

MAGNOLIA PLANTATION PROPERTY OWNERS' ASSOCIATION BOARD OF
DIRECTORS

**Architectural Planning
Criteria**

1. Application. These Criteria supplement the criteria as stated in each of the Magnolia Plantation Declarations, including construction of a new house; replacement of a house; modification, expansion, or addition to a house; and any alteration to exterior appearance of a house, including repair or maintenance work. The various Declarations, in concert with these criteria, shall be the primary reference for Architectural Review Committee (ARC) decisions. When in conflict with the original Declarations, these criteria take precedent.

2. Definitions.

a. Improvements. (from FL Statute 713.01) any building, structure, construction, demolition, excavation, solid-waste removal, landscaping, or any part thereof existing, built, erected, placed, made, or done on land or other real property for its permanent benefit.

b. Structure. (from FL Statute 810.011) A building of any kind, either temporary or permanent, which has a roof over it, together with the curtilage thereof.

c. Yard.

1) *Front Yard.* The greater of: a) the portion of the yard facing the street beyond any constructed fence, or b) the portion of the yard facing the street beyond the front plane of the house.

2) *Back Yard.* The portion of the yard between the rear property line and the rear plane of the house.

3) *Side Yard.* The portion of the yard between the front yard and the back yard, usually sharing a property line with a neighboring lot.

4) *Corner Lots.* The above definitions shall be applied to corner lots by considering the Front Yard as all portions of the lot that border any street and otherwise meet the above. In general, corner lots are considered to have no Side Yard but in all cases the most restrictive criteria for Back Yard or Side Yard will be used for ARC decisions.

3. General Criteria. These regulations apply to all lots.

a. Setbacks. For new construction, minimum side lot setback is 10 feet. For house replacement or modification, minimum side setback is lesser of 10 feet or the previous setback (but never less than 7.5 feet). All other setbacks are in accordance with the applicable covenant or declaration for each lot.

b. Exterior Materials. The house exterior must be stucco, stone, or brick. Vinyl siding is allowed only as a replacement for preexisting vinyl siding (the area covered by exterior vinyl siding cannot be increased). Otherwise, vinyl may be used only for soffit or minor trim.

c. Roof. The roof must be architectural shingles, clay or cementitious tile, or metal. Roof overhang must be minimum of 12 inches and a maximum of 24 inches. Roof vents, fixtures, or accessories must have the same color as the roof and must be located away from the road (front) elevations. Colors must be compatible with existing houses.

d. Exterior colors. Must be compatible with existing houses or with the specific criteria listed in Section 4. Any changes in exterior colors must be approved by ARC. Applicant must provide exact colors for all exterior items, including **manufacturer, color name, and color number**.

e. Height. Must be in accordance with applicable Declaration. Height of house must not exceed height of the tallest adjacent house (measured at highest point of roof, excluding chimney), but in no case greater than 35 feet high.

f. Drainage. Must be in accordance with applicable Declaration. A homeowner shall not cause surface water to flow onto adjoining property.

g. Fences. Must be in accordance with applicable Declaration. Must be made of wood, vinyl, or wrought iron. Chain link fences are prohibited. Fence height must not exceed six feet.

Fences are prohibited in the Front Yard of any lot. Fences in the Side Yard should not extend past the front plane of any adjacent house, but may be authorized with that owner's written concurrence. Fences must be of uniform design and the sides facing away from the lot must be finished.

h. Driveways. Must be in accordance with applicable Declaration. Must be made of concrete or brick pavers. Asphalt, blacktop, and loose gravel driveways are prohibited.

i. Exterior Lighting. Must be directed away from adjacent houses.

j. Air Conditioning. Exterior units must be screened from view of the street. Window units are prohibited.

k. Mailboxes. Must be compatible with existing houses. Must be USPS approved.

l. Utilities. No above-ground electric, telephone, cable television, radio, or any other such wiring or utility services is permitted. Aerials and antennas are not permitted on any lot or attached to any structure. Digital reception devices no larger than 36 inches in diameter may be installed on the ground or attached to the roof of a residence. If installed on ground the device must be not be able to be seen from the street and should be suitable landscaped to preclude visibility from other angles.

m. Landscaping.

1) Tree removal requires ARC approval, except in when the tree in question has damaged or may be expected to damage the homeowner's or a neighbor's property. Trees which, in the opinion of an arborist or other expert, require removal for other reasons may be considered "normal maintenance" and be approved by the POA Property Manager.

2) Major changes to landscaping must be in line with neighborhood aesthetics.

3) Grass should be the primary ground cover. Grass areas must be served by an underground irrigation system. Permitted grasses include centipede, Bermuda, St. Augustine, and zoysia.

4) Zero-scaping shall be kept to a minimum and is not permitted as the primary method of landscaping.

n. Other Structures. Must be in accordance with applicable Declaration. All sheds or storage units are prohibited.

4. Neighborhood Specific Requirements. These regulations apply to each listed neighborhood within Magnolia Plantation.

a. Fairway Oaks. In accordance with Declarations. All designs are encouraged to be "traditional," with an emphasis on "Southern Traditional."

b. Magnolia Lake (A & B). In accordance with Declarations.

c. Magnolia Plantation. In accordance with Declarations.

d. Magnolia Village. In accordance with Declarations.

e. Magnolia Point. In accordance with Declarations. All designs are encouraged to be "traditional," with an emphasis on "Coastal Plantation." Bright colors, with the exception of white, as the dominant color of the residence are prohibited. The use of warm earth tone colors for the dominant color is encouraged.

f. Mediterranean Village. In accordance with Declarations. Additionally:

1) Roof shingles must be Terra Cotta color.

2) Front doors and garage doors must be white.

3) Shutters must be one of the following greens: Peacock House by Valspar (5010-4), Hunter Green by Benjamin Moore (2041-10), Ripe Olive by Sherwin-Williams (SW 6209).

4) Mailboxes must be white and mailbox post must be green as listed above.