



ARB Guidelines

**SECTION 1. APPROVAL REQUIRED FOR ALL IMPROVEMENTS.**

In order to ensure the development of the Property as a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance, the ARB reserves the right of exclusive power and discretion to approve, or disapprove, all improvements placed on the property. The ARB will provide a reason for applications that are not approved.

The required application form must be **completed** and submitted for any proposed improvements. No improvement may be made on any part of the Property without the prior consent of the ARB. Applicants receiving approval of proposed improvements may thereafter make minor changes to landscaping and vegetation without further approvals, so long as such changes are harmonious with the previously approved landscaping plans.

**If any improvement is completed prior to submission and is denied, the Owner will have 30 days from date of written notification to correct the issue.**

**SECTION 2. SUBMISSION AND REVIEW OF PLANS**

**A. Submittal Process**

Prior to making any improvements or new construction, the Applicant shall submit detailed plans and specifications set forth in Section 3 below. The ARB reserves the absolute right to refuse approval of any plans which in its opinion are not suitable or do not comply with the terms of this document. The ARB shall evaluate each application for its total effect upon the Applicant’s parcel and the overall property. This evaluation may involve matters of judgment and tastes that cannot be reduced to an objective list of measurable criteria. The approval of any improvement or new construction does not obligate the ARB to approve applications involving similar designs, aesthetic appearance or locations on a parcel for other proposed improvements or new construction.

**B. Fees**

The ARB does not require Application or Review Fees for any improvements installed by or on behalf of Dream Finders Homes, LLC (the “Homebuilder”), DCE DFH JV, LLC, (the “Developer”), or any affiliated entity.

Type of Construction/ Improvements	Applicable Fees
<b>Major Residential Improvements:</b> Screen rooms, Florida rooms, additions, Swimming pools, etc.	<b>\$45.00</b>
<b>Minor Residential Improvements:</b> (Fences, landscape modifications, exterior paint, satellite dishes, etc.)	<b>\$35.00</b>
<b>Resubmittal Fee:</b> This fee can be waived at the discretion of the ARB.	<b>\$10.00</b>

**SECTION 3. PLANS AND SPECIFICATIONS: APPROVAL PROCESS.**

In connection with the review of any proposed improvement or new construction, and unless waived by the ARB, the Applicant shall submit the following documents (accompanied by such additional information and materials, which in the opinion of the ARB may be required for its review):

1. Survey that includes but not limited to all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, driveways, walkways and fences. The proposed surface contours and elevations of portion of the property shall be in compliance with the drainage plan as set forth by the county.
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.

After reviewing the application which is deemed complete (that is, a signed application form and all items required for review), the ARB has thirty (30) days in which to approve or disapprove the said application. Applicant will receive written and signed notification of the ARB's decision. The ARB's failure to act within this specified period shall **not** constitute approval whereupon the work may begin.

**SECTION 4. INTENTIONALLY DELETED**

**SECTION 5. ARCHITECTURAL PLANNING CRITERIA**

In Order to achieve the objectives stated in Section 1 of this document and to help applicants plan and design proposed improvements, the following standards are adopted as the Architectural Planning Criteria to be followed.

**A. Single Family Dwelling Units**

<b>PUD: ORD 2016-4</b>	
<b>Max Lot Coverage by Building:</b>	<b>65%</b>
<b>Max ISR (of Gross Lot Area):</b>	<b>70%</b>
<b>Max Building Height:</b>	<b>35'</b>
<b>Minimum Setbacks:</b>	
<b>Front:</b>	<b>20'</b>
<b>Front Flag Lot:</b>	<b>10'</b>
<b>Side:</b>	<b>5'</b>
<b>Side Corner:</b>	<b>16'</b>
<b>Rear:</b>	<b>10'</b>

## **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. All chimneys are required to have caps. All chimney caps, in addition to spark arrestors, must be painted to match the chimney color (or complimentary color if the home is brick).

### **B. Windows and Doors**

1. Decorative glass front doors, screen doors and storm doors are permitted as long as they are approved by the ARB.
2. The frame for a screen door or storm door, must match the existing trim on the home.

### **C. Storm Protection Devices / Storm Shutters**

1. Permanently installed storm protection devices require ARB 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 24 hours before the effective time of a declared hurricane watch and must be removed within 48 hours of a storm passing.

### **D. 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 view with vegetation that is as tall as the A/C equipment within 1 year of planting.
3. No window air conditioner units or similar type, that penetrates the exterior of the structure, shall be installed in any structure on the property.

### **E. Gutters**

1. All gutters must match the color of the fascia.
2. Downspouts must match the color of the fascia or the body color of the home.

### **F. Driveways and Walkways**

1. The driveway and apron must be constructed out of poured in place concrete, stamped concrete pavers or brick pavers.
2. County sidewalk must be constructed out of poured in place concrete even where it crosses over the driveway.
3. All walkways must be constructed out of poured in place concrete, stamped concrete pavers or brick pavers.
4. Front porches and back porches may be concrete, pavers, stained or tiled, as long as they are approved by the ARB.
5. Driveways and walkways must be installed as to not restrict or impede the designed flow of drainage.

## G. Landscaping

Landscaping is an essential design element to the community and to the individual homes within this community. Landscape design should be integrated into the design of the home, from its inception. The use and preservation of native and naturalized landscape materials is strongly encouraged. Planting plans should strive to have as strong an impact as possible at the time of installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.

All landscaping will be in accordance with the requirements of the applicable City/County Landscape ordinances. Nothing herein shall be construed to be less than nor to reduce the requirements of the City/County. Landscape plans submitted shall not be at a smaller scale than 1"=10'-0". 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; pools, spas, decks and screen enclosures must also be a part of the landscape plan.

All Landscape modifications will also be reviewed and approved by the HOA's Landscape consultant.

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

- a) The following plant quality standards shall apply to landscape plants.
- b) 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.
- c) Grass sod is to be Stenotaphrum Secundum variety: Floratam or Floratine. St Augustine grass on sandy soil type.
  - i) Zoysia grass will be considered on a case by case basis.
- d) All shrub beds and natural areas not covered with sod shall receive a three (3") inch layer of mulch.
- e) Bare ground is not acceptable.

### 2. **General Guidelines**

- f) Planting and mounding is 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 insure positive drainage is maintained.
- g) All sites must be graded to maintain positive drainage.
- h) 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.
- i) When installing a pool, the landscape plan must be adjusted to accommodate the minimum perimeter foundation and include shrubs which wrap and extend around each corner of the enclosure or corner of the deck. The perimeter shrubs must wrap each corner.
- j) Corner Lots with side yards towards the street must be landscaped in a character similar to that of the front yards.
- k) No artificial vegetation is allowed.
- l) Decorative Landscape Borders are strictly prohibited

### 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 ARB, and must be a minimum distance of 15 feet from slab. (Type, caliper, and condition of tree considered.)
- b) If a homeowner wishes to move or remove an existing tree or replace an existing tree, the homeowner must submit to the Architectural Review Board.

5. **Mulch**

- a) The approved colors for natural mulch are Cypress Brown and Pine Bark.
- b) Rock is not allowed to be used as mulch.
- c) White rock sand, pebbles, wood chips or similar materials shall not be an acceptable alternative to grass or ground cover in the yard.

H. **Garages**

1. No garage shall be converted to living space.
2. Garage Screen Doors are strictly prohibited throughout the community.

I. **Temporary Movable Structures**

1. No sheds, exterior storage structures or temporary movable structures are to be erected or permitted to remain on any portion of the Property.
2. Temporary movable structures include, but are not limited to, above ground swimming pools, boats, trailer, mobile home or tent.

J. **Freestanding Structure**

1. Any freestanding structure contemplated for a lot such as a pavilion, gazebo, cabana, etc. must be submitted for approval.
2. Approval will be granted only upon the merit of the structure and determination that it will not materially adversely affect the neighborhood.

K. **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 view of streets, adjacent and surrounding properties.
  - 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 twelve months of the year.
2. Prior to installation, a detailed plan/picture including height, materials, color must be submitted to the ARB for approval.
3. Playground Equipment, Freestanding Chimneys and/or Recreation Structures must be placed behind the rear of the home.
4. Basketball hoops are allowed, however they must be movable and placed inside the garage when not in use.
5. All playground equipment must be earth tone in color, including any tents, slides, etc.
6. Maximum Height of any structure is twelve (12) feet.

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

1. Screen rooms must be the color dark bronze (almost black) or black.
2. The roof on a screen room must be screen or have a roof with shingles to match the roof on the existing home, and meet roof pitch standards.
3. All drawings must include dimensions, transition detail between existing house and new structure, roof material (a sample shingle is to be supplied or picture of existing home to show roof color).
4. The plans must also include door locations and if there will be a kick plate installed.
5. If a kick plate is to be installed, landscaping must be installed to screen the kick plate from view from adjacent properties.
  - a. A landscaping plan with the types and gallon size of materials to be used must also be submitted
6. Florida Rooms must:
  - a. Meet roof pitch standards;
  - b. Have a roof with shingles to match the roof on the existing home; and
  - c. Be constructed of the same materials as the body of the home or complimentary materials.

M. **Window Treatments and Covering**

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. No unsightly objects shall be placed in windows visible from the street or other properties.

N. **In Ground Swimming Pools**

1. In ground swimming pools are allowed
2. The submittal must include a current survey showing location of pool, pool equipment, screening for the pool equipment and construction access.
3. The submittal must include the color of the pool surface (tile & marcite) and sample of the pool deck material.
  - a. Brochures illustrating the pool surface colors and deck material are acceptable.
4. Pool equipment must be screened, from view from the adjacent properties with landscaping, a fence or a permanent wall. If the pool is being installed as part of the Dream Finders Homes sale, there are no additional requirements regarding landscape, as the standard Dream Finders Homes landscape package is sufficient. However, if the Pool is installed post-closing the landscaping must have an opacity requirement of 80% (i.e., hedges such as ligustrum and viburnum).
5. A plan for construction access is to be included and if access is on property other than your own, an approval letter from that property owner is required.

O. **Hot Tubs**

1. Above ground hot tubs are permitted, but only allowed if contained within a screen room or Florida room.
2. The submittal should include the dimensions of the hot tub, with pictures or brochure.
3. Also the submittal must include a landscaping or fencing plan to completely screen the tub from view from adjacent properties.
4. In ground hot tubs must abide by Swimming Pool standards

P. **Antennas and Satellite Dishes**

1. No more than one (1) satellite dish and one (1) antenna may be installed on any one property.
2. Any exterior antenna or satellite dish must be submitted to the ARB for approval.

Q. **Grading**

1. No portion of the property shall be graded and no changes in elevation of any portion of the property shall be made which would adversely affect any adjacent property.
2. All homes abutting drainage retention areas must have sod installed down to the normal water level.

R. **Trash Containers**

1. All garbage and trash shall be stored in closed containers and stored in the garage when not in use.
2. If the County has supplied Bins 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.

S. **Mailboxes**

1. In compliance with the USPS, the Developer has installed centrally located mailbox kiosks throughout the community in lieu of individual mailboxes.

T. **Exterior Lighting, Potted Plants on Front Porch, Herb Gardens and Lawn Ornaments**

1. All exterior lighting and lawn ornaments must be submitted to the ARB for approval.
2. Rope lighting is not an approved lighting.
3. Potted Plants on Front Porch Patios may either be less than 6 inches in height or if larger screened from street view.
4. Artificial Vegetation is not allowed.
5. Herb Gardens are allowed in rear yard as long as they are screened from view with a fence and/or landscaping.

U. **Flags and Flag Poles**

1. Homeowners may display one American flag per the CC&R's.
2. Small seasonal decorative flags will be considered on a case-by case basis.



V. **Fences**

1. All fence requests, including invisible fencing, must be submitted to and approved by the ARB.
2. No fencing, including invisible fencing, shall extend beyond the midpoint of the structure into the front yard.
3. No fencing shall extend outside the limits of the property, 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 Lake Lots, the approved fence type is a 4 Foot black aluminum open picket fence on all sides of the Property. The top rail must be flat (no pickets). On lots adjacent to the lake, a gate will be required so that owners may fulfill their responsibility to maintain the lake slope down to the water's edge.
6. On non-Lake Lots approved fence type is 6 Foot White Vinyl, tongue and groove privacy fence. Use of a four-foot black aluminum open picket fence on the rear Property line for lots that are abut Preserves and Conservation areas will be considered on an individual basis.
7. Fences may be installed in a drainage easement and in the maintenance easement, but it will be the homeowner's responsibility to repair or reinstall the fence if it is removed for maintenance purposes. Homeowners that 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 the ARB's approval. No double gates are allowed.

**SECTION 6. SIGNAGE**

A. **Address Plaques**

1. A Polished Brass Finish Address Plaque of approximately 6" High by 10" to 17" Wide (varies per numbers) will be installed by the Builder prior to Home Closing. An example is below:



2. To ensure compliance with 911 Regulations and a harmonious streetscape throughout the community, Builder will install all address plaques above the frame surrounding the garage door at the corner which is closest to the front entry of the home.

**ARB Application is on the Following Page**

## Durbin Creek Estates ARB Application

To : Durbin Creek Estates Homeowners Association, Inc.

Attn: Architectural Review Board

c/o Alsop Property Management

Attn: Janeen L Raulerson, Property Manager

P.O. Box 1389

St. Augustine, FL 32085

Phone : (904) 647-2619

Fax : (904) 647-2617

Email : [jr@alsopcompanies.com](mailto:jr@alsopcompanies.com)

Website : [www.AlsopPropertyManagement.com](http://www.AlsopPropertyManagement.com)

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

Owner Name : \_\_\_\_\_

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

City, State, Zip : \_\_\_\_\_

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

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

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

### Type of Proposed Improvement, Please Check One:

<input type="checkbox"/>	Antennas and Satellite Dishes
<input type="checkbox"/>	Driveways and Walkways
<input type="checkbox"/>	Exterior Color Change
<input type="checkbox"/>	Exterior Lighting, Potted Plants on Front Porch, Herb Gardens and Lawn Ornaments
<input type="checkbox"/>	Fencing (Note: Lake Lots may only be fenced with black aluminum fencing.)
<input type="checkbox"/>	Flags and Flag Poles
<input type="checkbox"/>	Freestanding Structures: Playground Equipment, Chimneys, Gazebos, Sculptures, Fountains, etc.
<input type="checkbox"/>	Garages
<input type="checkbox"/>	Gutters
<input type="checkbox"/>	Hot Tubs
<input type="checkbox"/>	Landscaping – <b>Submittal requires review &amp; approval by the ARB's Landscape Consultant.</b>
<input type="checkbox"/>	Roofs and Chimneys
<input type="checkbox"/>	Screen Room Enclosures and Florida Rooms
<input type="checkbox"/>	Storm Protection Devices / Storm Shutters
<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Windows and Doors
<input type="checkbox"/>	Other: <i>(Please Describe)</i>

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### Please Include the Following to Expedite Review/Approval:

- 1 Survey that includes but not limited to all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, driveways, walkways and fences.
- 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.