



RIVER HILLS RESERVE

BOARD OF ARCHITECTURAL REVIEW RESIDENTIAL

GUIDELINES

MAY
2024

BOARD OF ARCHITECTURAL REVIEW
RIVER HILLS RESERVE
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- (1) Aluminum Enclosure Fencing
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- (3) Real Estate Signs

RIVER HILLS RESERVE

Board of Architectural Review Policy, Procedures & Guidelines

All owners and residents of River Hills Reserve are legally bound and shall abide by the Declaration of Covenants, Restrictions and Easements (CR & E), Articles of Incorporation, Bylaws, Policies and Procedures, as well as Rules and Regulations as adopted or amended by the River Hills Board of Directors as well as other applicable legal documents related to River Hills Reserve. These Policies, Procedures and Guidelines were adopted to facilitate the Board of Architectural Review (BAR) review of applications for exterior improvements within River Hills Reserve.

These Policies and Procedures are the basis by which the BAR maintains the high standards of River Hills Reserve from initial home design and construction through home additions and maintenance. Through systematic, uniform review procedures, the goal of the BAR is to encourage design excellence, preserve and enhance property values, and foster owner pride and satisfaction. The intent of these Policies and Procedures is to protect overall appearance, maintain the values of River Hills Reserve and retain good neighbor relationships.

To the extent not otherwise defined herein, capitalized terms shall have the meaning set forth in the Covenants. Non-resident Owners are responsible for ensuring that their tenants and guests follow these Policies and Procedures and the Governing Documents.

Authority: Article IV, Architectural Control, Section 1. states "Approval Required for All Improvements." The Declaration provides that no improvements, alterations, change of paint colors, change of roof, change of landscaping, changes in grade or drainage or any other work that alters the exterior of the property or the improvements located thereon shall be made or done without the prior approval of the BAR.

Article IV, Architectural Control, Section 2, the Declaration states "In the event of any conflict between the architectural controls contained within this Village Declaration and the architectural controls contained within the Master Declaration, the terms and provisions of this Village Declaration shall control in all respects." Accordingly, the River Hills Reserve Board of Architectural Review Residential Guidelines are independent and are not required to automatically update as the MHOA's Resident Guidelines are updated.

Accordingly, by resolution, the Board of Directors of River Hills Reserve and the Board of Architectural Review adopted the following Policies and Procedures to facilitate the BAR's review of applications. The BAR may exercise its sole discretion in determining whether to approve or disapprove any applications.

Previously Approved Improvements: If an Owner has previously obtained BAR approval for exterior improvements and these previously approved improvements would be rendered non-conforming under these Policies, Procedures and Guidelines, such prior BAR approval will continue in full force and effect as to those improvements. However, at any time in the future, that the Owner may change a previously approved non-conforming improvement, the owner must bring the improvement into compliance with the current BAR guidelines.

Board of Architectural Review (BAR) Design Review Procedures:

The Board of Architectural Review (BAR) is composed of five (5) residents nominated and confirmed by the River Hills Board of Directors. The BAR may function with three (3) members if necessary or as determined by the River Hills Board of Directors. A majority of the BAR shall constitute a quorum to transact business. Regardless of the number of BAR members, a majority vote is required to approve a BAR application or variance. All members of the Board of Architectural Review must familiarize themselves with this document and apply this document to each application that comes before the BAR.

BAR Review Basis:

The BAR shall review each application based on:

- a) Any restrictions and notes on the relevant plats;
- b) These Policies and Procedures as well as any other policies that may be adopted by the Board of Directors from time to time;
- c) Aesthetic consistency within River Hills Reserve (precedent within the community and/or neighborhood does not establish grounds for approval and each submission will be considered on a case by case basis);
- d) Impact to the community.

BAR Decisions:

Following the BAR review and vote regarding a submission, the management company will notify the applicant with one of the following decisions:

- a) Approved as submitted;
- b) Approved with changes; The BAR may provide suggestions for revisions but it does not provide design solutions. A new application with suggested revisions will be required.
- c) Disapproved; Reasons for disapproval will be given in writing.

Variances:

The BAR has the authority to grant variances from the strict application of these Policies and Procedures in circumstances where (a) the strict application of the Policies and Procedures would create a hardship with respect to an Owner's use of his/her lot and (b) the structure or other proposed architectural feature would comply with the spirit and intent of these Policies and Procedures and would not violate the provisions of the Covenants. Requests for variances will be reviewed on a case-by-case basis and each case will stand on its own facts, regardless of whether similar variances have been previously approved for others under similar facts. Owners are advised that the BAR supports the application and enforcement of the Policies and Procedures and, therefore, variances will not be routinely granted. The BAR Chair will advise the RHR Board when the BAR is considering a variance. BAR applications for any permanent change to the exterior of property, i.e. driveway expansion beyond 2 feet, roofing material other than shingles, etc. may not be considered for a variance. Any request for an exterior change that is permanent must comply with these guidelines or be appealed to the River Hills Reserve Board of Directors.

Appeal Process:

If an application is disapproved and the applicant feels that the submittal was misinterpreted, the applicant should contact the BAR Chair (through the management company) to discuss the application. If the Chair agrees that a second review is in order, the application will be placed on the BAR agenda to be reviewed again by the BAR.

If an applicant does not agree with the BAR's final decision, the applicant may also appeal to the River Hills Reserve Board of Directors. To appeal a BAR decision, the applicant must notify the management company in writing or electronically within 30 days of being notified of the BAR's denial of an application. Such requests must be accompanied by a complete copy of each and every plan, drawing and application submitted to the BAR as well as copies of any correspondence or written communication between the Owner or applicant and the BAR and shall state the arguments the Owner or applicant desires the Board to consider and the exact form of relief requested.

The RHR Board of Directors will have 30 days to review all relevant documentation and schedule and notice a meeting to review the appeal. At the Board meeting, the Board may uphold, modify, or reverse the BAR's decision by a majority vote of the Directors in attendance.

All exterior improvements/changes and new construction are subject to the CR&E documents and must meet the requirements set out in the River Hills Reserve BAR Guidelines before being approved by the BAR. The Residential BAR Guidelines have been created to provide property owners, lessors, architects, and contractors with a set of parameters for the preparation of their projects, plans, drawings and specifications. It is the responsibility and obligation of the property owner to acquaint themselves as well as their building/design team with the River Hills Reserve CR&E and BAR Guidelines as well as ensure compliance with all governmental regulations.

An application form must be completed by the property owner or their representative and submitted for approval prior to any construction or external improvement/change. Forms may be obtained from the River Hills Reserve website, www.riverhillsreserve.com under Documents.

An application that is submitted for a residential property that has outstanding annual assessments, fines or violations for CR&E and/or BAR Guideline violations will not be reviewed until these outstanding assessments/fines/ violations have been reconciled.

If an owner makes improvements without prior BAR approval, in accordance with Article IV, Section 7 of the River Hills Covenants, Restrictions and Easements, they are subject to the reversal of the improvement/change.

For questions concerning this document or the process contact: The CAM Team at arc@thecamteam.com or (904) 278-2338

Architectural Control

Section 1 - Approval Required for all Improvements

In order to ensure the development of River Hills Reserve as a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance, the River Hills Reserve Board of Directors has delegated the responsibility to approve/disapprove BAR applications for River Hills Reserve properties to the BAR committee. The BAR may exercise its sole discretion in determining whether to approve or disapprove any applications.

The current BAR application form must be completed and submitted for all proposed external improvements/changes. No improvement may be made on any part of the property without the prior written consent of the BAR. Applicants receiving approval of proposed improvements may thereafter make minor changes to landscaping and vegetation (such a replacing dead plants/grass, planting annual flowers, and replacing mulch) without further approvals, so long as such changes are harmonious with the previously approved landscaping plans. **If any external improvement/change is commenced prior to submission and is denied, the owner may have up to 60 days from date of written notification to correct the issue, remove the unapproved change and/or be subject to a fine at the discretion of the Board of Directors.**

Section 2 - Submittal, Review of Plans

Prior to making any external improvements/changes, including significant landscape changes, or new construction, the applicant shall submit detailed plans and specifications set forth in Section 3 of this document. The BAR 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 BAR shall evaluate each application for its total effect upon the applicant's parcel and the overall community. 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/change or new construction does not obligate the BAR to approve any future applications involving similar designs, aesthetic appearance or locations on a parcel for other proposed improvements or new construction.

NOTE: Any major project commenced prior to written BAR approval is subject to an application filing fee of \$150. Any minor project commenced prior to written BAR approval is subject to an application filing fee of \$100. Either of these may be presented to the River Hills Reserve Appeals Committee for further disposition.

Section 3 - Plans and Specifications: Approval Process

- **Requirements for Changes to Existing Landscape (Including Decorative Border)**

A strong emphasis is placed on landscaping in the architectural review process. Quality landscaping and design are important to both the appearance of each individual home and the overall continuity of the community. Most landscaping changes including but not limited to significant downsizing/removal of existing landscape plants with limited replacement, a significant change of design, changing type of plants, i.e., shrubs to tropical plants, decorative borders, and rubber mulching require BAR application and approval.

Homeowner may make minor changes to existing landscape, i.e., replacing mulch, replace dead/diseased plants and grass with the same or similar plants, removal of tree less than 6" in diameter and planting annuals without BAR approval.

Homeowner may also make limited landscaping changes without BAR approval such as downsizing/removal of some existing landscape plants, or adding additional plants to change the design of the flower bed provided the overall changes are limited and do not significantly change the look of the landscaping. Example, if front flower bed contains 24 shrubs, you may reduce this bed by 8 shrubs provided you do it in a manner that does not significantly change the design of the bed. This applies to each bed that surrounds the home, i.e., the front bed, the courtyard bed, the side beds as well as the back beds.

Landscape changes that significantly change the design or look, i.e. removal of shrubs and replacement with tropical plants, or removing anchor trees in the design such as palm trees, crape myrtles, or trees of any type in the flower beds must be approved by the BAR.

- **Requirements for All Other Exterior Improvements such as New Construction, Additions, Screening Patio, Enclosing Patio, Sunroom, Driveway Extensions, Adding Pavers to Driveway, Fence, Roof Replacement, Pools, Patios, Gutters, Window Replacement, etc.**

In connection with the review of any proposed improvement or new construction, and unless waived by the BAR, the applicant shall submit the following documents, prepared by duly licensed architects, engineers, landscape architects or similarly qualified professionals, accompanied by such additional information and materials, which in the opinion of the BAR, may be required for its review.

- A survey that includes but is not limited to all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, existing trees having a diameter of six (6) inches or more measured at a height four (4) feet above the ground, driveways, fences, and underground locations. Existing and proposed surface contours and elevations of portions of the property shall be in compliance with the drainage plan as set forth by 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,
- Landscaping plans showing location, size, quantity and species of plants, trees and other vegetation proposed for use.
- Photos of home depicting the area where improvements/ changes will be made. (Photos are very helpful in helping the BAR visualize the improvements).
- After reviewing an application which has been deemed complete (that is, a signed application form and all items required for review), the BAR has forty-five (45) days from the submission date of a complete application in which to approve or disapprove the said application. The

applicant will receive written and signed notification of the BAR's decision within five (5) workdays. The BAR's failure to act within this specified period shall constitute approval whereupon the work may begin.

Section 4 - Commencement and Completion of Construction and Exterior Repairs

The applicant shall commence construction/exterior improvement upon receipt of the written approval from the bar, but in no case later than three (3) months after receiving approval as provided in Section 3 of this document, and thereafter shall proceed toward completion. For improvements to single-family dwelling units, multi-family parcels, the exterior of the structure and the landscaping shall be completed no later than six (6) months after commencement of construction. Failure to commence, proceed or complete construction as required by the BAR shall void the initial approval. In this event, the Applicant shall immediately cease work on such improvements. Prior to re-commencing work, the Applicant shall re-submit the application for approval as provided in this Document.

The owner, their representative or their contractor shall be responsible for any damage caused by construction personnel and/or equipment to improvements within public and private rights-of-way, roads and any adjacent properties. If a dumpster is required, it must be placed on the owner's property. A dumpster shall not be placed on the roads within River Hills Reserve. If no dumpster is required, the construction site must be cleaned daily or in a container to avoid debris in ponds and neighbor's yards.

Upon completion of the approved project, the homeowner shall submit to the management company photos that sufficiently show the as-built configuration of the home improvement.

Exterior repairs with exactly the same material do not typically require prior BAR approval, i.e. repair of pool screen with same configuration, frame and screen, installing new garage door with same design and color, roof repair (see 5.4.1 for roof replacement information) or gutter repair with exactly the same, matching material. Replacement of windows is not considered a repair and does require BAR approval. Once an exterior repair begins, it must be completed, the construction equipment removed, and landscaping planted (if necessary) within three (3) months. Trash from the construction site must be cleaned daily or in a container to avoid debris in ponds and neighbor's yards. If an extension is needed, homeowner must contact the management company.

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 as well as the CR&E's are adopted as the Architectural Planning Criteria to be followed in the design process.

5.1 Detached Structures and Objects

Pens; yards and houses for pets, hothouses; greenhouses, clothes washing and drying equipment, playground equipment, pool houses and garbage/trash cans and receptacles, shall be obscured or screened by landscaping. All plants at installation must meet the height of the structure and completely screen the structure when installed or must be designed in a manner that limits their visibility from

adjoining portions of the property.

Propane tanks and satellite dishes shall require a barrier of landscaping. All plants at installation must meet the height of the structure and completely screen the structure when installed.

Any propane tank exceeding 120 gallons shall be buried.

A detailed plan and picture must be submitted with the BAR application.

5.1.1 Pergolas

Pergolas can be erected in the rear of a residential property under the following guidelines:

- Must be of sound construction and a permanent installation.
- BAR Applications must include detailed construction/installation drawings.
- Professional installation recommended.
- Appearance of pergola is softened with landscaping. Detailed landscaping plan to be included with BAR Application.

Each application will be reviewed by the BAR on an individual basis with respect to design, placement, materials used, etc. to ensure it does not interfere with the general architectural design and aesthetic appearance of the neighborhood.

5.2 Temporary Movable Structures

No sheds, exterior storage structures, above ground swimming pools, boats (trailered or un-trailered), trailers, mobile homes, tents, unattached gazebos or other temporary or movable building or structure of any kind shall be erected or permitted to remain on any portion of the property external to the home.

5.3 Playground Equipment

All lots will be required to screen play structures from view of streets, adjacent and surrounding properties, with vegetation at the discretion of the BAR. Prior to installation, a detailed plan/picture including height, materials, color must be submitted to the BAR for approval.

Above ground pools are not allowed.

All trampolines must be screened by approved 6' high shrubs that maintain their foliage twelve months a year.

All playground and recreational structures shall be located at the rear of the dwelling or on the inside portion of a corner lot. None shall be constructed at the front of the dwelling. Basketball structures must be temporary/ movable and put away when not in use.

All structures shall be designed and screened by vegetation or otherwise sheltered to the extent possible from the view of the street.

5.4 Screen Room Enclosures and Florida Sun Rooms

All drawings must include dimensions, transition detail between existing house and new structure, and roof material.

For a sloped roof, if the pitch is 1:12 or steeper, the roof must be shingled to match the existing roof. A sample shingle is to be supplied or a current picture of the existing home to show the roof color. Roofing material and color will match the existing home's roof.

The plans must also include door locations, and if using a kick plate, the height of the kick plate must be submitted. If a kick plate is to be installed, and there is not a privacy fence in the yard, then landscaping is required to screen the kick plate from view of the adjoining neighbors, roadways, waterways and golf course.

A landscaping plan must be submitted depicting the type, size and location of the plants or trees to be used to screen the kick plate from view.

A sample of the frame and screen material to be used must be part of the submittal.

Window or wall air conditioning units of any kind are not permitted on any part of the structure.

Construction access is also to be addressed. The application is to include a letter signed by the neighbor bordering the access path of the construction equipment indicating they are aware of the possible damage to their property resulting from construction equipment gaining access to the rear of your property in order to construct the enclosure, etc. The owner, their representative or their contractor shall be responsible for any damage caused by construction personnel and/or equipment to improvements within public and private rights-of-way, roads and any adjacent properties.

Access to the rear of certain lots within River Hills Reserve can be gained without encroaching on an adjacent property. In these cases, a letter may not be required by the BAR in order to proceed with construction. The BAR will address this on a case-by-case basis.

Any disturbance of ground coverage shall follow NPDES rules with the use of silt fencing or other erosion control methods.

5.4.1 Replacement Roofs

All replacement roofs shall be an asphalt shingle product in a color commensurate with the existing color schemes throughout River Hills Reserve. Each RHR BAR application will be considered on a case-by-case basis. The application should include a sample of the proposed shingle, a photo of the applicant's house (include roof in photo) as well as a photo of the houses on either side of the applicant's house (include photos of roofs).

5.5 In-Ground Swimming Pools

A detailed submittal including current survey showing location of pool and pool equipment must be submitted. Included in the submittal shall be the color for the deck including a sample of the

material to be used.

Pools (including built-in features such as fountains, hot tubs, and/ or spas) and pool equipment must be screened from view from the adjacent properties and roadways with landscaping, a screen enclosure or a permanent wall, and the location must be shown.

Construction access is also to be addressed. The application is to include a letter signed by the neighbor bordering the access path of the construction equipment indicating they are aware of the possible damage to their property resulting from construction equipment gaining access to the rear of your property in order to construct the pool, enclosure, etc. The owner, their representative or their contractor shall be responsible for any damage caused by construction personnel and/or equipment to improvements within public and private right-of- ways, roads and any adjacent properties.

Access to the rear of certain lots within River Hills Reserve is able to be gained without encroaching on an adjacent property. In these cases, a letter may not be required by the BAR in order to proceed with construction. The BAR will address this on a case-by- case basis.

Any disturbance of ground coverage shall follow NPDES rules with the use of silt fencing or other erosion control methods.

No pool shall encroach upon an easement of any type. Above ground pools are not allowed.

5.6 Hot Tubs

All hot tubs must be submitted, regardless of exterior location. The submittal should include the dimensions of the hot tub, with pictures and/or brochure.

5.7 Antennas/Satellite Dishes

No more than two (2) satellite dishes may be installed on any one property. Any exterior antenna, satellite dish or similar structure to be located within the property shall be subject to the prior approval of the BAR.

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.

Satellite dishes under one (1) meter in diameter will be allowed and must comply with the following River Hills Reserve guidelines regarding installation, maintenance and placement of any exterior antenna, satellite dish or similar structure.

- Satellite dish size and color must be submitted to the BAR for approval.
- Satellite dish location must be approved by the BAR.
- Some additional landscaping will be required if located on the ground. The landscaping must meet the height of the dish when installed.
- Painting of the satellite dish/structure may be required if allowed by the manufacturer.
- If not submitted to the BAR, the satellite dish may require relocation to be paid for by the

owner and may be subject to a fine.

- Satellite dish masts will be allowed and must be screened from view of adjoining neighbors with landscaping that meets the height of the dish when installed.
- Satellite dishes located at the front of the dwelling must meet required landscaping criteria.
- Attach a copy of the site plan with the satellite dish location marked.

5.8 Driveway Painting, Staining, Extensions and Location, Walkway and Patio Installation

Driveway painting is NOT permitted. Driveway staining is allowed but requires BAR approval.

Decorative driveways are encouraged. Concrete or pavers shall be used in the construction of all driveways and parking areas. Asphalt shall not be used on any driveways.

All surface coatings for new or existing installations require BAR approval. The coatings most likely to be approved are those in earth tone colors, especially gray, browns and tans. The color shall relate to the colors on the dwelling.

When submitting this type of application, include a photo of existing home and a picture or sample of the proposed installation.

5.8.1 Driveway Extensions

All driveway extensions or additions must be approved by the BAR. Driveway extensions or additions shall be a continuous surface constructed of concrete or pavers and be of similar material and:

- shall not encroach on any designated property easement identified on the homeowner's plat
- shall not be constructed within five (5) feet of the nearest property line
- shall not adversely affect the drainage of the homeowner's property or adjacent properties
- shall be no wider than twenty-four (24) inches on either side.

The property owner shall provide to the BAR a detailed diagram showing the dimensions of the driveway extension in relation to an accurate depiction of their as-built residential driveway. Please include distances from neighbors' property lines.

5.8.2 Driveway Easements

Driveways shall not be constructed upon drainage easements or within five (5) feet of a property line.

5.8.3 Walkways and Patios

The addition of any walkway or patio must be approved by the BAR. Walkways and/or patios shall be constructed of concrete or pavers and:

- shall not encroach on any designated property easement identified on the homeowner's plat
- shall not be constructed within one (1) foot of the nearest property line
- shall not adversely affect the drainage of the homeowner's property or adjacent properties
- walkways shall be no wider than thirty-two (32) inches

5.8.4 Front Yard Paving

The addition of pavers or an area of concrete (decorative or otherwise) in the front of the house that gives the appearance of a patio area or an extended walkway is not permitted.

5.9 Grading

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.

All homes abutting drainage/water retention areas/ponds must have St. Augustine sod installed down to the normal water level.

Site grading should attempt to enhance the existing topography, protect the existing vegetation and provide positive on-site drainage. Landscape mounding shall be implemented with smooth transitions resulting in subtle forms to enhance the existing conditions. Landscape mounding shall not be “lumpy” and “abrupt” resulting in an artificial look.

Any disturbance of ground coverage shall follow National Pollutant Discharge Elimination System (NPDES) rules with the use of silt fencing or other erosion control methods.

“The National Pollutant Discharge Elimination System (NPDES) Stormwater Program regulates point source discharges from three potential sources: Municipal Separate Storm Sewer Systems (MS4s), construction activities and industrial activities. The NPDES Stormwater Program in Tallahassee is responsible for the development, administration and compliance of rules and policy to minimize and prevent pollutants in stormwater discharges. Operators of these sources may be required to obtain an NPDES permit before they can discharge stormwater.”

Stormwater runoff is generated from rain events that flow over land or impervious surfaces, such as paved streets, parking lots and building rooftops, and does not soak into the ground. The runoff picks up pollutants like trash, chemicals, oils, and dirt/sediment that can harm our rivers, streams and lakes. To protect these resources, municipalities, construction and industries activities, and others use stormwater controls, known as Best Management Practices (BMPs), to manage their runoff. The implementation of these practices, which include BMP design, performance and adaptive management requirements, prevent pollution by controlling it at its source.”

<https://floridadep.gov/water/stormwater>

All clearing and grading reviews shall be subject to the jurisdiction of the BAR and shall be considered individually for each lot. Recommendations or demands shall be based upon individual home site locations, vegetation, terrain, soil conditions, drainage, cuts and fills, and whatever other conditions the BAR feels impact upon the site design. The BAR reviews grading and drainage plans for aesthetics only. All technical reviews of grading and drainage plans are the responsibility of the local government.

5.10 Drainage

Drainage considerations for individual sites play an important role of the overall ecological balance of the site. Water runoff for each individual home site or commercial site shall be handled by adequately sloping of all areas so that runoff can be directed to the storm drainage facilities.

Site drainage shall be detailed on the drainage plan. Adding only a french drain to a yard does not require BAR approval.

All flows shall be directed into drainage swales, area drains, or street curb and gutter. Although the BAR shall review drainage plans, the homeowner is fully responsible for water runoff and drainage control of his home site. An engineering firm shall be consulted by the applicant and its recommendations followed concerning the use of swales and underground drainage.

Any disturbance of ground coverage shall follow NPDES rules with the use of silt fencing or other erosion control methods.

Approval of site plans does not relieve the owner, engineer or contractor of liability for any damage to their property or adjacent properties.

5.11 Trash Containers

All garbage and trash shall be stored in closed containers hidden from view from any portion of the property. It is suggested that all containers (trash and recycle containers) be kept in the garage until pick-up day.

No containers, debris, or bulk material may be stored in the front of the yard or the garage door. All containers must be hidden from view from the street and all adjoining neighbors.

Backyard and curbside trash removal and recycling programs have been pre-arranged by the community and the sanitation department. Property owners shall comply with such arrangements, rules and regulations.

5.12 Air Conditioners, Fans

No window fans, window air conditioner units, wall mounted units or similar type, that penetrates the exterior of the structure, shall be installed in any structure located on the property.

5.12.1 Exterior Air Conditioning (A/C) Compressors, Pool Equipment, Generators and Other Mechanical Equipment

All air conditioner compressors shall be screened from view from the street by a wall constructed of the same material used for the house. EXCEPTION: Rosewood Homes, Spinnaker Model has an alcove for the air conditioning compressors. These homes must plant and maintain shrubs at a height that obscures view of the condensers. Shrubs must maintain their leaves all year long. Wall barriers should match the home's exterior cladding and color, i.e. stucco, Hardie board or brick. (NOTE: This

is not a new requirement in RHR, has been in place at least since the Architectural Guidelines Revised 11/26/2002)

All future installations of pool equipment, generators and other mechanical equipment shall be screened from view from the street and adjoining properties by a wall barrier. All wall barriers should match the home's exterior material and color, i.e., stucco, Hardie board, brick, etc.

5.12.2 Relocation of Outdoor Air Conditioning (A/C) Unit

The relocation of any outdoor A/C unit must be approved by the BAR. A site plan depicting the new location must be submitted to the BAR; and the concrete slab location must be shown. Additional information will be required for the use or disposal of the old concrete slab.

5.13 Landscaping, Borders, Ornaments, Irrigation

A strong emphasis is placed on landscaping in the architectural review process. Quality landscaping and design are important to both the appearance of each individual home and the overall continuity of the community. Most landscaping changes including but not limited to significant downsizing/removal of existing landscape plants with limited replacement, a significant change of design, changing type of plants, i.e., shrubs to tropical plants, decorative borders, and rubber mulching require BAR application and approval.

Homeowner may make minor changes to existing landscape, i.e., replacing mulch, replace dead/diseased plants and grass with the same or similar plants, removal of tree less than 6" in diameter and planting annuals without BAR approval.

Homeowner may also make limited landscaping changes without BAR approval such as downsizing/removal of some existing landscape plants, or adding additional plants to change the design of the flower bed provided the overall changes are limited and do not significantly change the look of the landscaping. Example, if front flower bed contains 24 shrubs, you may reduce this bed by 8 shrubs provided you do it in a manner that does not significantly change the design of the bed. This applies to each bed that surrounds the home, i.e., the front bed, the courtyard bed, the side beds as well as the back beds.

Landscape changes that significantly change the design or look. i.e., removal of shrubs and replacement with tropical plants, or removing anchor trees in the design such as palm trees, crape myrtles, or trees of any type in the flower beds must be approved by the BAR.

5.13.1 Wood and Rubber Mulch

The approved colors for rubber mulch and rocks are Cypress Brown, Pine Bark, Rustic Red and White. The colors for wood mulch are black, brown, gold, red, and light brown. Pine straw is allowed.

5.13.2 Concrete Borders and Decorative Landscape Borders

All colors for concrete borders and decorative landscape borders must be approved by the BAR.

5.13.3 Decorative Lawn Ornaments

Decorative lawn ornaments are not allowed without BAR approval. Plans for lawn ornaments shall be submitted to the BAR for approval prior to installation. This shall be done when the landscape plan is submitted, although subsequent submittals are acceptable.

The location, size, and number of the lawn ornaments are at the discretion of the BAR.

Lawn ornaments such as bird feeders, birdbaths, sundials, fountains, decorative benches & chairs in most cases shall be approved if the material is in keeping with the style and materials of the house, and appears to be a natural extension of the house architecture. The BAR retains the right to prohibit bird feeders near the golf course if the feeder could become a nuisance to the maintenance of the golf turf.

Plastic or brightly colored ornaments or ornaments with moving parts that are visible from the street, adjacent homes, walkways, sidewalks, across lakes or the golf course are not allowed. Ceramic statues, glass balls, or other similar reflective ornaments shall not be allowed unless they are screened from view from adjacent properties.

Lawn ornaments shall not be allowed between the sidewalk and the street.

Lawn ornaments shall not be permitted within ten (10) feet of the rear property line for home sites that are on the golf course, lakes or where the rear yard is visible from road.

All ornaments shall blend with the house and be in keeping with the style and materials of house, with suitable landscape shrubs involved in the setting.

5.13.4 Artificial Vegetation

Unless approved by the BAR, no artificial grass, plants, flowers or other artificial vegetation or sculptural landscape décor shall be placed on the exterior portion of any lot. If artificial vegetation is approved by the BAR, it must be used to supplement existing landscape and must look realistic. Artificial vegetation must be removed and/or replaced if it becomes faded or torn.

5.13.5 Irrigation

All improved property shall be required to have an underground irrigation system which will be connected to the public reclaimed water supply system. Reclaimed water is intended strictly for irrigation use and not for human consumption, drinking or bathing.

The system must provide full coverage of the lot including the easement along the roadway and to the water's edge of any lot located on a pond or waterway.

The system shall be fully automatic with pop up heads in the sod and low growing groundcover areas.

5.13.6 Vegetable Gardens

Vegetable gardens are allowed in the backyard of homes provided they conform to the following requirements:

- Approval for location of a garden within the backyard will be considered on a case-by-case basis. In ground, raised beds and decorative pots are allowed.
- If garden is approved to be visible from the road, or is visible to neighbors or the golf course, it must be in a decorative bed or pots. Homeowners are encouraged to incorporate annuals into the garden to make it more attractive.
- Garden MUST be maintained. Declining and dead plants MUST be removed.
- Composting is allowed in connection with a garden provided the container for composting has an animal proof door or lid. The dimensions of the container must not exceed 30 x 30 x 36. Proper composting techniques do not cause odor. If a smell emanates from compost, it must be immediately corrected.
- If a garden becomes unsightly, a violation notice will be sent to the homeowner.

The following is taken from the St. Johns River Water Management District website and is germane: "The use of reclaimed water for raising edible crops by the general public is not permitted. However, reclaimed water is used in commercial agricultural operations including irrigation of edible food crops such as citrus, corn and soybeans. Millions of people eat or drink juice from Florida oranges grown with reclaimed water. There are no known cases of disease resulting from eating fruit or vegetables grown with reclaimed water that meets Florida's standards. To assure additional safety, Florida regulations allow reclaimed water to be used to irrigate only food crops that will be peeled, skinned, cooked, or thermally processed before consumption. This avoids the possibility of the reclaimed water coming in direct contact with a food product that could harbor a live pathogen."

5.13.7 Decorative Arbors

Decorative Arbors may be approved as an alternative to a gate when a hedge is desired to be used in lieu of a fence to achieve a level of privacy in conjunction with an overall landscaping plan. Residents desiring to include this option in their landscaping plan are required to submit an application to the BAR. Each application will be reviewed by the BAR on an individual basis with respect to design, placement, materials used, etc. to ensure it does not interfere with the general architectural design and aesthetic appearance of the neighborhood and the Plantation.

5.14 Exterior Lighting

All exterior lighting, fountains, statues, and lawn ornaments must be submitted to the BAR for approval.

5.14.1 Exterior Lighting

Additional exterior lighting or a design change that is attached to the dwelling must be approved by the BAR and cannot shine into a neighbor's yard or the roadway. Replacements that match the existing lighting do not require BAR approval.

5.14.2 Yard Lighting

All permanent landscape lighting must be approved by the BAR before installation and cannot affect the neighbor's yard or roadways. Rope lighting is not an approved lighting.

All efforts shall be made to ensure that the standing water does not pose health risks to include becoming a haven for mosquitoes.

5.15 Flags and Flag Poles

A United States flag may be displayed in either of the following methods:

- When displayed on a vertical flagpole, it must be done in accordance with Florida Statute 720.304. Briefly, a homeowner may display one portable, removable United States flag or official flag of the State of Florida, and one portable, removable official flag which represents one of the Armed Services or the POW-MIA flag, not larger than 4-1/2 feet by 6 feet. A homeowner may erect a freestanding flagpole no more than 20 feet high and cannot be erected within or upon an easement.
- When mounted on the exterior of a residential home, the flag must be displayed on a pole no longer than four (4) feet in length.

If the United States flag is lit in the evening, the light must neither shine into the adjoining neighbors' windows, affect their vision or site line, nor should it affect traffic and the driver's sight lines.

If choosing a decorative flag, it must be mounted on the exterior of a residential home and must be displayed on a pole no longer than four (4) feet in length. If the flag is lit in the evening, the light must neither shine into the adjoining neighbors' windows, affect their vision or site line, nor should it affect traffic and the driver's sight lines.

No more than one (1) United States flag and one (1) decorative flag, for a total of two (2) shall be displayed on a single property.

5.16 Fences, Hedges and Walls

All fence and/or wall requests, excluding invisible animal barriers, must be submitted to and approved by the BAR.

No above-ground fencing shall extend beyond the midpoint of the structure into the front yard. No invisible animal barriers shall extend beyond the perimeter of the resident's property lines as depicted on their respective plat (each of the lots includes a number of varying easements that are not technically part of the resident's property. Invisible animal barriers are not to intrude into these areas).

No fencing shall extend outside the limits of the property, such as onto the golf course, lake banks, or into wetland or preservation areas.

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 or section of property line where a fence already exists (i.e. fences may not be constructed back to back).

With respect to enclosure fences on lots adjacent to a lake or retention pond, a gate shall be required so that owners may fulfill their responsibility to maintain the lake slope down to the water's edge.

Regarding enclosure fences on lots adjacent to a preservation/wetland area and common Plantation landscaping such as those along Town Center Blvd or Hwy 17, the side of the fence abutting this area should be erected to the limit of the preservation/wetland/landscaping or the owner's property line, whichever is closer to the home. A gate is NOT to be included if the fencing directly abuts the preservation/wetland/landscaping area as these areas are not to be accessed by resident.

a. **Aluminum Enclosure Fence**

This fence is used to define property lines or enclose the rear lot area without obscuring views. This is the only fence type allowed on side and rear yards of residential lots within River Hills Reserve. The allowed fence type is a four (4) foot black aluminum open picket. The styles of authorized fencing include but are not limited to those contained in attachment (1). If privacy is desired, landscaping is the only material a homeowner may use. Refer to Section 5.13 regarding height of shrubs.

The BAR shall review and approve all fencing requested to be installed in River Hills Reserve.

5.16.1 Fence Restrictions

Due to potential conflicts with the subdivision entry fencing and signage, the following lots will be restricted in how a qualifying fence may be erected. With the maturing of the landscaping throughout the Plantation, allowances can be made in certain circumstances. The BAR will consider applications on an individual basis, taking into account the overall aesthetics and requested placement on a particular lot. A landscaping hedge may also be considered for BAR approval.

River Hills Reserve

Lot 74 - 1705 River Hills Drive

5.17 Mailboxes and Mailbox Numbers

5.17.1 Sundancer Mailboxes and Mailbox Posts

The WI cast aluminum mailbox is the only mailbox allowed in River Hills Reserve. The post must be a 3 inch fluted post with fancy base and C scrolls.

The font for all mailboxes is 2 inch Cambria style font in white vinyl. A replacement or repair may be ordered through: Sundancer Sign Graphics, telephone 904-451-6808, or by visiting them at 11259-3 Business Park Blvd, Jacksonville, FL 32256.

5.18 Home Based Businesses

In the event the BAR determines, in its sole discretion, that a home-based business, which otherwise complies with all applicable federal, state, and local regulations, may present a nuisance, the BAR may require mitigation by the owner to minimize such nuisance, including without limitation,

additional fencing or hedges, as a condition of its approval.

The granting of the BAR's approval, with or without mitigation, is in no way intended to serve as a guarantee that the home-based business is exempt from the requirements of the CR&E document regarding nuisance.

5.19 Signs, Billboards, Banners

No signs, advertisements or notices of any kind may be placed on any portion of the property, including, without limitation, any lot or common area, unless express prior written approval of its size, design, color, content and location has been obtained from the BAR, except for "For Sale," "For Rent" and "Open House" signs. "For Sale," "For Rent" and "Open House" signs must comply with the standards established by BAR and CRE documents as well as state and county laws, statutes and regulations. Owners may display a sign of reasonable size provided by a contractor for security services, and the sign must be located within 10 feet of any entrance to the owner's home. Homeowners may also "card" their yard for birthdays, graduations and other special occasions provided the "card" is removed from the yard within 1 week after it is placed in yard.

No sign shall be placed on a tree trunk, mailbox or in the window of a dwelling at any time.

5.19.1 Real Estate Signs

"For Sale", "For Rent", "Open House" or "Moving Sale" signs shall all conform to the following guidelines. Posts, metal powder coat black 4 ½' with 10 ½" x 13 ½" frame for sign panel. Optional: frame extension of 4" x 13 ½" for sign rider. Sign panel, 10 ½" x 13 ½" background color to be pantone 289 Dark Blue and lettering to be pantone 481 Sand (other colors may be approved by the BAR on an individual case-by-case basis). Attachment (3) depicts the only signpost and flyer holder authorized for all real estate signs except for the "Yard Sale sign.

5.19.2 Real Estate Sign Rules

All signs shall be placed on owner's property only. "Moving Sales" or "Garage Sales" or "Yard Sales" signs – reference Article VIII, Section 1 (b) of the Fleming Island Plantation Declaration of Covenants, Restrictions and Easements apply. "Open House" signs are authorized on Saturdays & Sundays only. Signs cannot be placed before 10:00 a.m. and not after 5:30 p.m.

5.20 Hurricane Shutters, Window Shutters and Front Storm Doors

Hurricane shutters are acceptable upon review and approval of the BAR with the following operational criteria:

Hurricane shutters are to be closed or installed no earlier than the official hurricane warning and are to be opened or taken down no later than seventy-two (72) hours after the official watch has been lifted. This applies to all homes with hurricane shutters in Fleming Island Plantation.

Standard window shutters are an acceptable addition to a home's exterior with the stipulation that there be ample space between adjacent windows to install the shutters and have enough space

remaining to highlight the home's elevation.

A storm door may be added to a home's front entrance upon BAR approval and when in compliance with the following guidelines:

- Door shall be of a substantial design.
- Doors with kick panels are allowed, but the kick panel shall not extend higher than the lowest edge of a front door's glass insert, if applicable.
- Color shall be consistent with the overall look of the home's exterior.

5.21 Solar Energy

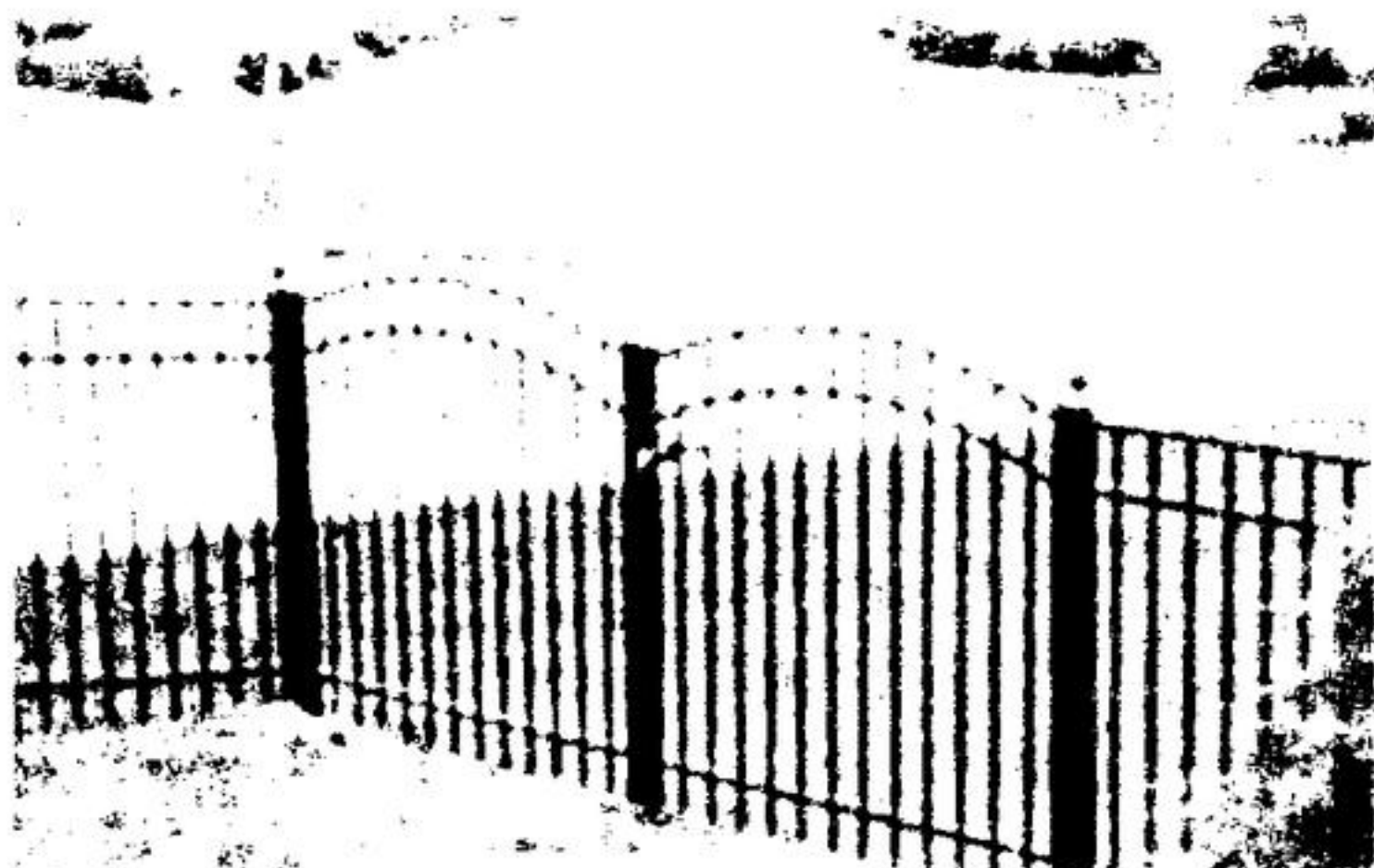
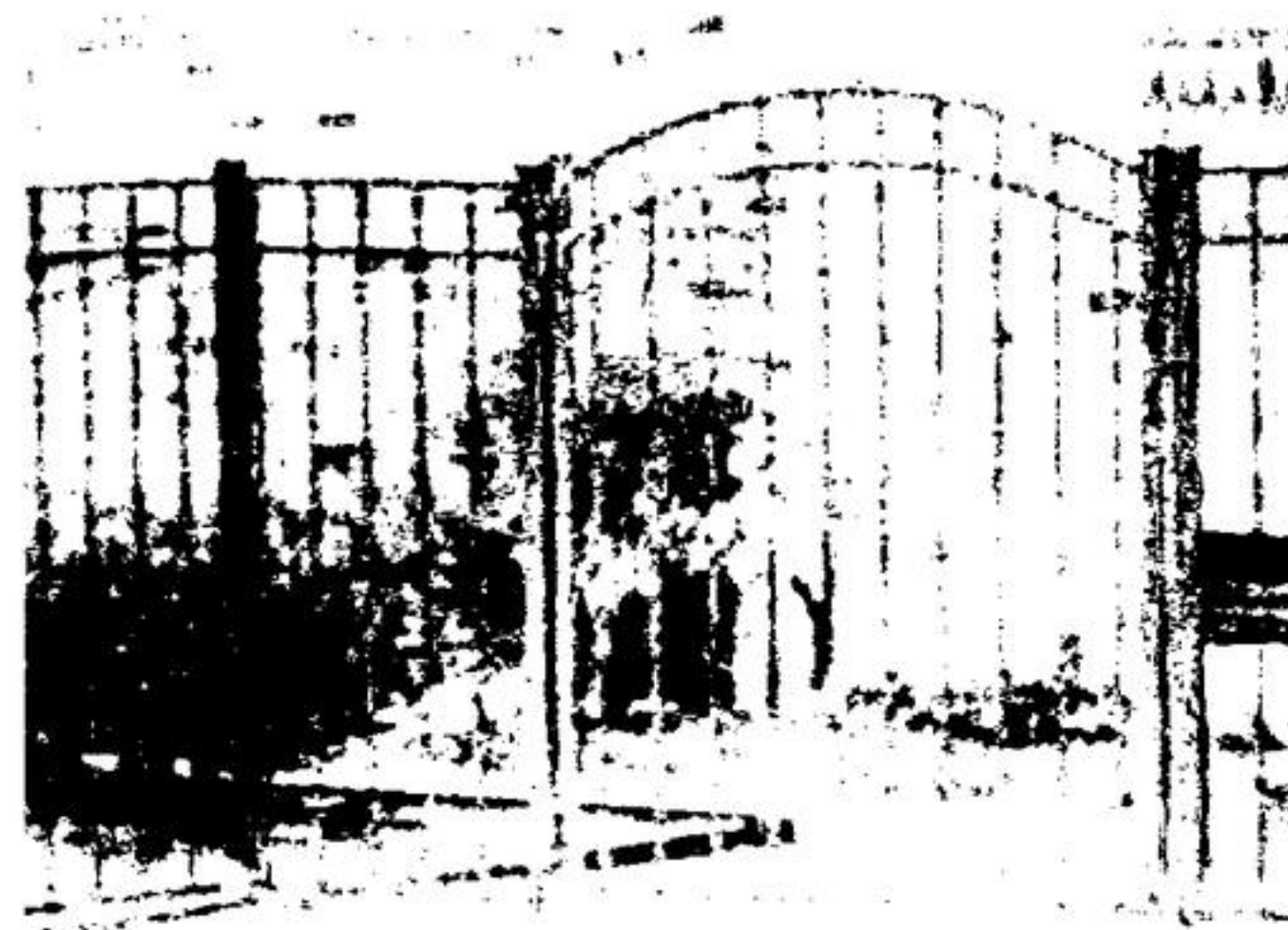
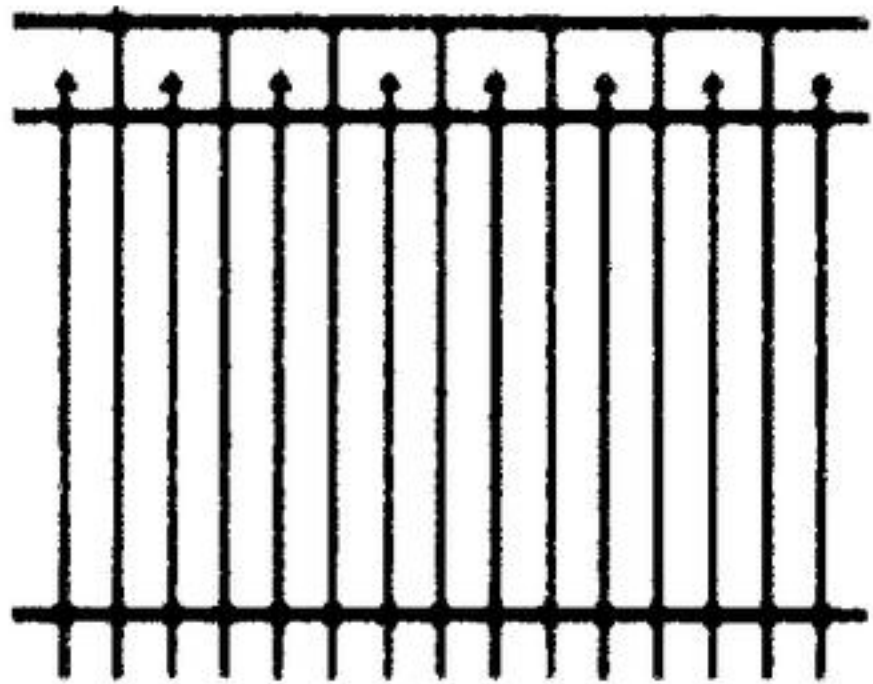
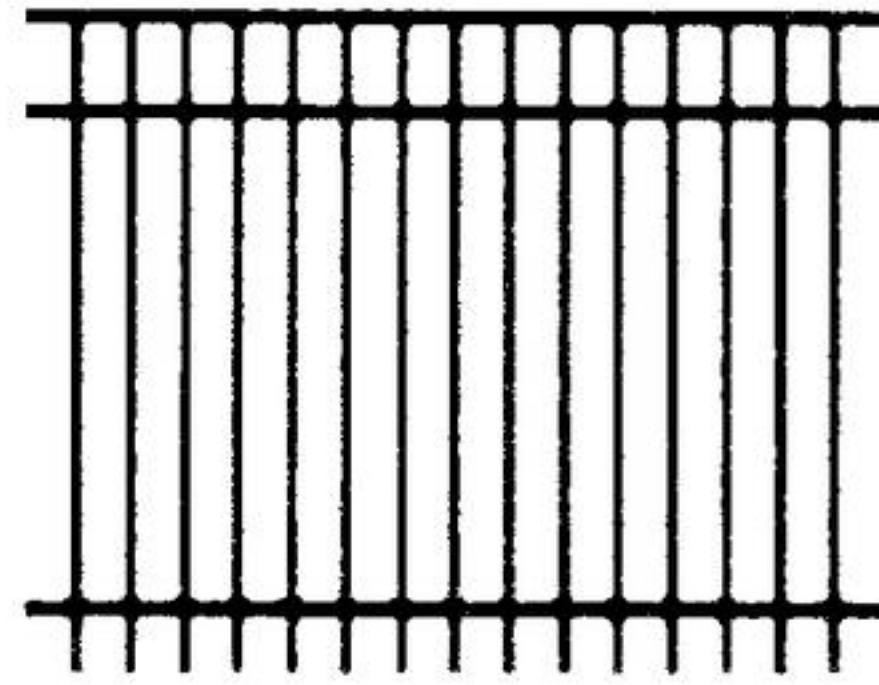
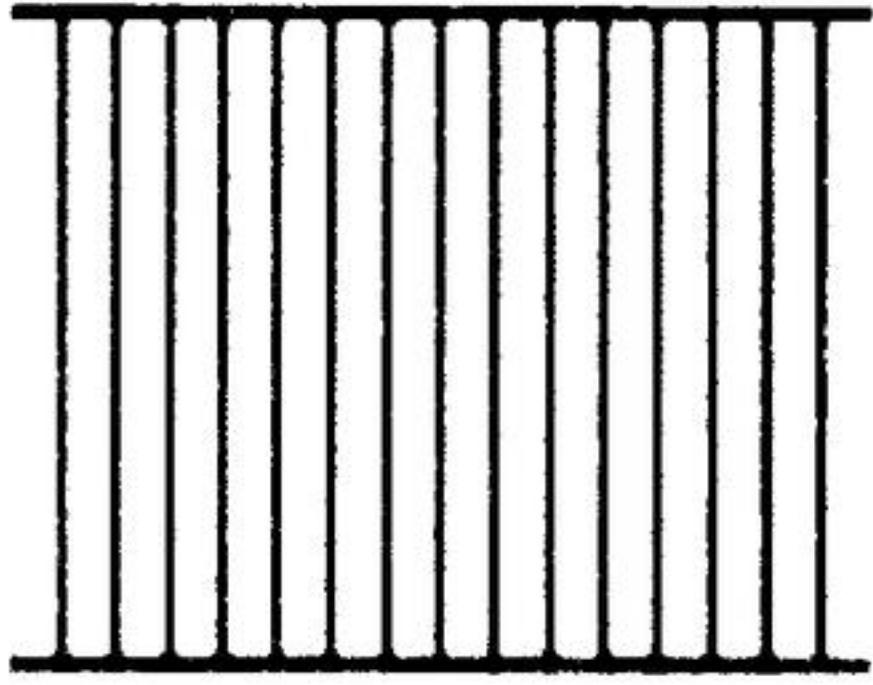
Solar energy collectors, although allowed by Florida Statutes, shall be submitted to the BAR for review. It is the desire of the community to encourage homeowners to make every effort possible to aesthetically integrate the panels into the design forms and architectural mass of the home especially when exposed to the view of adjoining neighbors and roadways.

The owner must submit a survey of the property and sketch of the dwelling showing the location of the solar energy collectors.

Solar energy screening for the windows of the house must be submitted to the BAR for approval as it is an exterior improvement to the property.

Exterior conduit or piping installed up the side of the house must be painted to match the exterior house color.

Samples of Approved Black Aluminum Fence Types



Attachment (f)

Mailbox and Mailbox Numbering



2-inch Cambria style
font in White Vinyl

Attachment (2)

Real Estate Signs



Attachment (3)