



Vizcaya at Hodges Homeowners' Association, Inc.

Design Review Manual

Prepared By

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1 DEFINITIONS

The words used in these Rules and Regulations shall be given their normal, commonly understood definitions unless specifically defined in the Governing Documents or within these Rules and Regulations.

- A.** Developer - shall mean and refer to PULTE HOME CORPORATION, a Michigan corporation, its successors and such of its assigns as to which the rights of Developer hereunder are specifically assigned.
- B.** Management – a member of Management includes, but is not limited to the Community Association Manager and other employees of the Management Company.
- C.** Member (Member Resident)– a person or entity who is a record Owner of a fee interest in any Vizcaya Lot or Unit, including the Developer
- D.** Resident – a Qualified Occupant who stays overnight in a Lot or Unit for at least ninety (90) days in a consecutive twelve (12) month period. The term Resident includes both Members and Non-Member Residents.
- E.** ARB – shall mean the Architectural Review Board
- F.** ARC – shall mean the Architectural Review Committee – (subject to ARB)
- G.** BOD – shall mean the governing Board of Directors, also known as ARB, of Vizcaya

2 INTRODUCTION

Vizcaya is a community designed to respect the visual character of its site and to minimize environmental impacts. To enhance the community and sustain these principles, the Board has adopted this Design Review Manual to preserve standards for growth and development.

The Design Review Manual provides an overall framework to allow the community to develop and progress in an orderly and cohesive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. The Design Review Manual may include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, and mode of landscaping and relevant criteria for the construction and modifications of improvements of any nature. It also establishes a process for judicious review of proposed new modifications within the community.

The Design Review Manual was originally prepared by Pulte Home Corporation, as the Declarant (hereinafter called the "Developer"). Pursuant to the Amended and Restated Declaration for Vizcaya ("Declaration") recorded in Duval County, Florida. It may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and in this Design Review Manual.

The Developer established the Vizcaya at Hodges Homeowners' Association, Inc. (hereinafter called the "Association") and established the Architectural Review Board, which is authorized to oversee administration of this Design Review Manual.

3 AUTHORITY

The Architectural Review Board and Committee has been established to create, establish, develop, foster, maintain, preserve and protect within Vizcaya a unique, pleasant, attractive and harmonious physical environment

Please be reminded that this Design Review Manual serves only as a supplement to the Homeowners' Association Governing Documents. The attached information should not be considered an all-inclusive list of the operating guidelines and responsibilities of every Resident. We appreciate your support in our endeavor to provide a desirable environment for all of our Residents to enjoy the numerous benefits of living in Vizcaya.

This Design Review Manual is not a substitute for reading all of the governing documents. For a more detailed explanation of the governing documents, reference should be made to the Governing Documents that include the community Declaration, the Articles of Incorporation of the Homeowners' Association and the By-Laws of the Vizcaya at Hodges Homeowners' Association, Inc.

4 GOVERNMENTAL BODY OR ORGANIZATION REQUIREMENTS

Approval by the Architectural Review Board shall not relieve the Property Owner or Resident of the requirement, if any, to secure necessary permits, authorizations, inspections, etc., required by any governmental body or organization before beginning work on a project. Owners are advised that Duval County, as applicable, may require certain permits depending on the proposed change, alteration, or addition. It is the Owner's responsibility to comply with permit requirements.

Further, by approving an Application, neither the Architectural Review Board/ Committee, nor the Association, is guaranteeing or taking a position with regard to the appropriateness, completeness, sufficiency, format, or any other standard regarding the acceptability of any filing made with a governmental body or organization.

If that agency requires modification to such plans, such modifications must also be approved by the Architectural Review Board for the Owner to remain in compliance with this Design Review Manual.

Owner shall provide the Architectural Review Committee copies of any such required permits, if so requested. Before planning any modifications to your home or landscaping requiring approvals under this Design Review Manual, we encourage you to consult with the appropriate governmental agency to determine the applicable governmental requirements.

5 HIERARCHY

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in this Design Review Manual or the Declaration, the government ordinance, building code or regulation shall prevail.

To the extent that the government ordinance, building code or regulation is less restrictive than this Design Review Manual or the Governing Documents, then the Design Review Manual and Governing Documents shall prevail.

6 ARCHITECTURAL REVIEW BOARD SUBMISSIONS

6.1 Architectural Review Board Submission

Architectural review applications shall be mailed or delivered to the Architectural Review Board at the below location:

Vizcaya at Hodges Homeowners' Association, Inc.

First Coast Association Management, LLC

11555 Central Parkway, Suite 801

Jacksonville, FL 32224

6.2 Required Approvals

As described in the Declaration and/or the Design Review Manual, a Resident is required to submit an application to the Architectural Review Board via the Architectural Review Committee and receive written Architectural Review Board approval of plans as described herein prior to commencement of work for any project, including, but not limited to:

- A.** Making external changes
- B.** Placement of any object, including furniture, ornament, monument, statue or similar accessory upon a lot that is visible from the street or by neighbors, including lighting, flags or lawn ornaments unless otherwise described in this document.
- C.** Other items as listed in the Declaration

The Design Review Manual shall not require modifications to or removal of improvements and other things previously approved once the modification has begun. However, any new work or improvements must comply with the Design Review Manual as amended.

It is the responsibility of each Resident to comply with all requirements and standards of this Design Review Manual in addition to the Declaration, Supplemental Declarations and amendments to the Design Review Manual.

6.3 Residents

Each Resident is required to submit plans to and receive written approval from the Architectural Review Board prior to performing any changes whatsoever to the exterior of their home or lot site. It shall be the responsibility of each Resident to comply with all standards and requirements of this Design Review Manual, as well as all requirements of the Declaration.

6.4 Request for Changes and Alterations

All applications submitted for alterations or modifications regarding the exterior of any existing house, whether it is landscape related or structure related must be accompanied by a copy of the Contractor's License and Liability Insurance. If the Resident is performing the alteration or modification themselves, no such contractor's documentation is required.

The Resident shall submit a completed Architectural Review Board Application and plans for the proposed improvements as stated in this Design Review Manual, along with any necessary permits required by law.

6.5 Installation without Prior Approvals

Each application must be submitted to the Architectural Review Board via the Architectural Review Committee for approval prior to commencing work. Modification work started prior to the Resident having the Architectural Review Board's written approval is considered a violation of the Association's Governing Documents and is not means for automatic approval. Residents will be required to remove the modification if it is not within this Design Review Manual. The Board on a case-by-case basis will establish a time limit for correction.

7 ARCHITECTURAL REVIEW PROCESS

7.1 Architectural Review Committee Review

The Architectural Review Committee shall review such submittals without a hearing and based solely on the information contained within each submittal and submit their recommendations to the Architectural Review Board.

7.2 Architectural Review Board Response

The Architectural Review Board shall respond within thirty (30) days of receiving a completed application. If ARB does not respond to an ARC request within 30 days, it is deemed a disapproval per the CC&Rs. Upon completion of review by the Architectural Review Board, a copy of the application shall be returned to the Resident indicating the Architectural Review Board's decision and shall be rendered in one of the following three forms:

- "Approved" – The entire document submitted is approved in total
- "Approved with the Conditions Noted Below" – The document submitted is partially approved. A Resident may proceed with the work to be performed and is responsible for compliance with any and all notations on the submittal.
- "Not Approved" – The entire document submitted is not approved and no work may commence.

7.3 Architectural Review Board/Committee Inspection

The Architectural Review Committee shall inspect approved modifications within thirty (30) days of notification by the Resident of completion to ensure the work is in compliance as it was

approved by the Architectural Review Board. The Architectural Review Board may require a Resident to modify a completed modification to ensure it complies with the modification approval.

7.4 Approval Time

All approved modifications shall commence within one (1) year of approval. If modifications have not commenced within the one (1) year time frame, then the modifications approval shall expire and Resident will have to reapply under the then current Design Review Manual.

8 ARCHITECTURAL REVIEW BOARD APPEALS

8.1 Architectural Review Board Appeal for Architectural Review Board Review

A Resident may submit an appeal in writing to the Architectural Review Board within thirty (30) days of the Architectural Review Board's initial decision for an Architectural Review Board hearing.

8.2 Board Appeal for Architectural Review Board Denial

If, at an Architectural Review Board Hearing, the requested modification is again "Not Approved" by the Architectural Review Board, then a Resident may submit an appeal in writing to the Vizcaya at Hodges Homeowners' Association Board of Directors within thirty (30) days of the Architectural Review Board's decision. The decision of the Board of Directors shall be final on all matters submitted to it.

9 MODIFICATIONS TO THE STRUCTURE

9.1 Homes

The architectural design of any and all alterations, repainting and renovations to the exterior of any home shall strictly conform to the design of the original home in style, detailing, materials, and color. There will be no structural additions permitted.

9.2 Front Enclosure

No screen, garage door screens, vinyl window, acrylic or glass-enclosed room, or garage may be added to the front of any Residence. In addition, enclosing the front porch or entry area of any

home is not permitted. Front porch cement may be tiled or painted (no carpet) up to, but not including, the brick pavers. All changes must be approved by the ARB.

9.3 Front Doors

Entrance doors that are modified with glass inserts or replaced must be approved by the ARB. Residents may have a full or three quarter (3/4) glass entrance. Half glass entrances are not allowed. The ARB must approve the design of the glass.

9.4 Rear Step Outs

Residents may install a solid-surface area outside of the screened lanai located on the back of the house. The step out must be:

- no larger than 48" deep by 72" wide the long edge must be parallel to the existing slab and adjoining the existing slab
- existing landscaping cannot be removed or altered to accommodate the rear step out
- made of the same brick paver material as driveway, and
- level with the existing lanai slab at the adjoining edge, and
- graded away from the existing foundation

If the same brick paver material as what is used on the driveway isn't available, then the Architectural Review Board will approve a similar material.

The location and rearrangement of all existing services and utilities must be coordinated with the Property Association Manager and will be at the Owner's expense.

10. Modifications to the Exterior of the Home

10.1 Air-Conditioning Units

No Resident shall construct, erect, or place on their Lot any window air conditioning unit.

10.2 Ancillary Equipment

Roof-mounted equipment will not be allowed except as mandated by Florida Statutes or otherwise approved by the Architectural Review Board.

10.3 Barbecues

Barbecue equipment must be stored within the enclosed lanai, or garage.

Barbecue equipment may be placed in the lawn while in use. However, it shall be returned to its storage location as soon as safely possible after its intended use. Barbecue equipment may not remain in the lawn overnight.

10.4 Door Ornaments

One wreath, or similar sized object, per front entry door is allowed, excluding holiday ornamentation. (See section "C" Holiday Decorations)

10.5 Flags and Flagpoles

- A.** Each Resident may display one portable, removable United States flag or official flag of the State of Florida. In addition, a flag that represents the United States Army, Navy, Air Force, Marine Corps or Coast Guard may be displayed on Armed Forces Day, Memorial Day, Flag Day, Independence Day, September 11th and Veterans Day. Flags may not be larger than 4½ feet by 6 feet, must be maintained in good condition and displayed in a respectful way. It is expected that the Residents follow the United States Flag Code when displaying the United States flag.
- B.** Flagpole (attached to the home) - This flagpole may be made either of aluminum or wood. No flag may extend so that the end protrudes more than six feet (6') from the exterior wall of the home to which it is attached. Flagpoles cannot be mounted to trees.
- C.** Flags may also be suspended banner style from the front of homes on the prior mentioned days. When the United States flag is displayed banner style, the blue field must be in the top left corner when viewed from the street.

10.6 Garage Doors

Garage doors must be closed, except when in use.

10.7 Generators

Generators may be utilized (not installed) during power outages inside the garage with proper code ventilation. Generators may not be installed outside of the house.

10.8 Hoses

Garden hoses may be stored outside the Home if they are enclosed within either a hose reel box or a decorative pot designed specifically for hose storage. The storage container must be maintained in good condition and may only be located in the front of the house located in a planting bed. The hose reel box/hose storage container must be shielded from view by the existing landscaping (additional landscaping may not be installed).

Under no condition may the hose, hose reel box, or storage container be visible from any street, unless the hose is in use. The hose and hose reel box/hose storage container must be returned to its storage location immediately after its intended use.

10.9 Lighting

- A.** No lighting shall be permitted that constitutes a nuisance or hazard to any Resident or surrounding properties.
- B.** Yellow "bug" lights may be installed in Home-mounted outdoor light fixtures in the lanai only. Yellow "bug" lights are not permitted in the front of the home.
- C.** The style and color of the housing of any future replacement light fixture(s) must be the same as the originally installed light fixture(s).
- D.** Solar or Battery landscape lighting must be confined along the front walkway leading to homeowner's front door. Lighting cannot extend into front plant beds, cannot run along the driveway, and cannot extend past the end of homeowner's building. Lights must be inserted in the mulch only and should consist of no more than 6 equally spaced lights bordering the walkway.

All lighting must be reviewed and approved by the Architectural Review Board.

10.10 Mailboxes

Mailboxes are provided for each unit. No other mailbox, paper box, or other receptacle shall be constructed or erected on any parcel.

10.11 Satellite Dishes, Antennas

No antenna, aerial, or other device for the transmission or reception of television, radio (including amateur or ham radios), or internet signals of any kind will be allowed outside a home, except one

antenna or one satellite dish whose installation and use is protected under federal law or regulations.

- A.** Satellite dish may be no more than 39" in diameter and must be approved by the ARC.
- B.** The location of the satellite dish should be noted on the application. Satellite dishes may not be installed along the front or side of any building.
- C.** The antenna or other device must comply with the maximum extent feasible with this Design Review Manual within the confines of applicable federal regulations, i.e., without precluding reception of a quality signal or unreasonably increasing the cost of the antenna or device.
- D.** Any transmission cable from a receiver to the house must be underground.
- E.** FCC rules are constantly changing. The Architectural Review Committee will review the then current FCC rulings at time of application.

10.12 Signs

Except for signs required by law, signs of any kind (including posters, circulars, billboards or other commercial signage) are not permitted in the community.

A Resident shall be permitted to post signs from an alarm company providing services for the Home. One single-sided alarm sign may be placed in the front yard where it is visible to persons approaching the Home, within ten feet (10') of the entrance to the Home, and not closer than ten feet (10') from right of way. A sign or decal may also be placed in the windows of the Home.

10.13 Storage of Tools, Supplies and Equipment

The storage of tools, supplies and equipment on the enclosed Lanai or outside of the house is specifically prohibited.

10.14 Water Softeners / Purifier Systems

Water softeners and purifying systems must be installed inside the home or garage. All water softeners must be purged or drained inside the home.

10.15 Window Tinting

Clear UV coating, grey or black may be applied to windows without application for Architectural Review Board approval. Mirror "effect" tinting is not permitted.

11 MODIFICATIONS TO THE LANDSCAPE – LIVING THINGS AND MULCH MATERIALS

11.1 Community Improvements

As part of the planning and development of Vizcaya, the ARC/ARB may prepare a development plan and provided certain architectural designs, color palettes, landscaping design packages, parks, open space, streets, model home packages, and amenities, to be approved by the Board of Directors. Market conditions, styles, marketing strategies, or other factors may cause the BOD to change the types of models, size of home, location of future streets, color palette of homes, landscaping styles or plant materials, construction methods or materials or the landscaping on the common areas..

11.2 Resident Improvements

Alterations of the landscaping originally installed on the property are not permitted without the prior written consent of the Architectural Review Board. The Architectural Review Committee/Board shall take into account the purpose and intent for the community in its decision-making, and may deny requests in its sole and absolute discretion.

12 MODIFICATIONS TO THE LANDSCAPE – NOT LIVING THINGS

12.1 Flowers - Artificial

Florida is known for its wide variety of beautiful flowering plants. Therefore, artificial flowers are prohibited as part of the landscaping.

12.2 Furniture

One or two-person seating (i.e. an aluminum bench) and a side table less than or equal to 24" in diameter is permitted on the front porch; foldable or stackable plastic furniture is not permitted.

No other furniture is permitted in the front or rear of the property unless it is in use, and said furniture must be returned to its storage location when not in use.

Furniture cannot interfere with landscaping or landscaping company mowing, trimming, etc.

12.3 Holiday Decorations

Holiday decorations are considered landscaping ornamentation primarily used to celebrate holiday decoration periods. Holiday decorations may not be affixed to the house utilizing invasive hardware (i.e. nails, screws).

For the purpose of this Design Review Manual, the Christmas or Hanukkah holiday decoration period is from Thanksgiving through January 15. This document serves as proper notification that the Association may suspend Resident's privileges and may levy fines up to \$100 per day when Christmas or Hanukkah decorations are displayed prior to Thanksgiving or after January 15.

Reasonable holiday decorations may be displayed, without prior Architectural Review Committee/Board approval, for recognized national and religious holidays two (2) weeks prior to the holiday to which the decorations are related until one (1) week after said holiday.

The decorations must be in good condition and good taste, and may be displayed only during Holiday decoration periods. Residents are expected to be diligent in ensuring that displays, including outdoor lighting, do not spill over to neighboring properties. The display of holiday decorations is subject to the right of the Association to require removal of such decorations that it deems to (A) be excessive in number, size or brightness relative to the surrounding properties; (B) draw excessive attention or traffic; (C) unreasonably interfere with the use and enjoyment of neighboring properties; (D) cause a dangerous condition to exist; or (E) lacking in good taste or in contradiction to these guidelines. Due to time restraints, the standard Notification process does not apply to the holiday decoration period.

12.4 Potted Plants / Replacement Plants

Potted plants may be considered part of the landscape and are containers only for live flowers and plants and must be placed only in approved areas. A total of up to five (5) planting pots may be used as decoration at the front entrance not on driveway or rear of the home and must be placed on concrete, and/or on a step out, in the back of the home.

The pots must be of color and design compatible with the architectural theme of the Home and are containers for live flowers or live plants. Planting pots used in planting beds must be buried to

give the appearance of live plants being planted in the ground. Any structure resembling a fountain or a functional fountain may not be used as a planting pot.

A plant pot may not be higher than forty-two inches (42") and no greater than twenty-four inches (24") in diameter.

A resident may not replace certain plant material if it is dying or will not flourish in a healthy manner, however the Association may replace it with another variety. The homeowner may, through the property manager, place a request to the landscape maintenance company for replacement.

13 CONCLUSION

13.1 Non-liability for Approval of Plans

Please refer to Article IX, Section 10 of the Declaration for Vizcaya.

13.2 Enforcement of Instruments

In the event of a violation of this Design Review Manual, the Board of Directors may take any action set forth in the By-Laws or the Declaration. The Board of Directors may remove or remedy the violation and/or seek injunctive relief requiring the removal or remedying of the violation. In addition, the Board of Directors shall be entitled to recover the costs incurred in enforcing compliance and/or impose a fine against the lot upon which such violation exists.

13.3 Changes and Amendments to this Design Review Manual

The Board of Directors/ARB may make amendments and changes to this Design Review Manual at any time. Any changes or amendments shall apply to construction and modifications commenced after the date of such amendment only and shall not require modification or removal of structures previously approved etc., once the approved construction or modification has commenced.