

SPANISH OAKS HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW BOARD
SUMMARY OF GUIDELINES & POLICIES
“ATTACHMENT A”

"It shall be the responsibility of each property owner to be familiar with the guidelines and policies set forth herein, and to adhere to them in the best interest of the neighborhood."

The following is not intended to replace any other documents of the Spanish Oaks Homeowners Association (the Association), but rather *summarizes and supplements* (I) the application process for submitting a request for change, (II) the current ARB guidelines and policies, and (III) enforcement of the guidelines and policies.

I. Application Process for Submitting a Request for Change

- A. Submitting a Request** – When submitting a request for ARB consideration, please use and fully complete the request form (Attachment C), attaching any additional documents that will assist the ARB in properly reviewing the requested change. All requests will receive prompt consideration and a response will be issued in writing ***within two weeks of the date of submission***, barring unforeseen circumstances.
- B. What’s Needed** – The ARB requires for its review and approval the submission of a complete set of preliminary and final plans and specifications for any improvement or structure of any kind that is proposed as an addition to any property in Spanish Oaks. This includes, without limitation, any building, dwelling, fence, retaining wall, privacy screen, wall sign, site paving, grading, parking additions, building additions, alterations, pools, spas, screen enclosures, landscaping, landscaping device or object, exterior lighting, or other improvements. The ARB may establish charges, as deemed necessary, to cover the cost for review of the plans and specifications.

II. Guidelines & Policies

While all requests must be submitted and approved by the ARB in writing, the following guidelines and policies have been established by the Board of Directors for the Spanish Oaks community. From time to time, additions and amendments may be passed by the Board of Directors and become a part of the revised guidelines and policies. The ARB may authorize variances from compliance with any architectural provision when circumstances such as topography and natural obstructions require such action.

- A. ARB Approval (General)** – Any alterations or additions to the building, landscaping or exterior lighting must be approved by the ARB. This includes but is not limited to fences, retaining walls, privacy screens, screen enclosures, landscape lighting, and changes to exterior paint color. Any repairs or replacements must be accomplished using the original type materials, color, size and shape as originally approved by the ARB.
- B. City of St. Augustine Beach Approval** – Any City-required permitting must be obtained and a copy provided to the ARB prior to beginning new construction or any alterations or additions on the lot, including but not limited to buildings, landscaping and exterior lighting. The ARB may pre-approve requests on the condition that any required City permits are obtained prior to beginning work. Failure to obtain City-required permits automatically voids any ARB conditional pre-approval. It is the property owner’s responsibility to know the City’s requirements and to be certain any required permits are

obtained. The ARB will not consider incorrect information from contractors or others or their failure to comply with the City's permitting requirements. [SOHA Covenants 3.3]

- C. Security Deposit** – There will be a \$3,000 deposit required for new residential construction and for any exterior renovation, addition or repair to an existing residence (\$1,000 for moderate additions, renovations, repairs). The deposit may be waived for minor renovations/repairs, at the ARB's discretion.
- D. Advance Notice of Worker Entry** – Prior to commencing any interior or exterior renovations/repairs, installation, maintenance or other activity for which crews and/or related vehicles/equipment will be onsite in Spanish Oaks more than one day, or which involves oversized equipment for any period of time:
 - 1. The chair of the ARB must be provided at least 48 hours advance notice, including a written statement of the number and type of vehicles/construction equipment to be onsite, time(s) of day and number of days, and a plan for parking vehicles/equipment off the street. Work can proceed only after the ARB chair confirms receipt and authorization to proceed, in writing. Failure to provide the required notice may result in denial of entry into the subdivision by vehicles/construction equipment.
 - 2. Note that Item C, Security Deposit, applies.
- E. Permitted Hours of Work** – No construction/remodeling work is allowed on Sundays or major holidays (New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas). Construction/remodeling activity of any kind may not commence before 7:30 a.m. and must cease at sunset or 7:00 p.m., whichever occurs first.
- F. Custom Design** – Respecting that Spanish Oaks is a custom-home neighborhood, new construction must avoid elevations and exterior designs that are repetitive of existing homes.
- G. Side-loading Garage** – Garage entries may not front to the street. Homes must be designed for garage entries to be side-loading. Alternatively, an "atrium" configuration may be considered.
- H. Detached Structures** – No detached buildings or structures shall be erected or permitted to remain on any lot. This includes detached garages, tool or storage sheds, tents, trailers, tanks or any other such structures.
- I. Screen Enclosures** – Screen enclosures are permissible in back yards only and must be bronze in color.
- J. A/C Unit Screening** – All A/C units must be appropriately screened from view from the street. The ARB has no preferred type of screening and has adopted a policy to approve the following screening materials: shrubs; white vinyl private or semi-private screen; stucco coated concrete block, brick or stone masonry stub wall; and wood shadow box or lattice fencing. If stucco coated concrete block is selected it must be painted to be in concert with the primary house color. If wood is selected it must be treated on a regular basis to preserve its natural color, or painted to be in concert with the house color, and such color is to be approved by the ARB. All screens are to be no taller than six feet in height.
- K. Recreational Equipment Screening** – All playground equipment, skateboard ramps, platforms or any other such recreational structure must be appropriately screened from view from the street. It is preferable that such structures be located behind the house or inside of fencing. Basketball backboards are allowed, but are not to be located near the curb or in the street, and must be maintained in like-new condition.
- L. Irrigation Equipment Screening** – Irrigation well equipment and/or above ground piping must be foliated so as not to be visible from the street.

- M. Satellite Dishes & Other Appurtenances** – An antenna, aerial, satellite receptor dish or similar device must be appropriately screened from view of the neighbors and from the street, located on the back side of the house, and less than 24 inches in diameter and/or four feet tall.
- N. Earthwork** – Prior to commencing any land clearing, root grubbing or earthwork intended to change existing surface contours:
1. The chair of the ARB must be provided at least 48 hours advance notice. Work can proceed only after the ARB chair confirms receipt and authorization to proceed in writing. Failure to provide the required notice may result in denial of entry into the subdivision by mechanized equipment.
 2. Perimeter silt fences must be installed as required by Florida state regulations and by the City of St. Augustine Beach. Perimeter fencing (plastic mesh or similar) must also be installed to demarcate and protect all trees to be retained, including their rootbeds, as well as all areas that are outside the area to be cleared or graded, per the ARB-approved plans. Silt fencing and protective perimeter fencing must be maintained in good order throughout the construction process.
 3. Visible stakes must be set at the surveyed corners of lot lines and maintained in position and visible at all times throughout the construction process.
- O. Driveways, Walkways, Other Hard Surfaces** – Any proposed change to driveways, walkways, or other concrete surfaces, such as painting, staining, texturing, or any other coating must be approved by the ARB.
- P. Fences** – In general, fences are discouraged as it takes away from the open and natural Florida environment and our neighborhood. The ARB has no preferred type of fencing, and has adopted a policy to approve the following fencing materials: black or white anodized aluminum, white vinyl, stucco coated concrete block, brick or stone masonry, and wood shadow box. If stucco coated concrete block is selected it must be painted to be in concert with the primary house color. If wood is selected it must be treated on a regular basis to preserve its natural color, or painted to be in concert with the house colors, and such color is to be approved by the ARB. All fences are to be no taller than six feet in height. They may span the full width of the property at or near the back property line, and shall not extend any further than the mid-point of the house on each side. If an owner wishes to hide from view gas tanks or other unsightly equipment with fencing, the ARB may consider an exception as to fence location somewhat beyond the mid-point of the house, but only upon written request. In no case shall a fence extend to the front of a house. No front yard fences are permitted.
- Q. Retaining Walls** – Where retaining walls are necessary, they shall be made of one of the following approved materials: stucco coated concrete block, brick or stone masonry, stone stack blocks, or wood. If stucco coated concrete block is selected it must be painted to be in concert with the primary house color. If wood is selected it must be treated on a regular basis to preserve its natural color, and it must also be foliated in front of the wall so visibility from the street will be attractive.
- R. Irrigation Wells** – It is preferred that irrigation wells be “deep” wells to prevent the accumulation of rust or other visible discoloration on surfaces such as the driveway, walks, walls, curbs, etc. If a shallow well is installed it is required that a chemical treatment system be installed and properly maintained to prevent the same from occurring.
- S. Mailboxes** – No mail or newspaper boxes are allowed in front of a residence, except for the standard approved mailbox that has been established for the neighborhood. All mailboxes are to be located within five feet of the driveway of each residence.

- T. Flagpoles & Flags** – Flagpoles must be approved by the ARB. Flags must be properly displayed.
- U. Artificial Foliage** – No artificial grass, plants or other artificial vegetation shall be placed or maintained on any lot, if it is visible from the street.
- V. Signs** – No signs, except For Sale signs, of any kind shall be displayed to the public view on any lot except as may be approved by the ARB who will determine size and design. Guidelines pertaining to For Sale signs have been adopted by the Board of Directors with specific size and colors as exhibited herein by Attachment B.
- W. Window Treatments** – Window coverings, tinting and treatments not reasonably compatible with the established aesthetics for the neighborhood, must be approved by the ARB. This includes window or patio awnings and permanent hurricane shutters.

III. Enforcement of Guidelines & Policies

- A. Removal/Restoration** – The ARB may require removal of any changes, modifications or alterations that have not received the ARB’s prior approval, and restoration to the originally approved plans and specifications, at the owner’s expense including the Association’s costs and attorneys’ fees. [SOHA Covenants 3.2.5]
- B. Member Responsibility** – *It shall be the responsibility of each property owner to be familiar with the guidelines and policies set forth herein, and to adhere to them in the best interest of the neighborhood. The policies and guidelines are designed to encourage a strong sense of pride in the overall appearance of the neighborhood, and to preserve our respective property values.*
- C. Enforcement, Notification & Remedy** – As authorized by the *Declaration of Covenants and Restrictions for Spanish Oaks*, which are binding on all property owners, and the *By-Laws of Spanish Oaks Homeowners Association, Inc.*, the guidelines and policies set forth herein shall be strictly enforced by the ARB and/or the Board of Directors of the Association. A written notice will be served by the Board of Directors to correct any violation of these guidelines and procedures, and the property owner shall remedy the violation in a reasonable period of time after such notice.