



## **ARB Guidelines**

May 22, 2023

*Capitalized terms used but not defined herein have the meanings set forth in the Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions for The Preserve at Ponte Vedra Lakes, as amended and recorded in the public records of St. Johns County, Florida (the “Declaration”). In the event of any conflict between the ARB Guidelines (these “Guidelines”) and the Declaration, the Declaration shall govern.*

## **I. INTRODUCTION AND OVERVIEW**

In order to ensure that the Property is a community of the highest quality in which all improvements (which as used herein includes any and all new construction or replacement of existing structures on, or renovations or other modifications to a Lot or Residence) are harmonious in architectural design and aesthetic appearance, each Owner desiring to make an improvement is required to submit an application (an “**Application**”) to the Association and obtain the written approval of the Board of Directors (the “**Board**”) prior to making any improvement. The ARB shall review and consider each Application and make a recommendation to the Board so that the Board can approve or deny the Application generally within 90 days of the date the Application was submitted.

It is the responsibility of each Owner to read these entire Guidelines (and the relevant portions of the Declaration) to determine whether an Application should be made and Board approval obtained before making any improvement. **THE FACT THAT ONE OR MORE NEIGHBOR(S) HAVE ALREADY MADE A SIMILAR IMPROVEMENT DOES NOT MEAN THAT BOARD APPROVAL IS NOT REQUIRED.** In general, Board approval is required for any exterior improvement to a Lot or Residence (or, to the extent consistent with Section 720.3035 Florida Statutes, an interior improvement to a Residence or other structure on the Lot that may have an adverse impact on neighboring Lots or the Property). Typical improvements that require Board approval include, without limitation, changing exterior paint colors; changing roof colors or materials; adding pavers or concrete; planting or removing trees that are visible from either the street or Common Property; adding fencing; and installing playground equipment, swimming pools or hot tubs. **The Board may deny an Application if there is any overdue Assessment against the Owner who filed the Application or the Lot in question.**

**If an Owner commences work on an improvement without first obtaining Board approval, the Board may, in its sole discretion, impose monetary fines or other penalties on the Owner, require the Owner or its contractors to stop work, or require the Owner (or engage contractors on behalf of the Association) to undo the improvement (or alter the improvement to the Board’s satisfaction) at the Owner’s sole cost and expense.**

The remainder of these Guidelines is organized as follows:

- Section II explains how to make an Application, including the types of supporting documentation the Owner should include and the fees and expenses payable by the Owner in respect of the Application.
- Section III explains the ARB and the Board’s process for reviewing, approving and denying Applications and the Owner’s rights with respect to an Application that has been approved or denied.
- Section IV sets forth specific guidelines and standards to be followed by Owners in connection with the plan and design of particular types of proposed improvements.

For questions or to request a copy of the blank Application or the Declaration, please contact the Association’s management company.

## II. APPLICATION SUBMISSION AND FEES

### A. Required Documentation

In connection with any proposed improvement, the Owner shall submit to the Association (i) a completed Application, (ii) the following supporting documentation and (iii) such additional information and materials as may be requested by the ARB in connection with its review:

- Survey including all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, driveways, walkways, fences and other improvements made after the date of the survey. The proposed surface contours and elevations of the Lot shall comply with the drainage plan as set forth by St. Johns County (the "County").
- Scaled floor plans or plans denoting location and dimensions of improvement.
- Elevation drawings showing all sides of any contemplated structure(s).
- Summary specification list of proposed materials and samples or photographs of external materials and colors, which cannot be adequately described.
- Landscaping plans showing location, size, quantity and species of plants, trees and other vegetation proposed for use.
- Application fee (to the extent applicable).

### B. Fees and Expenses Payable by the Owner

Type of Improvement	Application Fee
<b>Major Improvements:</b> (Additions or other material structural and architectural changes, driveways, pavers and walkways, freestanding structures, playground equipment, freestanding chimneys, recreation structures, screen rooms, Florida rooms, swimming pools, hot tubs, etc.)	\$100.00
<b>Minor Improvements:</b> (Fences, landscaping, exterior paint, exterior lighting and appliances, house numbers, etc.)	None

The ARB and/or the Board reserve the right to engage one or more third-party experts or consultants (e.g., architects, landscape architects, arborists, surveyors and structural engineer) to facilitate the review of an Application in which case the Owner will be notified prior to any such engagement and must agree to bear all costs and expenses associated with such engagement in order for the Application to be considered.

## III. APPLICATION REVIEW AND APPROVAL PROCESS

### A. ARB Review and Board Decision Letter

Upon the receipt of a complete Application (including all supporting documentation required for review under Section II(A)), the ARB will meet in person or virtually to review and vote on (via majority rule) the Application and submit its recommendation to the Board to approve or deny the Application. In reviewing an Application, the ARB will consider the Application's impact on the Owner who submitted the Application (the "Applicant"), Owners of neighboring Lots and the Property as a whole (including whether the proposed improvement is in harmony with the particular terrain, vegetation, buildings and values within the Property), and may base its evaluation on judgment and tastes that cannot be reduced to an objective list of measurable criteria.

Accordingly, the approval of an Application does not mean that a different Application involving similar designs, aesthetic appearance or locations on a Lot for other proposed improvements will also be approved.

Following its receipt of the ARB's recommendation, the Board will approve or deny the Application within 90 days of its complete submission; provided that the Board's failure to act within this period shall **not** constitute approval whereupon the Applicant may begin work on the improvement. The Applicant will receive the Board's decision in writing (the "**Decision Letter**"). **The Board reserves the absolute right to deny any Application which in the Board's sole opinion is unsuitable or does not comply with these Guidelines, including if there is any overdue Assessment against the Applicant or the Lot in question.**

#### **B. Changes Made After Approval**

If the Board approves an Application, then the Applicant may not make any changes to the proposed improvement as set forth in the Application without additional Board approval; provided that the Applicant may make minor changes to any landscaping and vegetation referenced in the Application without additional Board approval, so long as such changes are consistent with the previously approved landscaping plans.

#### **C. Denials and Appeals**

If the Board denies an Application, the Decision Letter will include the reason(s) for the denial. The Applicant reserves the right to make a one-time appeal to the Board within 30 days of the date of the Decision Letter. **If the Board denies the appeal relating to the Application (or the Owner does not make a timely appeal) and the Owner has begun to make the proposed improvement, then the Owner will have 30 days from the date of the Decision Letter relating to the appeal (or, if no timely appeal is made, the date of the Decision Letter relating to the original Application) to undo the improvement at the Owner's sole cost and expense.**

### **IV. ARCHITECTURAL PLANNING CRITERIA**

In order to achieve the objective stated in Section I and to assist Applicants with the plan and design of proposed improvements, the following standards are hereby adopted as the "**Architectural Planning Criteria**" to be followed.

#### **A. County Zoning Requirements**

Planned Unit Development (PUD):	ORD 2015-37
Maximum Lot coverage by building:	40% of gross Lot area
Maximum impervious surface ratio (ISR):	70% of gross Lot area
Maximum building height:	35'
Minimum setbacks	
Front:	20'
Side corner (corner Lots):	16'
Side:	5'
Rear:	10'

#### **B. Exterior Paint Colors**

1. All changes in exterior paint colors require Board approval.
2. With respect to the exterior of any Residence, (i) no more than three total paint colors may be used on the siding, trim, doors (excluding garage doors) and shutters, (ii) garage doors must be bright white or

the same color as the siding, (iii) all siding must be the same color, (iv) all trim must be the same color and (v) all shutters must be the same color.

3. The current approved exterior “repaint” color palette is limited to the existing exterior paint colors on Residences in the Property. Owners can contact the Association’s management company to request the Sherwin Williams exterior paint color codes approved for use in the Property. The ARB and Board may in the future make available additional exterior “repaint” color palettes.

**C. Roofs and Chimneys**

1. The main roof must have a minimum of 5:12 roof pitch with small accent areas able to be smaller or greater but not less than 4:15 for accent areas or structural reasons.
2. Changes in roofing material or color require Board approval.
3. All chimneys are required to have caps. All chimney caps, in addition to spark arrestors, must be painted to match the chimney color.

**D. Gutters**

All gutters must be white or black standard 6” or 7” wide K-style gutters (with matching downspouts) unless otherwise approved by the Board.

**E. Garages**

1. No garage shall be converted to living space.
2. Garage screen doors are strictly prohibited throughout the Property.

**F. Windows and Doors**

1. Decorative glass front doors require Board approval.
2. Screen doors and storm doors require Board approval. Screen doors may not be visible from the street.
3. Shutters may not be constructed out of natural wood and must be painted, not stained.

**G. Storm Protection Devices / Storm Shutters**

1. Permanently installed storm protection devices require Board approval.
2. The devices must blend into the architectural detail on all elevations.
3. Application for installation must include detailed scale drawings of all elevations.
4. Storm protection devices may be deployed no more than 72 hours before the effective time of a declared hurricane watch and must be removed within 72 hours of the later of a storm passing and the restoration of Property access following evacuation.

**H. Window Treatments and Coverings and Exterior Décor**

1. No reflective window coverings or treatments are permitted.
2. All window covering shall have linings or other treatment so that the exterior appearance of the window appears neutral.

3. Except for temporary seasonal or holiday décor, Board approval is required for any exterior décor visible to the Common Property or another Lot that may have an adverse impact on such other Lot.

**I. Fences and Privacy Slats**

1. All fence and privacy slat requests (including, without limitation invisible fencing) require Board approval.
2. No fencing or privacy slats may be stained. Privacy slats attached to a house (e.g., on a balcony or porch) must be painted to match the siding and may not be constructed out of natural wood. The paint color of detached privacy slats must be approved by the Board.
3. No fencing or privacy slats shall extend outside the limits of the Lot, such as onto lake banks or into wetland areas.
4. If a fence exists along a side or rear property line of an adjoining Lot, no other fence will be allowed along the same property line (i.e., fences may not be constructed back-to-back).
5. For Lots abutting the retention ponds (“**Lake Lots**”), the approved fence type is a 4’ black aluminum open picket fence on all sides of the Lot. The top rail must be flat (no pickets).
6. On non-Lake Lots, the approved fence type is a 6’ white vinyl, tongue and groove privacy fence. Use of a 4’ black aluminum open picket fence on the rear Lot line for non-Lake Lots that abut the Common Property require Board approval.
7. Fences may be installed in a drainage easement and in the maintenance easement, but it will be the Owner’s responsibility to repair or reinstall the fence if it is removed for maintenance purposes. Owners who install fences in drainage easements may be required to add gates to allow access for the pond maintenance company. Fences must be installed so the bottom is at least 6” above grade so as not to interfere with the flow of storm water.
8. On corner Lots, on the side of that is perpendicular to the street, only single gates not more than 4’ wide may be installed pending Board approval. No double gates are allowed without Board approval.

**J. Driveways and Walkways**

1. The driveway and apron must be constructed out of grey brick pavers, consistent with the original construction on each Lot and matching other driveways in the Property. All driveway and walkway improvements (including, without limitation, any expansions) require Board approval.
2. County sidewalk must be constructed out of poured in place concrete except where it crosses over the driveway.
3. All walkways must be constructed out of poured in place concrete or brick pavers.
4. Front porches and back porches may be concrete, pavers or any other finish materials. Staining or tinting of porches must be approved by the Board.
5. Driveways and walkways must be installed as to not restrict or impede the designed flow of drainage.
6. No pavers, concrete or other impermeable material may be installed within 3’ of the side and rear property lines of the Lot.

**K. Landscaping**

All Lots shall be landscaped in a manner that is harmonious, compatible and consistent with the overall landscaping and general appearance of the community. The Owner is responsible for standard lawn



maintenance including, without limitation, mowing, edging, adding mulch, weeding and trimming dead palm fronds.

The use and preservation of native and naturalized landscape materials is strongly encouraged. New planting compositions should employ simple plant massing and a limited palette of plant types. All plants must be of adequate size to avoid the “new house” look.

Landscape design plans shall be presented on paper that is at least 8.5” x 11” and should include all proposed trees and plants. Landscape on Lots must start at the street pavement and must extend to the Conservation Area in the backyard; to the normal water line at lake edge; and/or must extend to and blend with any common area landscape, built or natural, in order to create a continuous landscape improvement. All trees, shrubs, screen material, berms, paving patterns, ground cover areas and any other information necessary to convey the design intent shall be shown. Plant names, height, spread and quantities of all material should be shown. Plant distances in the case of hedge material and ground covers, and spot elevations where earthwork is part of the design intent, will also be required. All front elevations require landscape; swimming pools, spas, decks and screen enclosures must also be a part of the landscaping plan.

Notwithstanding anything to the contrary in these Guidelines, all landscaping in each Lot must comply with any applicable landscape ordinances.

### **1. Acceptable Landscape Materials and Practices**

The following plant quality standards shall apply to landscape plants.

- (a) All trees and shrubs shall be Florida No. 1 or better as defined in “Grades and Standard for Nursery Plants,” Part I and Part II, State of Florida, Department of Agriculture, in the most current edition.
- (b) All grass must be St. Augustine grass; provided that, solely in the backyard, “grass” may consist of artificial turf if completely screened from street view.
- (c) Bare ground is not acceptable.

### **2. General Landscaping Guidelines**

- (a) Planting and mounding are to be executed in such a manner as to provide positive drainage of all areas. It is the responsibility of the Owner/builder/landscape contractor to ensure positive drainage is maintained as outlined in these Architectural Planning Criteria.
- (b) All sites must be graded to maintain positive drainage.
- (c) All yards, from street pavement to property line, conservation area line or normal water line, must be finished with appropriate sod; excepting perimeter foundation shrubs, other shrub and ground cover beds or areas of existing tree preserve.
- (d) Corner Lots with side yards towards the street must be landscaped in a character similar to that of the front yards.
- (e) Artificial vegetation requires Board approval.
- (f) Decorative landscape borders require Board approval.
- (g) No yard ornaments are permitted except temporarily for seasonal holidays.

### **3. Irrigation Systems**

- (a) All yards must be supplied with an automatic irrigation system with a rain sensor.

- (b) Irrigation wells are not allowed.

**4. Trees**

- (a) Existing trees may be substituted for required trees at the discretion of the Board (type, size and condition of tree will all be considered.)
- (b) If an Owner wishes to move or remove an existing tree or replace an existing tree, the Owner must submit an Application to the Association.
- (c) Each front yard must contain at least one (1) palm tree (minimum height of 8' at the time of installation).
- (d) No more than four (4) trees may be planted in the front yard.

**5. Flowers**

- (a) No Board approval is required to change flower types.

**6. Mulch and Ground Cover**

- (a) The approved colors for natural wood mulch, pine straw and pine bark nuggets are brown and black.
- (b) White- and neutral-colored natural rocks and shells may be used in lieu of natural mulch.
- (c) Rubber or other synthetic material may not be used as mulch.
- (d) Grass is the only acceptable ground cover in the yard (other than in flowerbeds). The majority of the ground cover in the yard must be grass.

**L. Grading**

- 1. No portion of the Lot shall be graded and no changes in elevation of any portion of the Lot shall be made which would adversely affect any adjacent Lot.
- 2. All Lots containing drainage retention areas must have sod installed on the drainage retention areas.

**M. Temporary Structures**

No structure of a temporary character, including, without limitation, any trailer, tent, shack, barn, shed, or other outbuilding, shall be permitted on any Lot at any time.

**N. Freestanding Structures**

- 1. Freestanding structures (including, without limitation, summer kitchens, pavilions, pergolas, gazebos and cabanas) require Board approval.
- 2. Approval will be granted only upon the merit of the structure and determination that it would not be reasonably likely to have a material adverse effect on the Property.

**O. Playground Equipment / Freestanding Chimneys / Recreation Structures**

- 1. All Lots will be required to screen/filter the view of playground equipment, freestanding chimneys and/or recreation structures from the view of the street and Common Property (unless otherwise approved by the Board).



- (a) The equipment must be screened with vegetation or fence.
- (b) At installation, the vegetation must screen a minimum of 50% of the height of the structure.
- (c) The vegetation must maintain its foliage for 12 months of the year.
- 2. Prior to installation, a detailed plan/picture including height, materials, color, etc. must be submitted to the Association for review.
- 3. Playground equipment, freestanding chimneys and/or recreation structures must be placed behind the rear of the Residence.
- 4. Basketball hoops
  - (a) Permanent basketball hoops on individual Lots are not permitted.
  - (b) Movable basketball hoops on individual Lots are permitted but must be stored inside the garage between the hours of 10 p.m. and 6 a.m.
- 5. Maximum height of any structure is 12' (unless otherwise approved by the Board).

**P. Screen Room Enclosures and Florida Rooms**

- 1. Screens on screen rooms must be black.
- 2. The roof on a screen room must be screen or have a roof with shingles to match the roof on the existing Residence, and meet roof pitch standards.
- 3. All drawings must include dimensions, transition detail between existing Residence and new structure, roof material (a sample shingle is to be supplied or picture of existing Residence to show roof color).
- 4. The plans must also include door locations and if there will be a kick plate installed.
- 5. Florida Rooms must:
  - (a) Meet roof pitch standards;
  - (b) Have a roof with shingles to match the roof on the existing Residence; and
  - (c) Be constructed of the same materials as the body of the Residence or complimentary materials.

**Q. Swimming Pools**

- 1. Above-ground swimming pools are not permitted.
- 2. In-ground swimming pools require Board approval.
- 3. The submittal must include a current survey showing location of pool, pool equipment, screening for the pool equipment and construction access.
- 4. The submittal must also include a landscaping and/or fencing plan to completely screen the swimming pool from view from the street and the Common Property.
- 5. The submittal must include the color of the pool surface (tile & marcite) and sample of the pool deck material. Brochures illustrating the pool surface colors and deck material are acceptable.

6. Pool equipment must be completely screened from view from the adjacent Lots with landscaping, a fence or a permanent wall of materials consistent with the Residence façade.
7. A plan for construction access is to be included and if access is on a Lot other than the Applicant's, an approval letter from the Owner of such other Lot is required.

**R. Hot Tubs**

1. Above-ground hot tubs are permitted, but must be on a concrete slab or pavers and not visible from the street or the Common Property.
2. The submittal must include the dimensions of the hot tub, with pictures or a brochure.
3. Hot tubs must be completely screened from view from the street and the Common Property.
4. In-ground hot tubs must abide by the standards for in-ground swimming pool set forth in subsection Q.

**S. Trash and Recycling Containers**

1. If the County has supplied containers for trash and recycling, these may not be placed curbside before 5 pm the day before pick-up and must be removed by dusk the day of pick-up.
2. All trash and recycling containers must be stored in the garage or screened completely from street view by either shrubs or a 4' wall of materials consistent with the Residence façade.

**T. Exterior Lighting and Appliances, Potted Plants, Herb Gardens, Lawn Ornaments, Furniture and House Numbers**

1. Temporary lighting for seasonal holidays is permitted. All other exterior lighting (including, without limitation, coach lights, front door light fixtures, up lighting in trees, etc.) and lawn ornaments require Board approval.
2. All exterior landscape lighting (including, without limitation, path lighting and up lighting in trees) in the backyard and along the side of a Residence (excluding the front yard) shall be low voltage.
3. Permanent rope lighting is not permitted.
4. No appliances (including, without limitation, heaters, fans or misting devices) that are visible from the street may be installed on the exterior of a house.
5. Tasteful and well-maintained potted plants on front porches are permitted, but planters must be less than 2' x 2' in size (or, if larger, screened from street view).
6. Herb gardens are allowed in the rear yard as long as they are screened from street view with yard fencing that is not see-through and/or landscaping.
7. Tasteful and well-maintained furniture on front porches (i.e., paved areas covered by the roof and considered to be part of the Residence structure) are permitted. No furniture, appliances or other items may remain elsewhere in the front yard (including paved front patios and driveways) or the side yard (unless not visible from the street) between the hours of 10 p.m. and 6 a.m., unless expressly permitted in these Guidelines.
8. Unless otherwise approved by the Board, exterior house numbers must be in neutral colors with an appearance that is harmonious, compatible and consistent with the overall appearance of the community.

U. **Antennas and Satellite Dishes**

1. No more than one (1) satellite dish and one (1) antenna may be installed on any one Lot.
2. Antennas and satellite dishes may not be installed on the front of Residence.

V. **Flags, Flag Poles and Signs**

1. In-ground free standing flag poles are not permitted.
2. Owners may display (i) one official American or Florida flag, (ii) one (1) official flag representing the U.S. Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard or one (1) POW-MIA flag per Lot, and (iii) one (1) official athletic team flag. In addition, Owners may display temporary decorative flags during seasonal holidays.
3. Owners may display (i) one standard "For Sale" or "For Lease" real estate sign not to exceed 18" x 24" and (ii) one standard home security sign not to exceed 12" x 18". In addition, Owners may display one temporary decorative sign to celebrate a holiday, birthday, birth or anniversary for up to seven consecutive days including the date of the event.
4. All other flags and signs are not permitted.

W. **Air Conditioners**

1. All air conditioner equipment must be located behind the house or on the side of the house.
2. All equipment must be screened from street view with yard fencing, a 4' wall of materials consistent with the Residence façade, or shrubs.
3. No window air conditioner units (or similar type of units that penetrates the exterior of the structure) shall be installed in any structure on the Property.

X. **Mailboxes**

In compliance with the USPS, two (2) centrally located mailbox kiosks have been installed in the Property in lieu of individual mailboxes. These mailbox kiosks are the sole property of the Association and may not be modified.

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## Preserve at Ponte Vedra Lakes ARB Application

To: Preserve at Ponte Vedra Lakes Homeowners Association, Inc.  
Attn: Architectural Review Board  
c/o Alsop Property Management  
Attn: Janeen L Raulerson, Property Manager  
Phone: (904) 647-2619  
Email: [jr@alsopcompanies.com](mailto:jr@alsopcompanies.com)

Date Submitted: \_\_\_\_\_

Owner Name(s): \_\_\_\_\_

Property Address: \_\_\_\_\_

Lot #: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Proposed Improvement (please check one):

- ☐ Driveway and Walkways
- ☐ Exterior Color Change
- ☐ Exterior Décor, Lighting, Lawn Ornaments and House Numbers
- ☐ Fencing and Privacy Slats (Note: Lake lots may only be fenced with black aluminum fencing.)
- ☐ Flags
- ☐ Freestanding Structures: Playground Equipment, Chimneys, Gazebos, Sculptures, Fountains, etc.
- ☐ Garage
- ☐ Gutters
- ☐ Hot Tub
- ☐ Landscaping
- ☐ Roof and Chimneys
- ☐ Screen Room Enclosure / Florida Room
- ☐ Storm Protection Devices / Storm Shutters
- ☐ Swimming Pool
- ☐ Windows and Doors
- ☐ Other: (Please Describe) \_\_\_\_\_

Please include the following to expedite review/approval:

1. Survey including all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, driveways, walkways, fences and other improvements made after the date of the survey.
2. Scaled floor plans or plans denoting location and dimensions of improvement.
3. Elevation drawings showing all sides of any contemplated structure(s).
4. Summary specification list of proposed materials and samples or photographs of external materials and colors, which cannot be adequately described.
5. Landscaping plans showing location, size, quantity and species of plants, trees and other vegetation proposed for use.

**Note:** Typically, the Owner will be notified in writing if the Application has been approved or denied within 90 days of submission. The Application may not be approved if there is any overdue Assessment against the Owner(s) or the Lot.