



# MEADOW POINTE I

## MEADOW POINTE COMMUNITY DEVELOPMENT DISTRICT ARCHITECTURAL REVIEW POLICY

### INTRODUCTION

Pursuant to Chapter 2004-417, Laws of Florida, the district governing board (the "Board of Supervisors") for the Meadow Pointe Community Development District (the "District") is required to review and approve the exterior architectural design, appearance, color, texture and materials of any new building, and alterations or additions to any existing building on a residential parcel located within the District, and to set standards in accordance therewith. This process is essential to preserve and maintain an attractive and livable community.

### I. ARC

1.01 **ARC.** The Board of Supervisors shall appoint an Architectural Review Committee (the "ARC") composed of one to five members which may include members of the Board of Supervisors or other residents of the District, or any combination thereof. The ARC shall consider all plans and specifications submitted for approval, and shall make recommendations to the Board of Supervisors for approval or modification as provided herein.

1.02 **Restrictions.** No building shall be constructed, erected, built or placed upon a residential parcel, and no existing building shall be altered, changed, modified, or added to, unless the prior written approval of the District is obtained by any property owner who desires to make any such improvement, alteration, modification, or addition.

1.03 **No Liability.** Review and approval of any application (the "Application") for a new building improvement or any alteration, modification or addition to an existing building on a residential parcel (referred to below as the "Improvement" or "Improvements") is made solely on the basis of aesthetic considerations. Neither the ARC nor the District shall bear any liability for ensuring the soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements or deed restrictions. Neither the District, the ARC, nor any member of the Board of Supervisors or the ARC shall be held liable for any injury, damage, claim or loss arising out of the manner or quality of approved construction for the Improvement.

### II. PROCEDURES FOR PROPERTY ALTERATIONS

2.01 **Application Process.** Applications for a proposed Improvement shall be submitted to the District at least thirty (30) days prior to the intended or anticipated start date of construction. Approved Application forms may be obtained at the District's office. Completed Applications will be reviewed upon receipt at the District's office, located in the Meadow Pointe Clubhouse (Clubhouse 1). Applications will not be reviewed or considered unless they are received by the District in "complete" condition, including any required signatures, plans and specifications as provided in Section 2.02 below, and all information necessary to evaluate the application against the standards in Section 3 below.

2.02 **Submission of Plans and Specifications for Approval.** Applications submitted to the District for review shall include one set of plans and specifications for the proposed Improvement. The plans and specifications shall include the following:

- (a) Front, side and/or rear elevations of the proposed Improvement drawn to scale, showing the relationship to the existing home elevation, as appropriate;
- (b) Data as to the types of materials to be used in the proposed Improvement, including the color numbers or color names and texture of all exterior finishes;
- (c) Graphic plans and narrative describing the nature, kind, shape, and height of the proposed Improvement, including the distances of any structure or addition from the adjacent boundaries of the owner's property (a depiction of the structure or addition on the owner's survey is preferred); and
- (d) A description of how the proposed Improvement is in harmony with the external design and location of the existing buildings and improvements on the lot, the surrounding property, and the community.

2.03 **Approval of Plans and Specifications.** Upon receipt, the ARC shall conduct a review of the Application and make a recommendation for approval or modification to the Board of Supervisors. The ARC may request additional information from the applicant after receipt of the Application. If comprised of more than one (1) member, the ARC shall review the Application at a publicly noticed meeting on a schedule adopted by the ARC. All such meetings shall be open to the public and shall be subject to the requirements of Florida's Sunshine Law.

Upon review of applications for which the ARC recommends approval (including, when applicable, approvals containing conditions that have been accepted in advance by the applicant), the ARC shall deliver a written report to the Board of Supervisors outlining the nature of the improvements and stating that they meet the standards adopted by the Board. For all other Applications, the ARC shall deliver a written report to the Board of Supervisors with all relevant information and the proposed modifications necessary for approval of the Application. The report shall be introduced into the record at the public hearing before the Board of Supervisors. The Board shall approve the applications, approve the applications with conditions, or direct that the applications be returned to the property owner for modification and resubmittal. The Board of Supervisors shall take action as outlined above within thirty (30) days after the District receives the completed Application. If modifications are required, the application must be resubmitted to the Board of Supervisors for approval, and if agreement cannot be reached, the owner may apply to the court of appropriate jurisdiction for relief. Written notification of the decision of the Board of Supervisors shall be provided to the application within fifteen (15) days after the meeting.

The Board of Supervisors shall, generally, consider Applications at its meetings held twice a month. Complete Applications received more than seven (7) days in advance of the next scheduled meeting will be considered at that meeting. Complete Applications received within seven (7) days of the date of the next scheduled meeting will be considered at the meeting

following the next scheduled meeting. A schedule shall be posted on the bulletin board at the district's office, located in the Meadow Pointe Clubhouse (Clubhouse One) indicating when complete applications will be considered. Applications recommended for approval by the ARC (including, when applicable, approvals containing conditions that have been accepted or approved in advance by the applicant) may be approved by the Board of Supervisors on a consent agenda, or may be presented to the Board of Supervisors for consideration as a regular agenda item if requested by any Supervisor present at the meeting. All Applications receiving a recommendation for modification from the ARC, and all other Applications not approved on the consent agenda shall be reviewed and approved or modified by the Board of Supervisors at a public hearing. In all cases, the applicant shall have the right to address the Board of Supervisors regarding the Application.

The approval of an Application by the District, as herein specified, shall not constitute a waiver by the District of the right to object to any of the features or elements embodied in such Application if and when the same features and elements are contained in any subsequent Application submitted for approval or use in connection with another residential parcel. After an Application has been approved by the District, no building of any kind shall be erected, constructed, placed, altered, or added to the subject residential parcel unless the same shall be erected, constructed or altered in conformity with the Application approved by the District.

2.04 **Community Standards.** It shall be the responsibility of each residential parcel owner to comply with the standards established by any applicable recorded declaration of restrictive covenants (deed restrictions) for preservation of consistent external appearance, design, and compatibility with existing structures in the community, including but not limited to standards for density, building type, set-back requirements, placement, and other exterior characteristics.

2.05 **Right of Entry and Inspection.** The District, any member thereof, and any of its authorized representatives or agents shall have the right to inspect the exterior of the Improvements for compliance with the approved plans and specifications, at reasonable times, in a reasonable manner, and upon reasonable advance notice to the residential parcel owner.

2.06 **Compliance with Governmental Requirements.** It shall be the responsibility of each residential parcel owner at the time of construction to comply with applicable building and zoning codes, and all other requirements of governmental agencies having jurisdiction thereof, including, but not limited to, Pasco County and the Southwest Florida Water Management District, and to obtain all permits and inspections required by such governmental agencies.

2.07 **Submission of Application for Review.** No Application shall be considered to have been "accepted" for review by the ARC or the District until the Application is fully completed. The ARC shall contact the applicant if the Application is not received in complete condition, or may return the Application to the applicant with appropriate notification of the defect, when the ARC is unable to contact the applicant or the applicant fails to supplement the Application within a reasonable period of time. Any returned Application may be completed and resubmitted for consideration. The thirty (30) day review period shall not commence until the completed Application is received.

2.08 **Completion.** Construction of approved Improvements shall be commenced within six (6) months following District approval, and completed within a reasonable period of time after commencement of construction, unless otherwise specified in the deed restrictions. If commencement does not occur within six (6) months of approval, re-submittal and re-approval of the Application shall be required. Once construction has commenced, all construction shall be completed in a timely and continuous manner. Repainting or roof replacement must be completed within three (3) months from commencement of the job. Upon request by the property owner, the Board may grant additional time if extraordinary circumstances exist.

2.09 **Appeal of District Decision.** An applicant may petition the court of appropriate jurisdiction for a review of the District's decision in the manner as provided by law.

### III. COMMUNITY DESIGN STANDARDS

3.01 **General.** Buildings shall be (a) of an attractive and high quality construction that is compatible in external appearance, color, material, design and style with the existing structures in the community; (b) in compliance with generally accepted construction standards and other requirements of governmental agencies having jurisdiction thereof; and (c) in compliance with the recorded deed restrictions applicable to such residential parcel.

#### 3.02 **Building Materials and Colors.**

(a) Except as provided below for Utility Buildings, all exterior building materials shall be of the same type, quality and style as that of the building structure as originally constructed.

(b) All paint colors must be selected from the approved color palette. The colors are grouped in coordinated sets and substitutions between sets are not permitted. However, white paint may be substituted for any trim or garage door color and white, black, or several other colors included in the approved color palette designated for front doors may be substituted for any front door color. Satin or flat paint will be used for the primary color and satin or semi-gloss paint will be used for the trim, shutters or doors. You may select a color from one manufacturer and use another manufacturer's paint provided the retailer has the ability to mix the paint with the other manufacturer's color formula. Quality of paint should be equal to or better than the brands utilized in the color palette.

(c) Stucco shall be applied in a consistent fashion and be at least ¼ to 3/8 inch thick and primed and painted with two coats of paint. Specialized textures such as cultured stone and brick shall be limited to the lower half of the primary structure only.

(d) Additions and pool enclosures shall be architecturally consistent with the location of the primary structure and shall not intrude into any setbacks. They shall not exceed the height of the primary structure.

(e) Window framing and molding materials must be consistent with the existing or original architectural design/construction.

(f) All awnings intended for an area visible from the street must be compatible with the building and will be considered on a case-by-case basis. Fabric awnings must be of a color compatible with the building trim color. Retractable awnings and window awnings shall not have pole supports.

(g) The design of all screened entryways shall be compatible with the main structure, and shall be constructed with the same materials as the main structure or with white or brown aluminum framing. The screen material will be smoke colored or aluminum gray.

(h) Permanently affixed storm shutters or permanently affixed tracks for storm shutters will be white or the same color as the structure's primary or trim color.

(i) Storm doors will be aluminum and be white, brown or match the door color with smoke colored or aluminum gray screen material.

(j) Screen enclosures and sunrooms must be of a design that is compatible with the main building. They will be constructed with white or brown aluminum framing or of the same type of materials as the main building and have smoke or aluminum colored screen material. They shall not exceed the height of the main building. [Kick plates are recommended along the entire lower perimeter.]

(k) Garage door screens shall be constructed using the same materials as the main structure or with white or brown aluminum framing and have smoke or aluminum colored screen material.

(l) When making additions/modifications to the main structure that are clearly visible from the street, repainting of the entire visible area or structure may be required if it is determined that the color cannot be matched due to fading or if the color of the main structure is not on the approved color palette. The dimensions of the structure and the addition/modification to the structure, the location of the addition/modification and other features will be taken into consideration when making this determination.

3.03 **Roofs and Gutters.** Roofing colors for the main structure must be selected from the approved list. You may select a color from one manufacturer and use another manufacturer's product provided the retailer can match the color. No wood or metal materials may be used for the exterior surface of the roof of the main structure. No gravel type roofs shall be allowed, except on flat surfaces. No tiled roofing materials may be used. The pitch of the roof of the main structure shall be at least 3 in 12, and the roof eaves shall extend at least 15 inches beyond the wall of the dwelling on the two longer sides. Roof gutters and downspouts of aluminum construction sized according to roof area to be accommodated are permitted and shall be of a color either matching the fascia or white. Downspouts should not direct the water flow toward neighboring residential properties.

3.04 **Utility Buildings.** No more than one Utility Building (shed) may be constructed, erected or placed on a residential parcel. All such buildings must be in compliance with all setback and easement requirements and any other applicable ordinances, codes, government rules; and compatible with the community and applicable deed restrictions. They must be located behind the primary structure. Exterior surfaces will be vinyl, aluminum, stucco or wood. Wood and stucco buildings will be painted with a color selected from the approved color palette that is compatible with the main structure. Aluminum or vinyl buildings will be white, beige or light gray. The maximum allowable height of the building is eight feet above ground level. Square footage shall not exceed 20% of the unimproved area to the rear of the house. Whenever possible, buildings not of the same design, style and color as the main building will be placed on the property in a location that limits its view from the street.

3.05 **Pool Enclosures.** Pool enclosures must meet the standards outlined in paragraph 3.02 (d) and (j).

3.06 **Playhouses.** Kids' playhouses, forts, clubhouses or other similar type building shall be behind the primary structure. The maximum allowable height is eight feet above ground level. They must be entirely "earth toned" (tan, olive, brown, rust). No primary colors are permitted.

#### IV. AMENDMENTS AND EFFECTIVE DATE

4.01 **Amendments.** The Board of Supervisors may, from time to time, amend or modify this Architectural Review Policy, including the procedures for submitting, reviewing and approving Applications. Notice for amendments or modifications to this Policy shall be provided to owners of property within the District in the same manner as notice is provided for any other regular business conducted by the District. No subsequent amendment or modification shall affect any Improvement for which approval was previously obtained.

4.02 **Effective Date.** This Policy shall be effective as of September 4, 2008, and supersedes the Architectural Review Policy approved by the Board of Supervisors effective as of July 26, 2005.