the plan is in compliance with the CC&Rs.

Plans are approved or disapproved on a limited basis. No review has to be made with respect to functionality, safety, compliance with government regulations, or otherwise, and no reliance on approval should be made by any party with respect to such matters. The approving authority disclaims liability of any kind with respect to submittal plans, the review of, or any structure built, including but not limited to, liability for negligence or breach of express or implied warrant.

Application Procedures and Requirements

1. All exterior improvements require an application. Applications can be obtained from the management company or on the community website. There is no application fee.
2. The completed and signed application should be accompanied by **two** sets of plans and any related blueprints, site plans, or estimates for work, etc.
3. Multiple projects may be included on the same application.
4. Applications should be sent or delivered to the management company.
5. The ARC will make every effort to meet and discuss applications within 15 days. The Committee will have 30 days from the date received to vote to approve or deny an application.
6. All ARC meetings are posted and open to all homeowners. Applicants are invited to attend the meeting, but do not have to. Once written approval is received, homeowners may begin their projects, and have 9 months to complete the work.

LANDSCAPING

1. General Guidelines – all new landscaping in the front or rear of a property requires approval from the ARC. All landscaping must be maintained in a neat and attractive condition. Any change to the existing footprint, adding a new area of landscaping, or changing the overall look of the landscape, requires an application. Replacing shrubs or plants with like or similar plants does not require an application.
 - a. Trees – Every property must maintain a minimum of three (3) trees. At least one oak tree and one 12' or larger palm tree shall be maintained on each lot, and one of these will be located in the front yard. Front yards must contain at least 2 trees. Queen palms are not allowed on the lakefront. In-ground planted fruit trees are prohibited. An ARC application is required when removing and/or replacing any trees. Following the removal of a tree, the homeowner has 90 days in which to remove or properly cover the stump. No trees or shrubs may overhang or encroach upon any sidewalk and/or driveway from ground level to a height of eight (8) feet without ARC approval.
 - b. Boarders – Landscape edging and curbing must not exceed six (6) inches above ground level. Application required.

- c. Shrubs and Flowers – Shrubs must be maintained/replaced as needed by the homeowner. Seasonal plantings and flowers used to beautify existing beds and less than 3 gallons in size, **do not** need ARC approval.
 - d. Mulch – Mulch is provided annually by the Homeowners' Association, the cost of which is covered as part of the lawn maintenance fees. If any other type of mulch material, decorative rocks, etc., is desired, an ARC application must be submitted. All bare earth must be covered by an approved material to provide a neat and dust-free appearance.
 - e. Landscape design – Rocks and boulders, patios, sidewalks, etc., may be used to supplement and create imaginative landscaping design. Homeowners must have ARC approval before installation of any hardscape material.
 - f. Lakefront lots – Queen palms are prohibited for backyards on lakefront lots due to environmental concerns. Other palms such as foxtails, robellinis or Christmas palms are approved. Primary shrubs must be 3 gallon with accent shrubs/bushes of one gallon.
2. Decorative Items and Holiday Decorations – Trellises, birdbaths, feeders and houses, statues, pillars, shepherd hooks, and flower pots, under 48", are approved within existing flower beds, without application. Holiday decorations require no application. Holiday decorations may be placed in the yard no sooner than 30 days prior to the holiday, and no longer than 30 days past the holiday.
 3. Grading and Mounding - All grading and mounding, as part of a landscaping plan, should appear natural and not change the drainage pattern on any lot. Any changes to grading and/or mounding require an application.
 4. Lighting – Solar and landscape lighting are permitted in flowerbeds closest to the house without application. Lighting along side driveways is prohibited (due to landscaper's need for mowing.) Replacement carriage lights must be white and be of a style approved by the ARC. (Check website for approved lights.) Application required.

PAINTING

The current paint scheme is the approved paint scheme for repainting. The management company and the ARC maintain a file of approved paint colors. Please use this as a resource to verify that you are selecting an approved color. Approved colors may be purchased from any company.

1. Main – To change the main exterior color, an application is required and **paint chips must be submitted** with the application.
2. Trim – The only approved trim color is white. The approved shade is white #C1-L2.
3. Front Door – An application, along with paint chips, is required to change the color of the front door.
4. Garage – The garage door must be painted the same color as the main exterior of the house. (Garage doors that are presently white must be changed to the exterior house color when the house is repainted.)

OTHER EXTERIOR CHANGES

1. Awnings – Awnings are prohibited.
2. Driveway Extensions – Driveway extensions are prohibited.
3. Flags – An American flag no larger than 4 1/2' x 6' may be displayed on a staff mounted on the house or on a flag pole as described in Florida Statute 720-304 without an ARC application. Any other installations require an application and ARC approval. Seasonal and decorative flags, mounted below the roof line do not require an application, but must be removed within 30 days of the holiday. Flags must be maintained in good condition.
4. Fences – Application required. Fences must match the approved style within Bayside Lakes, white PVC, semi-private picket with 7/8" gaps, and must not be more than 4 feet high. Fences must include access for lawn care equipment. Fences are not allowed on lakefront lots.
5. Garage Doors – Replacement garage doors must match existing style and must be painted the same color as the body of the house. Application required.
6. Gutters and Downspouts – White aluminum gutters and downspouts are encouraged and are approved for use in Monterey Cove. No application required. All gutters must be maintained in good condition and damaged gutters or downspouts need to be replaced or removed promptly.
7. Mailboxes – **Mailboxes must be kept in good condition** and re-painted when necessary. Repair and repainting do not require an application. Broken or damaged mailboxes must be replaced within 30 days. A temporary mailbox may be installed for no longer than 30 days. **Replacement mailboxes must be models approved by the ARC** and application is required.
8. Pools and Spas – Pools require an application. Please refer to the CC&Rs, Article II, Section 11 for information on requirements and setbacks. Refer to "Screen Rooms" section of these guidelines. Spas, whirlpools, and Jacuzzi tubs placed on existing patios do not require an application.
9. Portable Storage Containers / Dumpsters – No application required. Portable storage containers or dumpsters are permitted in driveways for a maximum of 14 days. If additional time is required, a request must be made to the HOA Board of Directors.
10. Roof – Type, color and style must be consistent within the community. Shingles must be architectural grade, 30 year fungus-resistant. Refer to Article II, Section 6. Application required.
11. Satellite Dishes – No application required. Dishes must be less than three (3) feet in diameter.
12. Screening and Screen Enclosures – Application required. Screen rooms must be constructed of **white** aluminum with Mansard style roof structure and charcoal screening. Patio extensions require an application, as well as kick plates and windows. Front entrance enclosures must be white aluminum with charcoal screening. Privacy screening is not allowed. All front screened doors will be plain or contain a design that, in the opinion of the ARC, conforms with the style of the neighborhood. Half moon designs with sunburst panels are approved for the area above the door.
13. Signs – All signs placed on a lot must have prior ARC approval, with the exception of the following:

- a. Real estate signs, no taller than 5 feet above the ground
- b. Security signs, standard size
- c. Political signs, placed in existing flower beds, no larger than 24" x 24", no taller than 3 feet, placed no earlier than 30 days prior to the election, and removed promptly thereafter.
- d. Contractor signs, which must be removed upon completion of the work.

All signs must be maintained in good condition.

- 14. Solar Panels – No application required. Solar panels are approved for pool heating and energy conservation.
- 15. Walkways / Patios – Application required. Where possible, pavers used should be the same or similar style, color and size as the existing driveway.

NOTES:

These guidelines go into effect on the date they are accepted by the Board of Directors of the Monterey Cove HOA. Any improvements, installations, plantings, etc. that were accepted prior to the adoption of this document are understood to be grandfathered in and will be deemed approved and accepted.

As stated in Article II Section 2e of the CC&Rs, a penalty of \$50 per occurrence shall be imposed for any homeowner who does not obtain the proper ARC approval prior to commencing work.

APPROVAL AND APPEAL PROCESS:

- 1. Homeowner completes the application and submits it along with any supporting documentation to the management company.
- 2. If the application and all documentation are complete, the management company scans the files and emails them to the ARC, and copies the BOD.
- 3. ARC members review the application and documentation and visit the proposed worksite if necessary. The Committee meets to discuss, or votes via email if a meeting is not deemed necessary. Although the Committee has 30 days to approve or deny an application, every effort will be made to complete this process within 15 days. The ARC will inform the homeowner that the approval process is still ongoing if the decision is delayed beyond 15 days.
- 4. If the application is approved, the ARC will email the property manager and cc the BOD. The property manager will notify the homeowner in writing.
- 5. If the application is not approved, the ARC will notify the BOD, supplying an explanation of the decision. The BOD will review the decision, and make a site visit if necessary.
- 6. The BOD and ARC will meet jointly with the homeowner to discuss; new information may be provided.

7. The Board may uphold the denial, or ask the ARC to reconsider and revote. The Board has the power to reverse the decision of the ARC if there is a disagreement. The BOD will inform the homeowner of the final decision.
8. If the homeowner is not satisfied with the decision, he/she may enter into arbitration with the BOD.