

MARKUP #1 ->

20 feet high and located only in landscape beds if the landscape is maintained by the association, are not permitted to be erected in an easement, and follow any restrictions for display as outlined in the Declaration of your association.

Extended Driveways: Driveways may be extended on front load, 2-car garages to the outer edge of the existing garage’s street facing wall on either one or both sides. The extension must run lengthwise from the existing drive to the street curb and must be of same surface material as the existing drive. Driveways changing to a Paver surface must use the Paver color and type of the Design Package designated of your home which is the current Community Standard. See **EXHIBIT A** for Diagrams and 2-car side load garages. Single car driveways or combined driveways on 3 car garages may not be expanded.

Fences: Fences are restricted and must comply with the Fence Guidelines in **EXIBIT B**.

Generators: Generators should be located in a position of the least audible and visual impact to existing neighboring residence. Dense landscape of comparable type and size of existing community landscape to provide screening from street and neighboring view is required. A four (4) foot PVC Fence (of specified type and color for the community) is required with the landscape screening if the installation and code requirements do not prohibit/limit distance needed for safe operation of equipment, and may only be the width needed to safely operate the equipment. Enclosures may not be enlarged to miscellaneous items. Any propane tanks must be installed underground meeting all code requirements.

Gutters: Gutters must be same color of the existing soffit. All gutter downspouts and super gutters must disburse water in the direction indicated on the site drainage plan of the Final Survey at time the Certificate of Occupancy was issued. Any underground disbursement or underground system must convey the water in the direction(s) of the site drainage plan.

ISSUE #1

Hurricane Shutters: All hurricane shutters must be approved by the ARC prior to installation

Landscape:

Mulch: The Community Standard for mulch in landscape beds Shredded Cocoa Brown Mulch Mulch beds may not be replaced with rock, shell or pebbles, except, to minimize mulch wash out from rain abutting entry walks or driveways. A 4 (four) inch wide strip of River Rock stone may replace mulch in beds that abut driveways or entry-walk pavers and must have ARC approval.

Landscape Bed Curbing—No stone, plastic or wood curbing is permitted on landscape beds in the front or sides of the home that are visible from the street.

Trees: Designated Shade and Street tree(s) are a requirement mandated as part of the development of the community during the permitting process. Shade trees may only be replaced with a like shade tree species of a size minimum of 25 gallons. Prior to removal of a shade tree that presents a danger to persons or property, documentation from an Arborist, that is certified by the International Society of Arboriculture or by a Florida licensed landscape architect confirming the necessity of removal.

Landscape Lighting: Lighting is limited to Low Voltage spot lights and area lighting. No ARC is required if

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MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. N/A (p. 2): Clause purports to prohibit or arbitrarily deny hurricane protection systems.

Statutory / Legal Reference: Fla. Stat. § 720.3035(6) (HB 293 / HB 1203)

Statutory Comparison: Under Fla. Stat. § 720.3035(6) (HB 293 / HB 1203), association boards are legally required to adopt hurricane protection specifications and cannot prohibit owners from installing hurricane shutters, impact glass, or code-compliant storm mitigation hardware.

CURRENT WORDING IN DOCUMENT:

Hurricane Shutters: All hurricane shutters must be approved by the ARC prior to installation
Landscape: Mulch: The Community Standard for mulch in landscape beds Shredded Cocoa Brown Mulch Mulch beds may not be replaced with rock, shell or pebbles, except, to minimize mulch wash out from rain abutting entry walks or driveways.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Owners may install hurricane shutters, impact glass, or other hurricane protection products complying with the Florida Building Code and the Association's adopted specifications, pursuant to Fla. Stat. § 720.3035(6) (HB 293 / HB 1203).