



**Ocean Village Villas
Homeowners Association**

**ARCHITECTURAL REVIEW COMMITTEE
STANDARDS AND GUIDELINES
For Ocean Village Villas**

HANDBOOK FOR HOMEOWNERS

APPROVED BY THE BOARD OF DIRECTORS AT THE JUNE 27, 2020 BOARD MEETING

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Ocean Village Villas Architectural Review Guidelines

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PREFACE

Welcome! Please know that you have bought a house in a deed-restricted community (Community). It is important for you to understand what that means. Please read the attached document. The information in it will serve you well and needs to be acknowledged by each homeowner (Owner) as a binding document.

Article V, Section 1 of the Amended and Restated Declaration of Covenants gives the Board of Directors the authority to adopt written architectural guidelines called The Architectural Review Committee (ARC) Guidelines. The ARC Guidelines are for, but not limited to, Owners who wish to make improvements to their property. The ARC Guidelines provide general rules on lawn and garden maintenance as well.

The present Board of Directors intends to follow the rules of enforcement, which are outlined in a separate document. It would be poor judgment to rely upon any prior unenforced infraction or violation as a basis to justify a future violation or infraction. Likewise, you cannot rely upon any past inaction of the Board as a justification to violate the governing documents in the future.

To protect all the Owners and residents, the Board fully intends to enforce all of the governing documents now and in the future and to compel compliance as outlined in Section 720.305, Florida Statutes (2019), the revised Amended and Restated Declaration of Covenants, and the guidance of the legal opinions provided by the Association's attorneys.

It is the responsibility of each Owner to work with the ARC and the Association's Board of Directors for the benefit of the entire Community by complying with the Association's governing documents.

EXHIBIT "A"

Architectural Review Committee (ARC) Guidelines of Ocean Village Villas Homeowners Association - ARC Zone Guidelines Key

Zones are per lot survey and not necessarily based on the Dwelling Unit position:

Zone 1: Front area of the Lot is defined as the front of the Dwelling Unit from the property lines on both sides to the inside edge of the sidewalk.

Zone 2: Side yard of the Lot is defined as the area between the side edge of the Dwelling Unit to the property line and then rearward to the rear edge of the building.

Zone 3: Rear yard of the Lot is defined as the area behind the Dwelling Unit from the edge of the unit to the rear property line.

PURPOSE OF THE HANDBOOK

The purpose of this Handbook is to familiarize homeowners in Ocean Village Villas with the objectives, scope and application of design standards and guidelines, which will be used to maintain the aesthetic appearance, uniformity and environmental quality of the Community.

This Handbook provides specific design standards and guidelines that have been adopted by the Board of Directors of the Homeowners Association (HOA). It also explains the application and review process that must be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or lots that are subject to approval by the HOA. Homeowners are reminded that approval by the Architectural Review Committee for a proposed change does not remove the need for the appropriate building permits or other documentation. This Handbook will also serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by the HOA's Architectural Review Committee (ARC). All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The governing legal documents of the Homeowners Association include the Amended and Restated Declaration of Covenants and Restrictions. They impose use restrictions and specify the process for obtaining approval for changes, improvements or alterations to an Owner's Lot. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of ***whether or not these Owners are familiar with such covenants***. The primary purpose of this document is to establish design guidelines for the entire Community. The promulgation and enforcement of design guidelines is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the Community.
- Promote harmonious architectural and environmental design qualities and features.
- Promote and enhance the visual and aesthetic appearance of the Community.
- Maintain a clean, neat, orderly appearance.

The enforcement of design standards not only enhances the physical appearance of a community but also assists in protecting and preserving property values. Homeowners, who reside in Association communities that enforce design covenants are protected from actions of neighbors that can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in Association communities consistently reveal that this was an important consideration in their decision to purchase a home.

Mission and Values of Ocean Village Villas

As a Board of Directors, building a strong community is our top priority. To that end, we have adopted the following mission and values statement.

Mission/Values:

- Foster a sense of community.
- Preserve home equity value.
- Maintain a safe environment.
- Proactively and reasonably enforce the Covenants.
- Instill pride in our Community.

ALL EXTERIOR IMPROVEMENTS REQUIRE ARC APPROVAL. IF, HOWEVER, THERE IS ANY DOUBT AS TO WHETHER OR NOT A PROPOSED EXTERIOR IMPROVEMENT, OR MODIFICATION, OR ALTERATION, OR INSTALLATION IS EXEMPT FROM ARC DESIGN REVIEW AND APPROVAL, HOMEOWNERS SHOULD SUBMIT A WRITTEN REQUEST TO THE HOMEOWNERS ASSOCIATION BEFORE PROCEEDING WITH THE IMPROVEMENT, MODIFICATION, ALTERATION, OR INSTALLATION.

APPLICATION AND REVIEW PROCEDURES

Application and review procedures that will be used by the Architectural Review Committee are detailed below.

1. Applications. All applications for proposed improvements must be submitted in writing using the application form authorized by the Architectural Review Committee. A copy of this form is included as Exhibit B to this Handbook. Applications must be completed in their entirety in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies that must be remedied in order to be considered for review.
2. Supporting Documentation. The application must include a complete and accurate description of the proposed improvement(s). To permit evaluation by the Architectural Review Committee, supporting attachments will frequently be required. Examples include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, *etcetera*. The design guidelines and application forms provide guidance with respect to the supporting documentation required for various types of improvements.
3. Time Frame for Completion of the Review. The Architectural Review Committee meets monthly to approve or deny any proposed improvement within thirty (30) days after the receipt of a properly completed application. The ARC will acknowledge receipt of the ARC request, which will signal the start of the approval process. However, the thirty (30) day review period will only commence upon the receipt of a complete application form, including any required attachments. It is, therefore, advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application. Per the Amended and Restated Declaration of Covenants, the ARC has up to ninety (90) days to respond to an ARC improvement request.
4. Notice of Approval/Denial. Homeowners who have submitted design review applications will be given written notice of the decision of the Architectural Review Committee. This Notice will be issued by the management company as directed by the ARC or by the ARC. Please do not contact the ARC in the interim of this process for approval or denial.

DESIGN GUIDELINES

The specific Design Guidelines detailed below have been adopted by the Board of Directors. **Please note:** These Guidelines will not cover every situation. If you wish to make a permanent or visual modification to your property that is NOT explicitly covered in these Design Guidelines, you still must submit an application to the Architectural Review Committee. Please follow the application procedures, and note on your application if your request is a special circumstance.

1. Permanent Additions. No permanent stand-alone structures of any kind are permitted without ARC approval. All additions to the original structure other than screened rooms or aluminum Florida rooms shall be constructed of brick when facing the front yard (Zone 1). Cement block construction may be used in place of brick for areas facing the side yard (Zone 2) and the rear yard (Zone 3). If cement block is used it must be stuccoed with sufficient thickness to conceal the mortar joints between the cement blocks. The stucco must have a smooth natural finish and be painted “colonial white” to match the existing buildings. If brick is used for the permanent addition, it must be painted “colonial white” as well. Under no circumstances is building material such as but not limited to dryvit permitted as an exterior building material.

The maximum height of the addition must not exceed the height of the original structure.

The roof of a permanent addition must be covered with Mediterranean style (S Barrel) tile colored “Mission Red” (terracotta) to match the existing roof. The roof on the addition must have the same pitch as the original roof. The new roof must be tied into the original structure in such a way as to look like a continuation of the original structure and not as an addition. The roof should have a minimum overhang of 12-inches with a 12-inch white aluminum soffit. There should be incorporated a 6-inch white vinyl or white aluminum fascia to provide scale to the roof edges.

A freestanding garage is permitted when there is no practical option available to the Owner. A freestanding garage will be designed and constructed to match the construction details of a permanent addition outlined in paragraph 1 above except that it will not be tied to another structure or garage as outlined in paragraph 7. The ARC reserves the right to select what it believes is the most appropriate location for a freestanding garage.

Flat pan style house roofs are not permitted under any circumstances. The only approved flat roof style is for carports.

All windows for permanent additions in the front of the house (Zone 1) and the side of the house (Zone 2) shall be bronze framed with black screening, if a screen is used. The windows in Zone 1 and Zone 2 shall be of the standard double-hung model used in the original building. Windows in the rear of the house (Zone 3) that are not visible from the street shall be bronze framed with black screening. Sliders may be used in Zone 3. Window glass shall be either clear or bronze tinted. Window treatments shall be uniform and shall be either off-white (almond) or white when viewed from the exterior. This means that window treatments shall have an almond or white liner that faces the exterior of the property. The interior color may be any color the owner desires.

If gutters are installed, they shall be white with white downspouts.

Landscaping for a permanent addition shall match the existing landscaping. Additional shrubs may be needed to extend existing flowerbeds in front and on the side. Please refer to Section 2, Landscaping, for guidance in planting trees, shrubs, bushes and other flora if extending the scope of the general landscaping around the Dwelling Unit.

The Association must be notified before any heavy construction equipment is driven across the lawn so that the Association can move or turn off the irrigation sprinkler heads located on every lawn. The thin walled pipe used in the irrigation system is easily damaged by these machines. Any damage done to the irrigation system will be repaired by the Association but at the Owner's expense. Any peripheral damage to abutting Association property will also be repaired by the Association at the Owner's expense.

The building site should be kept as clean as possible. All rubbish or refuse shall be removed on a regular basis so it does not become an eyesore, or interfere with regular lawn maintenance such as grass cutting and the watering of the lawn.

Pavers may be used around the house provided the color is consistent with an existing driveway and/or walkways.

2. Landscaping. Landscaping is considered an exterior modification and must receive ARC approval prior to implementing any such plans.

Dwelling Unit Owners are responsible for the replacement of sod (meaning grass) on their Lot. The Association will provide basic lawn maintenance, understood to mean that it will mow the lawn and maintain gardens. The Association will weed and cut back gardens and flowerbeds that are overgrown, and will trim bushes and shrubs such as but not limited to Hibiscus and Oleander to a reasonable size. The Association will ensure that the Lot is free of invasive species of trees, plants or bushes. Examples of invasive species are Brazilian pepper tree and Salt Bush. The list of invasive species of plants is too long to quote here but it is available from a variety of sources. Individual taste and preferences allow Owners to plant the flowers, bushes, and shrubs of choice in their existing beds.

In matters of non-compliance, Article VI, Section 12 of the Amended and Restated Declaration of Covenants states that the Association shall have the right but not the duty to enter upon any Lot or Dwelling Unit for the purpose of mowing, removing, clearing, cutting, or pruning underbrush, weeds and other unsightly growth, which in the opinion of the Association detracts from the overall beauty, setting, and safety of the property. Such entrance for the purpose of mowing, cutting, clearing or pruning shall not be deemed a trespass but shall be deemed a license coupled with an interest.

As explained in Florida Statute 373.185 (3)(a)(b)(c), Florida Friendly Landscaping and Xeriscaping is permitted and encouraged because it saves water (and money) and is an environmentally sound approach to grounds maintenance. Native ground covers may be approved for use in place of sod.

The planting of fruit trees or vegetable or herb gardens is not permitted because they attract a variety of vermin and agricultural diseases. **Sea Grape is no longer permitted.**

Plantings of shrubs, flowers, and decorative bushes in existing flower beds or around the perimeter of the house is permitted without ARC approval; however, they must be maintained by the homeowner and cannot be allowed to grow higher in height than the eave of the roof. Plantings shall not be scattered throughout the property unless approved by the ARC because of the likelihood of interfering with the irrigation system and lawn maintenance.

Large shrubs such as but not limited to Oleanders, Banana Palms, and all Birds of Paradise are permitted in Zones 2 and 3, with restrictions and on a case-by-case basis, provided sufficient space is available to accommodate these large ground covering plants. All shrubs must be situated and cared for so as not to interfere with the irrigation system or lawn maintenance.

All shrubs, plantings, and bushes located within three (3) feet of a Dwelling Unit cannot be taller than the Dwelling Unit.

No trees or bushes such as but not limited to Oleanders and other large shrubs or bushes may be planted in the front yard. Mature Oleanders, for example, have resulted in a disruption of the irrigation system efficiency and impeded the lawn care machinery.

The only approved trees for planting is the palm tree. The City of Ormond Beach has and enforces a detailed ordinance governing the removal of existing trees. It would be wise to check with the City of Ormond Beach before removing any hardwood trees or palm trees.

We are aware that trees other than palm trees are on Village property. Given the above restrictions on their removal, we must live with them. There are also invasive species, such as the Brazilian pepper tree, that the City requests we remove whenever we find them. A knowledgeable landscaper can easily identify them and remove them.

Lawn ornaments shall be restricted to flowerbeds. A maximum of four (4) lawn ornaments per flowerbed is permitted in the front yard (Zone 1) and side yard (Zone 2). Lawn ornaments over two (2) feet in height shall be limited to the rear yard (Zone 3). Lawn ornaments may not exceed four (4) feet in height and shall be situated in such a manner as not to be objectionable or present an unsightly view to a neighbor or to the Community at large. Lawn ornaments in the rear yard shall be restricted to a flowerbed or patio area so as not to interfere with lawn care maintenance.

Pavers are authorized and may be used provided the color and style is consistent with the architectural scheme of the Community.

3. Screen Rooms. Screen rooms shall be constructed of bronze aluminum with black or bronze screening. The roof shall be constructed of white aluminum, the fascia, and soffit shall be white or bronze. No solid aluminum panels are allowed with the exception of a maximum 36-inch kick plate. Screen rooms shall not be added to the front (Zone 1) of a Dwelling Unit or to the side (Zone 2) of a duplex unit.

Please note that a few exceptions exist in which a screen room may be placed in Zone 2: Exceptions apply to one duplex that was platted with a Florida Room in Zone 2 and to some triplex and quadplex units. A screen room is permitted in Zone 2 of some one-bedroom units in a triplex or quadplex when the screen room cannot be installed anywhere else due to common areas, unconventional property lines, and rights of way.

Only fiberglass or aluminum screening which permits air to flow through shall be permitted. No solid coated screening or other similar materials shall be allowed. Vinyl window panels are no longer permitted. Rooms are to be constructed on an approved concrete slab at least four (4) inches thick or on an existing 4-inch slab in good repair.

Screen rooms shall be kept free and clear of unsightly material and shall not be used as an area that creates a visible nuisance to other Owners or residents. Screen rooms damaged by natural disasters (i.e., hurricanes, tornados, wind storms, etc.) should be removed as soon as is practical for both aesthetic and safety reasons. Any damage caused to neighboring units or

Association property by debris from a damaged screen room will be the responsibility of the Owner of the material causing the damage.

Any **Screen Room** or aluminum Florida room, porch, supporting posts, fence, soffit, fascia, windows or doors in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the exact same style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply for any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

4. Aluminum Glass/Acrylic Florida Rooms. Aluminum glass/acrylic-windowed enclosed rooms (aluminum Florida rooms) shall be kept free and clear of unsightly material and shall not be used as a storage area that creates a visible nuisance to other Owners or residents. Aluminum Florida rooms shall be constructed of bronze aluminum. Windows shall be sliders or double-hung in style, and trimmed in bronze. The glass shall be either clear or tinted bronze except when facing Zone 1 or Zone 2; then the glass shall be tinted bronze. An aluminum Florida room shall not be added to the front (Zone 1) of any Dwelling Unit.

Please note that a few exceptions exist whereby an aluminum Florida room may be placed in Zone 2. The exceptions apply to one duplex that was platted with a Florida Room in Zone 2 and for some triplex and quadplex units. An aluminum Florida room is permitted in Zone 2 of some one-bedroom units in a triplex or quadplex when the aluminum Florida room cannot be installed anywhere else due to common areas, house design, unconventional property lines, easements, and rights-of-way.

The roof shall be white aluminum with white or bronze fascia, soffit, gutters and a bronze downspout. No solid aluminum panels used as a "window" are permitted with the exception of a maximum 36-inch high kick plate. Rooms shall be constructed on an approved concrete slab at least four (4) inches thick or on an existing slab in good repair.

Sliding glass doors are permitted. With a noted exception, doors are not permitted to open into the front yard (Zone 1). In the case of some one-bedroom units of a triplex or quadplex, the door may open into the side yard (Zone 2). This should be a rare occurrence and shall only be allowed when it cannot open into the rear yard (Zone 3) due to property line irregularities.

Any screen room or **Aluminum Glass/Acrylic Florida Room**, porch, supporting posts, fence, soffit, fascia, windows or doors in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the same exact style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply for any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

5. Driveways. Concrete is the only approved pavement material for driveways. Concrete may be stamped but not painted. A driveway shall be constructed of natural or off-white concrete at least 4-inches thick with reinforcing steel and wire mesh, with scoring or

construction joints to break up the expanse of the concrete. **It is the responsibility of the homeowner to confirm local city and county requirements prior to requesting ARC approval.**

Ribbon driveways constructed of concrete are permitted.

Gravel or dirt driveways are prohibited.

Circular driveways are prohibited.

Pavers are approved for the area between the inside of a ribbon driveway.

Driveways shall be maintained in good condition. Deteriorating driveways shall be repaired or replaced within six months of notification by the Association.

Driveways shall be kept free and clear of unsightly material and shall not be used as a permanent patio or storage area because it creates a visible nuisance to other Owners or residents.

Prior to construction, the Association will evaluate the property and move sprinklers and sprinkler control boxes if necessary to a location away from the proposed driveway. Any Association property that has to be moved will be done so at the expense of the property Owner.

6. Porches. Porches shall be open with a clear span design. Front porches shall not be screened or glass enclosed. Enclosing the front porch in any fashion is prohibited.

Front porches must be kept free and clear of unsightly clutter including but not limited to interior furniture, grills, garbage cans, recycle bins, children's toys, and bicycles.

Porches shall not be used as a storage area that creates a visible nuisance to other Owners and residents of the Community.

Existing porches located in common areas, specifically triplex units, shall remain free and clear, for ease of access by all residents. Two (2) duplexes and seven (7) triplexes have grandfathered as-built flat-pan porch roofs.

Front porches may be added to any unit that was built without one, provided it conforms to the style and theme of the Community. The roof shall be covered with Mediterranean style tile colored "Mission Red" (terracotta) and built in such a manner as to appear to be an integral part of the original structure. The posts may be constructed of pressure treated wood with flashing around the bottom and painted either "redwood" red or "colonial white". The posts may also be constructed of brick or poured concrete provided the brick is painted "colonial white" and the concrete is stuccoed and painted "colonial white".

The under-hang (underside) of the porch roof shall be finished in exterior plywood painted "colonial white", or finished in a white aluminum or vinyl soffit. The front facade of the porch shall be smooth stuccoed. With the exception of the wooden posts, all construction shall be painted "colonial white" to match the rest of the building. The soffit, fascia, gutters and downspouts shall be "colonial white".

The concrete slab on grade shall be a minimum of 4-inches thick and either painted Sandstone or Desert Sand, or tiled with a neutral colored material if the Owner so desires. Please note: All neighbors in the adjoining duplex or triplex unit must agree, in writing, to the tile installation and uniformity of color selection. All units must adopt the same color or install

the same tile uniformly.

Any damage caused to neighboring units or Association property by the new construction shall be the responsibility of the Owner having the work performed.

Any screen room or aluminum Florida room, **Porch**, supporting posts, fence, soffit, fascia, windows or doors in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the same style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply for any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

7. Carports/Garages. Carports shall be kept free and clear of unsightly material and shall not be used as a storage area that creates a visible nuisance to other Owners or residents.

Carports shall be constructed of brick or cinder block columns painted “colonial white” and, if required by local building code, anchored with steel rods to the footer. The top section of the roof must be standard tar and aggregate stone.

The under-hang (underside) of the roof shall be finished in exterior plywood and painted “colonial white” or shall be finished with white aluminum material. Soffit should be white aluminum and the fascia should be white aluminum or white vinyl. Gutters and downspouts shall also be white.

The addition of a carport or garage shall be treated as a permanent addition; and the structure will fall under the “Permanent Addition” guidelines. Please refer to the Permanent Addition provision for freestanding garages. Garage doors will be white in color, 16-panel in design and have no windows or decorative hardware. Concrete strips are not permitted as a carport floor. The floor of a carport must be paved. The paved floor of the carport shall be constructed of natural or off-white concrete at least 6-inches thick with reinforcing steel or wire mesh, and have scoring or construction joints to break up the expanse of the concrete.

Gravel, dirt or asphalt carport floors are prohibited.

Driveways shall be maintained in good condition. Deteriorating driveways must be repaired or replaced within six (6) months of such notification by the Association.

Prior to construction of a carport or garage, the Association will evaluate the property and move sprinklers and sprinkler control boxes if necessary to a location away from the proposed carport/garage. Any Association property moved will be done so at the property Owner’s expense.

8. Patios. Patios are not permitted in Zone 1 unless they are grandfathered. A patio can be attached to a house or freestanding. Patios are permitted with ARC approval in Zone 3 (rear yard) and in Zone 2 (side yard) for some triplexes or quadplexes because of common areas, house design, unconventional property lines, easements, and rights-of-way. Patios may be fenced-in provided they are located in Zone 3. Patios located to the rear of a garage or carport may be fenced with ARC approval. The confusing, irregular lot lines of many properties, especially triplexes, require the ARC to examine in detail each request for a patio

in Zone 2 for a triplex and, sometimes, a quadplex. Not all requests for a Zone 2 patio can be approved due to the above mentioned problem with common areas, house design, unconventional property lines, easements, and rights-of-way.

Concrete slabs or stone or brick pavers are the only approved material for patios. If the material is concrete it must be natural or off-white and at least four (4) inches thick with or without construction joints and may be stamped. If the material is stone or brick pavers, the color must be consistent with the color of the house in almond, natural, white or red.

Gravel or rock patios are not permitted.

Patios must be maintained in good condition and must be repaired or replaced within six months of notification by the Association if they are deteriorating.

Patios shall be kept free and clear of unsightly material and shall not be used as a storage area that creates a visible nuisance to other Owners or residents. Patio furniture is permitted in Zones 2 and 3. Storage of bicycles and grills are only permitted on patios in Zone 3.

Prior to the installation of a patio, the Association will evaluate the property and move sprinklers and sprinkler control boxes if necessary. Any Association property that has to be moved will be done so at the expense of the property Owner.

9. Sheds/Utility Closets. A non-permanently installed shed or utility closet shall be restricted in location to Zone 3 (rear yard) in an enclosed area such as a fenced patio, if one exists. A shed or utility closet shall not be visible from the street nor shall it create an unsightly view to a neighbor. The profile of a shed or utility closet shall not be higher than the fence surrounding the patio on which it sits. Extreme weather events in Florida make it a good idea to anchor a shed or utility closet to the concrete with lag bolts.

A permanently installed utility closet will be an integral part of a carport or garage. Sheds or utility closets constructed as an integral part of the carport are to be constructed of cement block painted "colonial white". All sheds and utility closets shall be constructed to withstand winds of up to 110 mph (City of Ormond Beach code). Sheds shall be anchored with lag bolts to the base of the carport or building.

Permanent standalone sheds are not permitted. No permanent standalone structures of any kind are permitted without ARC approval.

Sheds shall not exceed 80 square feet in total area. If the shed or utility closet size exceeds 80 square feet in contemplation, it will be denied as a shed and will be considered a permanent addition. The structure will then fall under the "Permanent Addition" guidelines.

10. Awnings. Window awnings of any type are prohibited.

Patio awnings are not permitted in the front yard (Zone 1) or the side yard (Zone 2). Permanently installed retractable fabric patio awnings are permitted in the rear yard (Zone 3). Awnings (or tents erected for special occasions) that are not permanently anchored to the building or slab shall only be permitted on a temporary basis. Awnings should be stored or collapsed when not in use as a safety measure.

11. Recreational Equipment. Permanently installed or erected recreational and playground equipment shall not be permitted. Occasional recreational equipment for the day's activity is permitted on an individual's property; however, the Owner shall remove and properly store all equipment at the end of the day. Occasional recreational equipment should not be left on the lawn on lawn mowing days, or impede the city sidewalks or common

walkways. Any grassy areas damaged by recreational activity shall be repaired or replaced at the Owner's expense.

12. Fencing. Fencing is defined as a shadow-boxed style fence, wall bush, hedge, flower or tree or structure regardless of height acting as a "fence". Fencing is permitted only around patio areas in Zone 3 unless there exists a grandfathered fenced-in patio originally platted in Zone 2 or approved by the ARC prior to the adoption of these Guidelines. Fencing is only permitted in Zone 2 if approved by the ARC. Fencing has the same issues of approval as patios and aluminum Florida rooms because of the problems with common areas, house design, unconventional property lines, easements, and rights-of-way.

No fence is permitted along the property line of any Lot. No fence shall be erected, placed, altered, maintained or permitted to remain on any Lot unless approved by the ARC.

Fencing is not allowed to extend beyond the line of the house nor is it allowed around driveways. Fencing is prohibited along the perimeter of the Owner's property lines except along the perimeter of the sub-division plat, and any subsequently requested plat perimeter fence must be of the same type as previously approved for that area. Fencing shall not be visible from the street if possible.

Fencing is not permitted in the front yard (Zone 1). All fencing shall be in the rear yard (Zone 3), with a minor exception such that a four (4) foot shadow-boxed, white vinyl fence is permitted around air conditioner compressors and to conceal trash cans in Zone 2 or Zone 3. "Dog-eared" fencing panels are no longer permitted. Dog-eared fencing panels in disrepair must be replaced with a white vinyl shadow-box fence.

Fencing shall be no more than six (6) feet in height.

Fencing shall be shadow-boxed. No other style of fence is permitted. The fence shall be constructed only of white vinyl. **After the date of recordation of these updated ARC Guidelines, wood fences are no longer permitted.** Existing wood fences are grandfathered; if, however, the fence is in disrepair, damaged, destroyed, or broken, a replacement white, shadow-box, vinyl fence will be required. The maintenance of the fence is the Owner's responsibility.

The Association reserves the right to have the Owner remove any fence that is not properly maintained or deteriorates to the point of being an eyesore. Subsequent to the Owner being advised, with notice, that a fence must be removed, and if the Owner does not remove the fence within 21 days of being noticed, the Association has the authority to go onto the property to remove such fence at the expense of the Owner. The Association will add the cost of removing the fence to the Owner's assessment via special charge.

The Owner is responsible for all basic and other lawn care that may grow inside the fenced-in area.

13. Decks and Ramps. Wooden or composite decks are prohibited. Decks made of any kind of material are prohibited.

Any parcel Dwelling Unit Owner may construct an access ramp if a resident or occupant of the parcel unit has a medical necessity or disability that requires a ramp for egress or ingress under the following conditions: The ramp must be as unobtrusive as possible, be designed to blend in aesthetically as practicable, and be reasonably sized so as to fit the intended use only.

14. Allowable Trim; Decorative Wall Ornaments; Decorative Side Walls. Owners may install small exterior trim such as but not limited to name plates, artful depictions of sea life and similar motifs, abstract metal designs, sconces and medallions. Exterior trim may not exceed thirty-six (36) inches in diameter, if round, or twenty-four (24) by thirty-six (36) if rectangular. No commercial signs or lettering of any type [except those required by law (house numbers)], or flags (see Section 19), or stickers, decorations, endorsements, advertisements, or notices are permitted on exterior walls or in windows.

Seasonal, temporary, exterior trim is permitted. Such permitted seasonal, temporary, exterior trim includes lighting that may be put up twelve (12) days before the holiday and taken down twelve (12) days after the holiday is over. Hanging (party or string) lights are prohibited at all times.

For consistency, existing decorative side walls, identified as small accent walls at the end of the house wall in Zone 1 attached to both sides of a duplex or triplex, may not be removed on one side unless the accent wall on the other side is removed as well. Removal is at the expense of the Owner; and collaboration and written agreement of the building modification shall be agreed to in writing by all parties, notarized and recorded in the public records of Volusia County.

15. Spas, Hot Tubs; Fire-Pits. Spas and hot tubs shall be allowed provided they are in the rear yard (Zone 3) and in an enclosed area such as a fenced-in patio or are inside a screen or aluminum Florida room. Fire-pits are not permitted. Chimineas will be considered if they do not create a nuisance or safety issue to surrounding neighbors or properties.

16. Storm, Screen and Wood Doors. **Wooden screen doors are not permitted.** As a practical matter, unprotected exterior wooden doors suffer terribly in the harsh salt air beach-side climate. They discolor, warp, and fall apart quickly.

White doors are not permitted. Wooden or fiberglass front entry doors are permitted. Wooden or fiberglass front entry doors shall be painted "redwood" red or varnished. The Association has a sample of this paint color. Storm and screen doors shall be bronze aluminum with black or bronze screening. No lattice design, bars, or other decorative doors shall be permitted without ARC approval.

Any screen room or aluminum Florida room, porch, supporting posts, fence, soffit, fascia, windows or **Doors** in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the same style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply to any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

17. Windows. All windows shall be vinyl, trimmed in bronze. Aluminum replacement windows are no longer permitted. Windows in the front of the house (Zone 1) and the side of the house (Zone 2) shall be double-hung. Windows in the rear of the house (Zone 3) may be sliders. Glass shall be clear or bronze tinted. Window treatments shall be uniform and be white or almond (off-white) in color on the side facing the exterior of the building. As a matter of interest, the best way to protect your property is to buy Miami-Dade Notice of Acceptance windows. Those so qualified offer the best protection from wind-borne debris, cyclic pressure

and water. The local building code may also require windows of this type.

Any screen room or aluminum Florida room, porch, supporting posts, fence, soffit, fascia, **Windows** or doors in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the same style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply for any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

18. Hurricane Shutters. Hurricane shutters shall be allowed. They must be of a type approved by the City of Ormond Beach. The shutters themselves shall be colonial white, or almond, or clear in color. The cornice or valance shall be “colonial white”, or almond so as to blend with the color scheme of the building. The permanently installed shutters may be put to use anytime the Owner is absent so the property will be protected in case of a storm. Temporary types of shutters such as plywood panels may only be used in an emergency and then for no more than two weeks before a storm and for two weeks after a storm.

19. Flags / Flagpoles. Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association. Any homeowner may erect a freestanding flagpole no more than 20-feet high on any portion of the homeowner’s real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, if the flagpole does not obstruct sight lines at intersections and is not erected within or upon an easement. ARC approval is, however, required to ensure that the flagpole is properly anchored upon installation, such that it will withstand a severe weather event. The homeowner may further display in a respectful manner the aforementioned United States flag, state and national service flags. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable government regulations, including but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and location criteria contained in the governing documents.

20. Trash Containers. Trash containers and recycling bins should be stored out of sight if at all possible. They shall not be stored in the front yard (Zone 1). They shall be stored in the rear yard (Zone 3). If they must be stored in the side yard (Zone 2), they are to be screened or hidden from view by shrubbery or an approved enclosure. An approved enclosure is a three or four feet high by a maximum of six feet in length shadow-boxed fence made of white vinyl. The trash container enclosure should be designed to prevent the trash containers from being blown away by the high winds prevalent in this area. The trash container itself should be in good condition.

21. Replacing Rotting Porch Posts. Rotting or damaged porch posts should be replaced as soon as possible. Termites are often the cause of the posts decaying and the need to stop the infestation of termites is of major importance to both the Owner of the Dwelling Unit with the rotting posts and the adjoining neighbor. Posts made from cedar, pressure treated lumber or brick are recommended as replacement materials. If the posts are

wood, they must be painted “redwood” red or “colonial white”. If the posts are constructed of brick, they should be smooth stuccoed and painted “colonial white”.

Any screen room or aluminum Florida room, porch, **Supporting Posts**, fence, soffit, fascia, windows or doors in need of repair or replacement may be replaced or repaired without ARC approval provided that such structures shall be repaired or replaced in the same style as the original structure. **However, a notice of intent to repair or rebuild a structure must be delivered to the Association within sixty (60) days of the damage to, or destruction of, a structure and prior to the repair or rebuild.** Otherwise, all provisions of the ARC Guidelines will apply for any repair or rebuilding after sixty (60) days has past. Failure to apply to and have your project approved by the ARC will be considered a violation of the ARC Guidelines.

To prevent further termite or other insect related damage it would be neighborly to notify the adjoining Owner about the problem so that a home inspection and treatment can be scheduled. Please contact the Association manager if you cannot locate the adjoining Owner.

22. Gutters. Gutters are recommended. Gutters generally come in either aluminum or vinyl; the choice of materials is delegated to the Owner. The downspout color must match the color of the building’s wall or column upon which it is mounted. For instance, white downspouts should be installed on areas painted “colonial white”. Bronze downspouts will be used when mounted on redwood-painted posts, or bronze colored aluminum screen or aluminum Florida rooms. Color coordination is required to maintain the color scheme of Ocean Village Villas.

23. Walkways. Walkways connecting the street to the sidewalk are an issue that must be coordinated by the Owner needing such access and the City of Ormond Beach. The area between the street and the sidewalk belongs to the City. An Owner requiring such an accommodation should contact the public works office for guidance before proceeding.

Walkways connecting a driveway to the Dwelling Unit’s porch are permitted. Pavers in a color scheme that blends seamlessly with the general surroundings are approved for walkways.

Stepping stones are not generally permitted and will not be approved unless it can be shown that such stones will not interfere with the lawn maintenance equipment or the irrigation system.

24. Solar Panels, Clotheslines and other Renewable Energy Devices.

(1) There is no deed restriction, no covenant, no declaration, or similar binding agreement to prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on the Lots or parcels covered by the deed restriction, covenant, declaration, or binding agreement. A property Owner may not be denied permission to install solar collectors or other energy devices by any entity that grants the power or right in any deed restriction, covenant, declaration, or similar binding agreement to approve, forbid, control, or direct alteration of property with respect to Dwelling Units and within the boundaries of Ocean Village Villas.

(2) Ocean Village Villas may determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45° east or west of due south if such determination does not impair the effective operation of the solar collectors.

The panels shall be “terracotta” in color to match the existing color scheme of Ocean Village Villas and shall blend with the existing tiled roofs. “Terra Cotta” is the closest commercially available colored solar panel to the color of the roofs. The roofs are “Mission Red”. The only approved color for a solar panel is terracotta. Ocean Village Villas may determine the location of other renewable energy devices such as clotheslines so long as it does not materially affect the efficiency of such a device.

(3) The legislative intent in enacting these provisions is to protect the public health, safety, and welfare by encouraging the development and use of renewable resources in order to conserve and protect the value of land, buildings, and resources by preventing the adoption of measures which will have the ultimate effect, however unintended, of driving the costs of owning and operating commercial or residential property beyond the capacity of private owners to maintain. Hanging or drying of laundry on front porches, or shrubs in the front of Dwelling Units in Ocean Village Villas is a prohibited practice.

25. Antennas.

(1) An antenna is any device used for the transmission and reception of video or audio services including but not limited to direct broadcast satellite, television, and multi-point distribution service. The Telecommunications Act of 1996 assures each parcel owner access to certain television service by “direct broadcast satellite”. The installation of a direct broadcast satellite dish which is less than one (1) meter (39 inches) in diameter on the Dwelling Unit is approved. However, if the antenna is installed on the property and is supported by a free-standing pipe or beam, then approval is required from the ARC only as to the proposed exact location of the antenna simply to insure that the antenna will not impede landscaping efforts, be on or encroach on another's property, or cause damage to the irrigation system.

(2) No amateur radio antenna of any type shall be erected on any Dwelling Unit or Lot without ARC approval.

26. Exterior Lighting. The Architectural Review Committee shall be responsible for determining whether exterior lighting is an annoyance or unreasonably illuminates another Owner's property. Proposed replacement or additional fixtures must be approved and compatible in style and scale with the Owner's house.

No exterior lighting may be directed outside of the Owner's property. Proposed additional lighting will not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features.

Low-voltage or solar-powered landscape lighting, including low voltage floodlighting, is permitted along walkways, planting beds, or other landscaped areas, so long as all wiring is concealed from view, and light fixtures do not stand more than 18" above the ground. All lights must be located within the landscaping area; no lights are permitted in the lawn. All exterior lighting should be well maintained and functional at all times.

27. Signs. No commercial signs, or lettering of any type or other signs, shall be erected or maintained on any Lot or Dwelling Unit except with the written permission of the Association or except as may be required by legal proceedings. Under no circumstances will signs advertising a Dwelling Unit for sale or for rent be allowed without the prior written permission of the Association, and the Association will not grant permission for said signs unless their erection is reasonably necessary to avert serious hardship to the Owner. If permission is granted for signage, the Association restricts the size of the sign to no larger

than 24" x 18" and restricts the location to the front window of the Dwelling Unit. Notwithstanding anything to the contrary, street numbers identifying the street number of a Dwelling Unit, security signs, and signs required by law may be placed on the exterior of the Dwelling Unit, but the ARC may regulate the size and type of such numbers or signs and may require their removal should they not comply with the ARC Guidelines. No large post signs will be permitted at any time. No signs may be displayed on any exterior wall of the home.

28. Air Conditioning Systems. Per the Development Order, it is clear that the intent of the Developer was that all Dwelling Units would have central air conditioning systems. Nonetheless, the Association recognizes the need in some instances for window air conditioners and shall permit window air conditioners when placed in Zone 2 or Zone 3. Window air conditioners are not permitted in Zone 1, for any reason. Ductless mini-split air conditioning systems are also allowed, however, the compressor may not be installed in Zone 1.

29. Conflicting Provisions. Where any ARC guideline conflicts with any provisions of applicable federal, state, or local law, the ARC Guidelines will control unless expressly prohibited by law. In case of any conflict between these ARC Guidelines and the Amended and Restated Declaration, the Amended and Restated Declaration shall control, and in the case of any conflict between these ARC Guidelines and the Amended and Restated Articles of Incorporation and the Amended and Restated Bylaws of the Association, the Amended and Restated Articles of Incorporation and the Amended and Restated Bylaws of the Association shall control.

GRANDFATHER CLAUSE

Any change made to a homeowner's property, which has been previously approved by the Association (HOA) and is properly documented prior to the adoption of the above Guidelines, need not be modified in accordance with the Guidelines specified herein. Also, any improvements made to the original building by the Developers are automatically grandfathered. These modifications will be considered acceptable under this clause.

EXHIBIT "B"

Ocean Village Villas Architectural Review Committee (ARC) 6-page Improvement Request Form (Cover Sheet plus pages 1-5) follows below.

This is the actual form which can be copied and completed in accordance with requesting Ocean Village Villas ARC approval for an improvement project.

The ARC reserves the right to revise this ARC Improvement Request Form at any time, for any reason, without the consent of the Board of Directors or the Association.

Attachment: ARC Improvement Form.pdf