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Brandon J. Patty, Clerk of the Circuit Court and Comptroller St. Johns County FL Recording \$95.00

Andalusia Owners Association, Inc.

St. Augustine, Florida

Architectural Criteria



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1. Introduction

The Board of Directors ("Board") of the Andalusia Owners Association, Inc. ("Association") has established the following Architectural Criteria pursuant to Article IX of the Declaration of Covenants and Restrictions for Andalusia ("Declaration"). All defined terms contained in these Architectural Criteria shall have the same meanings as such terms are defined by the Declaration. The purpose of these Architectural Criteria, in accordance with Article IX of the Declaration, is to maintain and support the explicit and implied directions therein and to ensure the maturity of the property as a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance.

All Owners are advised to review the Declaration and these Architectural Criteria prior to applying to the Architectural Review Committee ("ARC") for review and approval of any planned alteration to their home or property. The ARC will accept applications from Owners or their representatives who provide a written contract with the Owner to present to the ARC. All plans and specifications shall be evaluated for both their visual and acoustical privacy as well as the harmony of the external design to a specific location in relationship to surrounding structures, the ponds, the Conservation Areas, existing trees and natural vegetation and specific conformance with the Architectural Criteria. In a situation where approvals are made on a case-by-case basis, lot size, neighboring lots, drainage, and impact on neighbors will be considered.

ARC approval does not guarantee approval by any public permitting agency (e.g., County Building Department). All plans must be checked by the Owner to see if external permitting is required and then those plans must reflect ARC approval and be stamped by the ARC prior to seeking and obtaining a building permit. Should this procedure not be followed then the Owner will be asked to remove any improvements/changes to their property not meeting these Architectural Criteria and as stated in the Declaration; fines will apply.

Note: When considering any alteration or improvement, do not rely on what may have been approved or be in place by a neighbor. The Declaration and/or Architectural Criteria may have changed over time.

2. Authority

- a. The ARC is a committee of either three (3) or five (5) members appointed by the Board. The ARC shall hold a meeting at least once each month. The majority of members of the ARC constitutes a quorum to conduct business.
- b. The Association's property management firm coordinates all matters for the ARC. Contact the Property Manager on any matters concerning the ARC review process. ARC meetings are generally held on the first Monday of the month at 5:00 PM at the AOA Amenity Center.
- c. For items to be considered and placed on the ARC's agenda, the application must be submitted to the offices of the Property Manager, Thursday before the first Monday of every Month. Emergencies will be considered on a case-by-case basis. All meeting notices are posted at the entrance to Andalusia.
- d. Approvals or denials will be communicated to the Owner by postal mail or email if the Owner has consented in writing to receive notices by email. The ARC may appoint a job coordinator to work with the applicant and to assist with any process issues as they arise through completion.
- e. **Owners seeking approval of an improvement project by the ARC may, no later than five (5) days prior to the ARC meeting, request that a presentation regarding the project be placed on the ARC Meeting Agenda. During the presentation, such an Owner shall have the opportunity to present visual renderings of the project and explain before the ARC the various aspects of the project. The ARC may, during the presentation of the project, provide guidance and suggestions regarding any necessary changes to the project that would make it "approvable" by the ARC.**

3. Home Improvements covered by Architectural Criteria

- a. All exterior alterations, buildings, fences, walls, structures, or other improvement to residences, will be covered by these Architectural Criteria. At no time, should a project affect drainage from an Owners Lot to that of a neighbor. Should drainage problems be created by any project, the drainage issue must be corrected immediately, and any damages incurred because of a project will have to be remediated immediately.

4. Non-Compliance

- a. In the event the actual construction is not in compliance with the ARC approved plans, the Association shall advise the Owner to halt all work and may proceed with legal proceedings to require removal of any construction or improvement not in compliance with the approved plans and specifications.

Architectural Control for Improvements to Existing Homes and Properties (As described in Articles IX & XIII of the Declaration)

1. Pursuant to Article IX, Section 6, of the Declaration, prior to obtaining a building permit for the **construction of any renovation or addition, including the addition of a swimming pool, to an existing residence** which requires the issuance of a building permit from the applicable local governmental building official, the Owner of the Lot shall remit a \$1,000 damage deposit with the Association. The damage deposit will be held by the Association in a non-interest-bearing account be used to offset any costs incurred by the Association in connection with the following:
 - a. Repair damage to any Common Area, including the street and curbing, caused by the builder, contractor or his subcontractors, suppliers, and representatives during construction.
 - b. Pay for the cost of any cleanup of the site and adjacent property not performed by

the builder/ contractor.

- c. Bring the Common Areas and any structures thereon into compliance with the requirements of the Declaration
2. The Owner will provide the ARC with verification of a St. Johns County final inspection if a permit was required. Then, within ten (10) days following the date upon which the construction is completed, the damage deposit will be returned to the Owner provided no damage to Common Area has occurred.
 - a. Information required from contractor applications shall include:
 - i. Proof of contractor insurance.
 - ii. License information (including those of subcontractors used).
 - iii. Minimum (2) copies of any project plans; and
 - iv. A statement as to whether a St. Johns County building permit is required for the proposed project. ARC approval nor these Architectural Guidelines are not to be considered a substitute for County requirements.

3. Partial Home Replacement

- a. In the event a home or homes in Andalusia are destroyed and need to be rebuilt partially or completely, the Home(s) will be rebuilt in the same style and with the same or similar materials and on the original footprint of the former Home. Should the footprint need to be changed, prior ARC approval shall be required.
- b. Prior to construction, the Owner and Contractors will supply all drawing, etc. that the ARC may need to grant approval.

4. Handicapped Access Ramp

- a. Section 720.304(5) of the Florida Statutes provides that any Owner may construct an access ramp if a resident or occupant of the lot has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions.
 - i. The ramp must be designed to blend in aesthetically and be reasonably sized to fit the intended use.
 - ii. The Homeowner must submit to the ARC an affidavit from a physician attesting to the medical necessity or disability requiring the access ramp.
 - iii. Plans for the ramp must be submitted in advance to the ARC. The ARC may make reasonable requests to modify the design to achieve architectural consistency with the surrounding structures and surface.

5. Regarding the addition of structures (ex: storage sheds, storage buildings, etc.)

- a. All applications must be complete with all information requested, dated, and submitted by the homeowner.
- b. Location of the proposed structure would be placed as close to the home as possible (but no further than the mid-point of the home's placement on the side lot line), to obscure as much of the structure as possible from the street view including the use of approved white vinyl privacy fence when permitted under our covenants. If property owner has installed an approved six-foot white vinyl privacy fence on all sides of back yard, then the shed location may be moved further away from home provided the installation complies with property line set back guidance. Installations shall not be placed within storm sewer easements if such easements exist on the property. The homeowner must supply a plot plan indicating placement of building and any applicable easements. The location & approval of building is at the ARC discretion.

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- c. Such changes or addition to any fence may be included as part of this application.
- d. Owners wishing to build storage sheds in their back yard or side yards on Lots that have a six-foot (6) white vinyl fence encompassing the entire backyard may build sheds not exceeding a height of seven (7) feet, six (6) inches.
- e. Proposed sheds on Lots that do not have six foot (6) white vinyl fence fully encompassing the backyard must be no taller than six feet (6), be screened from the view of neighbors and the street with plants and must be approved by the ARC
- f. Overall width and length the structure should not exceed eighty (80) square feet
- g. Construction materials and/or colors should be complimentary to the existing home on the property.
- h. All applications should have as much detail as possible. Items like anticipated elevation drawings or photos of model desired, materials used, site plan location, and height.
- i. Any additions or alterations to the property landscaping because of adding the structure should be included as part of this application
- j. ARC approval is required prior to commencing construction or taking delivery of a shed.
- k. All setback requirements and St. Johns building code requirements must be followed. ARC approvals are not a substitute for County or State Code requirements.
- l. All storage sheds must be anchored in such a way as to meet hurricane specifications up to 130 mph winds.

6. Storage Closets

- a. As an alternative to a storage shed, the ARC will consider for approval a custom-built storage closet which is attached to and the same material as the Home

7. Screen Enclosures

- a. All Screen Enclosures require ARC approval.
- b. Pool screen enclosures and lanai enclosures will be bronze or black in color with bronze or black screening. Any existing screen enclosure that was previously approved by the developer or that was installed by the builder need not be modified to conform to these Architectural Criteria.

8. Pools and Spas

- a. No above ground pools are allowed
- b. In-ground pools and spas require ARC approval. Applicants are responsible for all St. Johns County Building permit requirements and associated fencing and safety regulation code compliance.
- c. All equipment for pools, spas, and hot tubs, including pumps, filters, etc. must be placed where it will not cause a nuisance to neighbors and must be screened from view. Mechanical equipment such as pipes and wiring must be concealed or screened from front, street, or sidewalk view.
- d. All materials colors to be used such as pool deck tile or pavers, pool finishes, and screen enclosures all must be included with other required documents for consideration

9. Above ground Hot Tubs/Spas

- a. All hot tubs must be submitted for ARC approval, regardless of exterior location. Above-ground Hot Tubs are allowed within fenced yards where the white vinyl fencing is used.

10. Roof Repairs and Replacements

- a. All roof replacements require prior ARC approval
 - i. All roofing shall consist of Architectural Shingles with a warranty of at least twenty (25) years. Should these shingles no longer be available, ones as close as possible to the existing original roofing in the community should be used. Repairs to roofs will not require ARC approval so long as all repairs are made using materials as close as possible to the existing roof. If any visible sign of repair or dissimilar shade of shingle is visible from the street, ARC approval is required. As roofs are replaced in the community the ARC will maintain a listing of roofing materials that they have accepted.
- b. Roof Vents
 - i. All exposed roof accessories, including but not limited to, vents, flashing, and attic ventilators must match or be compatible with the color of the roofing material and must be approved by the ARC

11. Minor Modifications

- a. Minor Modifications are changes to the Lot that does not require that a permit be first obtained from the County. Any drawings or visual aids, along with a description containing as much detail as possible to help the ARC better understand the improvement will help.

12. Landscaping

- a. The ARC supports Florida Friendly Policy regarding landscaping. (<http://floridayards.org/professional/index.php>) Trees, shrubs and flowers are welcome in the community. Owners shall call 811 prior to commencing any excavation so as to ascertain the location of any underground utilities
- b. There shall not be any plantings in the lakes or wetland areas of the lakeside Lots, except as authorized by the Association and performed by lake management contractors selected by the Association.
- c. Landscaping equipment including, but not limited to mowers, rakes, shovels and wheelbarrows must be stored out of view.
- d. No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of front lawns. Due to drainage concerns, ARB approval is required for artificial turf within fenced yards.

13. Landscape Pavers, Bed & Driveway Borders

- a. Pavers and Concrete borders must be natural, muted, subdued earth tone colors. White pavers or boarders will not be permitted. Pavers and/or concrete material may be used to construct walkways, patios, and borders. This includes bed and lawn separation and other enhancements to the property. *Any additions to the driveway width with boarders or otherwise cannot exceed 18 feet wide for 2 car garages or 26 feet wide for 3 car garages. (*per St Johns County Code)

14. Landscaping Ground Cover Material and Landscape Lighting

- a. Landscaping beds must be mulched with appropriate coverings/materials and approved by the ARC.
- b. Garden Landscape Lighting shall not be excessive. Landscape light fixtures and their supports must be natural, muted, subdued earth tone colors.
- c. Both perennial and annual herbs gardens are permitted.
- d. Vegetable gardening, raised beds, etc., is allowed within the fencing without approval.

15. Rain Barrels/Rain Collection Devices

- a. Rain barrels/collection devices are not permitted in the front yard. If visible on side yard, they must be approved for color and style
- b. Rain barrels must be screened from public view by plantings or fencing. Such devices may not exceed 70 gallons in capacity size. There must be a sturdy rigid top to exclude animals and children from the device. All openings of the container and system must be screened against mosquitoes.

16. Arbors and Trellis Structures

- a. Arbors and Trellis on the front or side yards must be approved by the ARC. They must be white, natural, muted, subdued earth tone colors, incorporating a vine type plant, evergreen, compatible in scale, massing, character, harmony with the dwelling. ARC will review on a case-by-case basis.

17. Patio

- a. Patio material must be muted, subdued earth tones colors in harmony with the dwelling and consistent with the overall appearance of the community. Materials and colors to be used must be included with the application
- b. Patios require approval by the ARC.
- c. Patios shall comply with the restrictions, county, and state regulations.

18. Fences

- a. Only the following fence types will be permitted:
 - i. White six-foot vinyl
 - ii. Four-foot Aluminum in black or bronze. Chain link fences are not permitted.
- b. Installation or changes to the layout of the fencing must be reviewed and approved by the ARC.
- c. The drawings submitted to the ARC must show the site (lot survey) location on site of existing facilities, location of proposed fencing, type or design of fence, dimensions, and design detail. The fencing must consider the location and design of any adjacent existing fence. Fence installations shall maintain gate access to storm sewer easements if such easements exist on the property. The AOA Management Company can assist with this information if requested. The homeowner must supply a plot plan indicating placement of fence and any applicable easements.

19. Outdoor Cooking

- a. Firepits built permanently into patios require ARC approval.

20. Gazebos, Pergolas, and Sunshades

- a. Any plans for a freestanding roofed structure, usually open on the sides such as gazebos, pergolas, or sunshade must be submitted to the ARC for approval.
- b. These structures may be no taller than 3 feet above the white fencing or 5 feet above the aluminum fences. These structures may be no larger than 225 sq. ft.
- c. The roofs on these structures that are visible from adjacent properties must match the Home, or be metal of black or bronze color, or be of natural materials such as cedar, bamboo, or grass. Flat or open lattice roofs need not be tiled. Fascia and support pillars must be finished to match the Home or of natural materials, stone, cedar, redwood, bamboo, or metal. If the gazebo support structure is metal and unpainted, the color should be black, or bronze color. If the gazebo support structure is painted, the color should match the color of the painted roof or the body color of the Home.

- d. Gazebos, pergolas and sunshades must be compatible in scale, massing, character, materials, and color with the Home. Changes in grade or drainage must not adversely affect adjacent property.
- e. All structures must be secured to the ground adequately to withstand 130 mph winds. Footings or other securing device must be included in any plans for consideration. Only one will be considered for approval on any given lot. Multiple gazebo structures will not be permitted. Adherence to setback requirements is mandatory.
 - i. Freestanding fabric covered canopies, tents, sails, or similar structures may be used, providing they are in good repair and not discolored. However, they must be removed during a Hurricane Watch.

21. Exterior Decorations

- a. Seasonal displays shall not become a nuisance or annoyance to the neighborhood.
- b. Seasonal displays may be installed four weeks before the holiday and removed not later than four weeks after the holiday.

22. Play Equipment

- a. All play equipment shall be stored out of sight when not in use and shall be placed inside during tropical storm and hurricane force winds.
- b. Basketball Goals
 - i. No basketball backboards or hoops are to be mounted on the Home
 - ii. A pole for mounting a backboard may be installed midway between the Home and street on the edge of driveway on opposite side of front door with ARC approval.
 - iii. Portable basketball goals may be used and placed in same location as a pole would be placed.
 - iv. Backboard and net must be kept in good condition.
- c. Swings/Swing sets
 - i. Swing sets may be installed and located in the rear or side yard with ARC approval.
- d. Trampolines
 - i. Require ARC approval

23. Fountains and Water Features

- a. Prior ARC approval is required for fountains, water feature structures and ponds located on the lot.

24. Satellite Dish and Antennas

- a. The following guidelines are design and location restrictions for ALL types of satellite dishes as approved by the Telecommunications Act of 1996 which directs Federal Communication Commission (FCC) to create regulations, which would disallow restrictive covenants on satellite dishes under one (1) meter in diameter only. These guidelines may be revised in the future. Only satellite dishes under one (1) meter in diameter will be allowed and must be installed in the back of the property and out of sight so long as the signal is not negatively affected.

25. Awnings and Sun Control Devices

- a. Awnings or sun control devices of any type of material that are visible from the street must be approved by the ARC prior to installation and shall not substantially change the appearance of the exterior of the home. ARC will review on a case-by-case basis using the standard of harmony with adjacent and nearby properties.

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26. Garage Screens

- a. The installation of a garage screen shall be subject to prior approval by the ARC.
- b. Garage door screening systems shall only be permitted if installed in the interior of the garage. When the garage door is closed, no screens or apparatus shall be visible from the exterior.

27. Paint Colors and Stain Colors for Homes and Driveways

- a. All Paint/Stain colors for homes, trim, doors, shutters, and driveways must be approved by the ARC. Color samples are required. Driveway colors must be natural, muted, subdued earth tone colors. Dark colors will not be approved. Color samples must be submitted for application consideration.
- b. Storm windows and screen frames are considered trim on the dwelling and must match existing trim color (white).
- c. Gutter and downspouts must also compliment the color of the Home, trim, or flashing.

28. Trash and Recycling Container Screening

- a. Trash and Recycling container screens must be white, natural, muted, subdued earth tone colors, compatible in scale, massing, character, harmony with the dwelling.

COPY

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APPROVED by the Board of Directors of Andalusia Owners Association, Inc.,
on this 20th day of July, 2023.

Witnesses

Avery Linde
Signature of Witness 1

Avery Linde
Printed Name

Jill Meyer
Signature of Witness 2

Jill Meyer
Printed Name

Andalusia Owners Association, Inc.

Phillip Rizzo
Signed

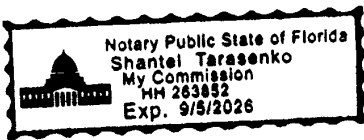
PHILLIP RIZZO
Printed Name

BOARD OF DIRECTORS - VICE PRESIDENT
As Its

STATE OF FLORIDA

COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization this 20th day of July, 2023, by
Phil Rizzo. As VICE PRESIDENT of Andalusia Owners Association, Inc.
on behalf of the corporation.



(NOTARY SEAL)

Shantel Tarasenko
(Signature of Notary Public – State of Florida)
Shantel Tarasenko
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ or Produced Identification ☐

Type of Identification Produced: _____