

Sunset Lakes Home Owners Association, Inc.
Design Review Guidelines

Proposed
April 25, 2016

Contents

- Article I. INTRODUCTION TO ARCHITECTURAL REVIEW6
 - Section 1.01 Purpose of Design Review Guidelines.....6
 - Section 1.02 Definitions.....6
 - Section 1.03 Governmental Permits.....6
 - Section 1.04 Preparer6
 - Section 1.05 Applicability of Architectural Review6

- Article II. DESIGN REVIEW PROCEDURES7
 - Section 2.01 Application Procedures.....7
 - Section 2.02 Application Fees.....7
 - Section 2.03 Plans to be reviewed.....7
 - Section 2.04 Recommendations8
 - Section 2.05 Review Period and Decisions of ARC.....9
 - Section 2.06 Resubmissions to the ARC9
 - Section 2.07 Brevard County Approval.....9
 - Section 2.08 Implementation of Approved Plans10
 - Section 2.09 Time to Complete10
 - Section 2.10 Changes after Approval.....10
 - Section 2.11 Enforcement10

- Article III. DESIGN REVIEW CRITERIA11
 - Section 3.01 Rational.....11
 - Section 3.02 Review Criteria.....11

- Article IV. ARCHITECTURAL AND IMPROVEMENT DESIGN STANDARDS12
 - Section 4.01 Accessory Buildings.....12
 - Section 4.02 Additions and Expansions12

Section 4.03 Air Conditioning Equipment.....	12
Section 4.04 Antennae and Communication Dishes.....	12
Section 4.05 Architectural Standards	13
Section 4.06 Awnings and Overhangs	13
Section 4.07 Compost.....	13
Section 4.08 Decks and Balconies.....	14
Section 4.09 Exterior Stairways	14
Section 4.10 Docks.....	14
Section 4.11 Dog Houses and Kennels.....	14
Section 4.12 Exterior Lighting	14
Section 4.13 Flagpoles and Flag Display	15
Section 4.14 Holiday Decorations.....	16
Section 4.15 Gazebos & Greenhouses.....	16
Section 4.16 Hot Tubs and Spas.....	16
Section 4.17 Latticework, Pergolas and Trellises.....	16
Section 4.18 Massing	16
Section 4.19 Paint	16
Section 4.20 Patios	17
Section 4.21 Playhouses	17
Section 4.22 Pools (excluding “as built” by the Developer).....	17
Section 4.23 Recreational Equipment and Play sets.....	18
Section 4.24 Roofing.....	18
Section 4.25 Roof Accessories and Equipment	18
Section 4.26 Sheds.....	18
Section 4.27 Siding.....	19
Section 4.28 Signs	19
Section 4.29 Solar Equipment.....	19

Section 4.30 Temporary Structures	19
Section 4.31 Building Type.....	20
Section 4.32 Garbage and Trash Containers.....	20
Section 4.33 Windows and Doors.....	20
Section 4.34 Driveways.....	21
Article V. LANDSCAPING AND SITE STANDARDS	22
Section 5.01 Landscaping.....	22
Section 5.02 Drainage.....	23
Section 5.03 Easement Plantings.....	24
Section 5.04 Fences, Walls, and Enclosures.....	24
Section 5.05 Vegetable Gardens.....	25
Section 5.06 Grading.....	25
Section 5.07 Hedges	25
Section 5.08 Paving; Driveways and Walkways	25
Section 5.09 Curbing and Mulch.....	25
Section 5.10 Sewage Disposal Systems	26
Section 5.11 Underground Installations	26
Section 5.12 Views.....	26
Section 5.13 Irrigation Systems	26
Section 5.14 Water Conditioners.....	26
Section 5.15 Clothes lines.....	26
Article VI. CONSTRUCTION GUIDELINES	27
Section 6.01 Inspections.....	27
Section 6.02 Vegetation Protection and Barricading.....	27
Section 6.03 Construction Damages.....	27
Section 6.04 Conduct.....	27
Section 6.05 Site Cleanliness	28

Article VII. NON-LIABILITY FOR APPROVAL OF PLANS OR CONSTRUCTION28

Article VIII. CHANGES TO THE DESIGN REVIEW GUIDELINES.....28

Article IX. ARCHITECTURAL REVIEW COMMITTEE28

 9.1 Architectural Review Committee28

 9.2 ARC Member Qualification.....28

 9.3 ARC Elections & Terms29

 9.4 Meetings.....29

Article I. INTRODUCTION TO ARCHITECTURAL REVIEW

Section 1.01 Purpose of Design Review Guidelines

The Design Review Guidelines provide an overall framework and comprehensive set of standards and procedures for the development of the community in an orderly and harmonious manner. These standards have been developed to assist in the planning, constructing, landscaping, and modifying of Lots within Sunset Lakes. The standards set forth criteria for design, style, materials, colors and location of site improvements, landscaping, signage, and lighting. In addition, the Design Review Guidelines establish a process for review of proposed construction and modifications to Lots to ensure that all Lots within Sunset Lakes are developed and maintained with the consistency and quality that attracted you to this development.

Section 1.02 Definitions

The Board of Directors is referenced in this document as "Board." The Architectural Review Committee is referenced in this document as "ARC." The Declaration of Covenants, Conditions and Restrictions of Sunset Lakes, as amended, is referenced in this document as "the C&Rs." Sunset Lakes West – Island Estates is considered as part of Sunset Lakes.

Section 1.03 Governmental Permits

To the extent that State of Florida, Brevard County, or any other government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Design Review Guidelines or the C&Rs, the government standards shall prevail. To the extent that any government standard is less restrictive, the Design Review Guidelines shall prevail, unless prohibited by applicable law.

Section 1.04 Preparer

These Design Review Guidelines have been prepared and adopted by the Board pursuant to the C&Rs and Section 720.3035. The Design Review Guidelines may be changed and amended to serve the needs of an evolving community subject to approval by a majority vote of the Board.

Section 1.05 Applicability of Architectural Review

These Design Review Guidelines shall be applicable to all properties that are subject to the C&Rs, unless otherwise specifically stated in these Design Review Guidelines. All plans and materials for new construction or exterior modifications or improvements on a Lot must be approved before any construction or modification activity begins. Unless otherwise specifically stated in these Design Review Guidelines, no structure may be erected upon any Lot, and no improvements (including staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements, and planting or removal of landscaping materials) shall take place upon any Lot, without receiving the prior written approval of the ARC as described below.

Owners are responsible for ensuring compliance with all standards and procedures within these Design Review Guidelines. Owners are also governed by the requirements and restrictions set forth in the C&Rs, as they may be amended and supplemented from time to time. In particular, Owners should review and become familiar with all covenants, conditions and restrictions established by the C&Rs as well as these Design Review Guidelines. In the event of a conflict between these Design Review Guidelines and the C&Rs, the C&Rs shall prevail. All proposed construction or modifications shall comply with the Design Guidelines in effect on the date the modification was approved.

Article II. DESIGN REVIEW PROCEDURES

Section 2.01 Application Procedures

Prior to submission of an application for new construction or modification, homeowners are strongly encouraged to review Section 7.3 of the C&Rs, as amended, as well as these Design Review Guidelines, in their entirety.

The ARC must review and approve all construction plans prior to the commencement of any construction or modification on any Lot, requiring the submission of an ARC Application. All applications for proposed construction or modifications must be submitted in writing using the application form authorized by the ARC, and all applicable fees must be paid as provided for in the C&Rs and herein. A copy of the standard form shall be available from the Association's property manager and made available on the Association's website. Applications must be complete in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies to be remedied in order to be considered for review.

All applications shall be submitted for approval prior to commencing the construction or modification, or the Lot Owner will be subject to a possible fine and/or having to return the construction or modification to the original condition.

Applicants may request an initial meeting with a representative of the ARC to address any questions about Sunset Lakes and the Design Review Guidelines.

Section 2.02 Application Fees

None

Section 2.03 Plans to be reviewed

The ARC Application must include a complete and accurate description of the proposed construction or modification(s). In order to permit evaluation by the ARC, supporting exhibits will frequently be required. Examples include: sites plan showing the location and dimensions of the proposed modifications; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc. The Design Review Guidelines and ARC Application form provide guidance with respect to the supporting documentation required for various types of modifications.

Plans submitted to the ARC for approval shall include all plans necessary for construction and shall meet the following standards (scale 1/4" = 1'0" unless noted otherwise):

Plans must show and locate landscape improvements proposed, including but not limited to such items as plant types and sizes, sprinkler systems, and driveway(s), walkway(s), path(s), wall(s) and fence(s) and types of materials to be used. In appropriate cases, a comprehensive landscaping plan prepared by a landscape architect or other qualified landscape engineer shall be submitted to the ARC prior to the commencement of any clearing, landscaping or construction.

Required plans may include:

(a) Lot Survey

Showing the location of the proposed change, alteration, renovation or addition highlighted.

(b) Site Plan

Showing a clearing and grading scheme with proposed and existing land contours; grades and flow of the site drainage system; location of existing trees, including identification of every tree with a diameter of four inches or more measured at a height of three feet above grade and location and size of trees proposed for removal; the location or "footprint" of the proposed improvement, including setback lines, fences, retaining walls, driveways, curb-cuts, walkways, fences, pools, patios, landscaping, buildings, and other improvements. Minimum scale of 1" = 20'.

(c) Floor Plan

Showing decks, patios, stoops, retaining walls related to the dwelling, trash enclosures, HVAC equipment and utilities, and the screening for same, interior spacing of rooms, and connections to driveways and walkways.

(d) Elevations

Front, rear and side exterior elevations showing building materials and finishes, and indicating the maximum height of the dwelling.

(e) Roof Plan

Showing slopes, pitches, roofing materials, colors, and gables, unless reflected in the other plans.

(f) Exterior Finishes

Showing the exterior color scheme and texture (including samples and color chips), lighting scheme, and other details affecting the exterior appearance of the proposed improvements.

(g) Landscaping Plan

Showing location, size, species, and quantity of all plant material, paving materials, light poles, USPS installed mailboxes, protection of existing vegetation, use of plants, and other landscaping details.

(h) Other

Such other information, data, and drawings as may be reasonably requested, including without limitation, irrigation systems, drainage, lighting, satellite dish placement, landscaping, screening, fences, and other features.

Section 2.04 Recommendations

The ARC, with approval from the Board, shall have the authority from time to time to adopt and revise lists of recommended landscape materials and hardscape materials. The authorized entity which establishes the list(s) may provide that the purpose of the list(s) is merely to provide guidance and that installation of recommended materials does not relieve the Applicant from any obligations set forth in these Design Review Guidelines to acquire approval prior to installation.

Section 2.05 Review Period and Decisions of ARC

The ARC will respond, in writing, within thirty (30) days after submission of a fully completed ARC Application, including all required plans and specifications and other information noted. In the event the Architectural Review Committee fails to approve or disapprove such construction or modification within thirty (30) days after said plans and specifications have been submitted to it, the ARC Application will be deemed to have been denied.

The ARC's decision shall be rendered in one of the following forms:

(a) Approved as Submitted

The entire application as submitted is approved. A door hangar will be delivered with the approved ARC form. The door hangar must be displayed until your project is completed and then returned to the ARC.

(b) Approved with Modifications

The application is approved, if and only if the Applicant adheres to the modifications stipulated by the ARC. The Applicant must counter sign the modifications to indicate Applicant's understanding of, and willingness to comply with, the stipulations noted. A door hangar will be delivered with the approved ARC form. The door hangar must be displayed until your project is completed and then returned to the ARC.

(c) Denied

The entire application as submitted is rejected in total. The ARC may provide comments but is not required to do so.

Section 2.06 Resubmissions to the ARC

Any Applicant may resubmit a rejected ARC Application by resubmitting the information, documents, and fees, if applicable, set forth above within fifteen (15) business days of receiving a response; however, such resubmission shall be considered only if the Applicant has modified the proposed construction or modification or has new information that would, in the ARC's opinion, warrant a reconsideration. The ARC is not obligated to hear a "reconsideration request" if they judge that, after reviewing the newly submitted information, their previous decision would not change. In the case of a disapproval and re-submittal, the ARC shall have thirty (30) days from the date of each re-submittal to approve or disapprove any re-submittal. However, a failure to respond within thirty (30) days shall not be deemed an approval of the previously denied application.

Approval of an application previously denied may only be made in writing.

Section 2.07 Brevard County Approval

The review and approval of plans and specifications shall not be a substitute for compliance with the permitting and approval requirements of the Brevard County or other governmental authorities. It is the responsibility of Applicant to obtain all necessary permits and approvals.

Section 2.08 Implementation of Approved Plans

All work must conform to approved plans. If it is determined by the ARC that work completed or in progress on any Lot or Property is not in compliance with these Design Review Guidelines and the C&Rs or any approval issued by the ARC, the ARC shall, directly or through the Board, notify the Owner and Builder, if any, in writing of such noncompliance, specifying in reasonable detail the particulars of noncompliance, and shall require the Owner and/or Builder to remedy the same. If the Owner and/or Builder fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such noncompliance shall be deemed to be in violation of the C&Rs and these Design Review Guidelines, and the Association may take action against the Owner as provided for in section 2.11 herein.

Section 2.09 Time to Complete

Once construction is commenced, it shall be diligently pursued to completion. Completion of all modifications shall take place within thirty (30) days of the Anticipated Completion Date specified on the approved ARC Application. The Applicant may request an extension of such maximum time period not less than three days prior to the expiration of the maximum time period, which the ARC may approve or disapprove, in its sole discretion. If construction is not completed on a project within the period set forth above, or within any extension approved by the ARC, the incomplete construction shall be deemed to be in violation of the C&Rs and these Design Review Guidelines.

Section 2.10 Changes after Approval

All proposed changes to plans, including changes that affect the exterior of any building, colors, windows, grading, paving, utilities, landscaping, or signage, made after the approval of plans must be submitted to and approved in writing by the ARC prior to implementation. Close cooperation and coordination between the Applicant and the ARC will ensure that changes are approved in a timely manner.

If the County of Brevard or any other authority having jurisdiction requires that changes be made to final construction plans previously approved by the ARC, the Applicant must notify the ARC of such changes and receive approval from the ARC prior to implementing such changes.

Section 2.11 Enforcement

In the event of any violation of these Design Review Guidelines, the Association may take any action set forth in the Bylaws of the Association, the C&Rs, or Chapter 720, Florida Statutes, including, but not limited to, the commencement of litigation or the levy of a fine pursuant to the C&Rs. As appropriate, the Association may remove or remedy the violation and/or seek injunctive relief requiring the removal or the remedying of the violation. In addition, the Association shall be entitled to recover all costs incurred in enforcing compliance and/or impose a fine against the Lot or Property upon which such violation exists.

Article III. DESIGN REVIEW CRITERIA

Section 3.01 Rational

There is an advantage to design standards and guidelines which provide definitive "do's and don'ts", with no reliance on subjective opinion. Such specificity provides clear guidance to homeowners as to whether or not contemplated improvements will be permitted. To the extent possible, specificity has been incorporated in the design standards. However, total specificity is neither possible nor desirable. The appropriateness and acceptability of particular modifications, particularly those of a major nature, may depend on a number of circumstances and factors that must be documented and evaluated on a case-by-case basis. A modification that is appropriate for one residence, lot size or location may be inappropriate in another situation.

Section 3.02 Review Criteria

The criteria listed below provide the basis for both the development of design guidelines and the evaluation of individual design proposals by the ARC.

- (a) **Design Compatibility.** The proposed construction or modification should be compatible with adjoining houses and the neighborhood setting and, for modifications, match the architectural characteristics of the applicant's house. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color and construction details.
- (b) **Scale.** The scale of any proposed construction should comply with the requirements outlined in the CCRs and should relate to the location and size of the Lot, adjoining homes and surroundings, and in the case of a modification, the size of the applicant's home. This criterion applies to both structural and landscape construction and modifications.
- (c) **Impact on Neighborhood.** The proposed construction or modification should relate favorably to the landscape, the applicant's home, adjacent homes and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed construction or modifications, which includes consideration of design quality, scale, location and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation and drainage. Examples of adverse functional impacts include structural additions that would cause a material loss of sunlight or ventilation to a neighboring dwelling, and an alteration in topography that would change natural drainage patterns to the detriment of a neighboring property.
- (d) **Color and Materials.** Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating appropriateness of proposed construction or modification. Specific exterior color and materials requirements are provided for in Article IV herein.
- (e) **Relationship to Environment.** Proposed construction or modifications should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed for potential adverse impacts, such as material change in the rate and/or direction of storm water run-off and soil erosion.

Article IV. ARCHITECTURAL AND IMPROVEMENT DESIGN STANDARDS

The following specific site criteria shall apply to all proposed or existing property within Sunset Lakes.

Section 4.01 Accessory Buildings

Unattached accessory buildings are allowed in Sunset Lakes West - Island Estates ONLY. Owners shall secure ARC approval prior to construction of any accessory building or playhouse.

Accessory buildings shall meet the following criteria:

(a) Materials

Accessory building must be of equal quality and must be constructed of the same color, material, and Architectural style as the main residence or of color, material, and style that is generally recognized as complementary to that of the main residence. An accessory building's roofing materials shall match those of the main residence. Roofs may be peaked provided dimensional shingles, tiles or better are used. Current State of Florida Hurricane Standards must be met as well as any future changes must be applied to the structure.

(c) Utilities

Any utilities servicing accessory buildings shall be installed underground. Propane tanks are not allowed for accessory buildings.

Section 4.02 Additions and Expansions

ARC approval is required for any addition to or expansion of a residence. Materials, color and style shall match the existing residence.

Section 4.03 Air Conditioning Equipment

ARC approval is required for the installation of exterior air conditioning equipment or evaporative coolers. No window or wall air conditioning units shall be allowed. All air conditioning equipment will be shielded from view at ground level by appropriate landscaping or approved fencing.

Section 4.04 Antennae and Communication Dishes

No erection or placement of satellite dishes and/or antennas, whether permanently or temporarily, shall take place except in strict compliance with the provisions of these Design Review Guidelines, provided, however, that (i) an antenna designed to receive direct broadcast satellite services, including direct-to-home satellite services, that is one meter or less in diameter; (ii) an antenna designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, that is one meter or less in diameter or diagonal measurement; or (iii) an antenna that is designed to receive television broadcast signals; (collectively, "Permitted Antennas") shall be permitted, subject to such reasonable requirements as to location and screening, consistent with applicable law, in order to minimize obtrusiveness as viewed from streets and adjacent property. Neither rooftop tripods or mountings nor ground based tripods or poles are permitted.

CB, HAM Radio antennas are not permitted

Section 4.05 Architectural Standards

The exteriors of all buildings must be designed to be compatible with the natural site features of the property and to be in harmony with their surroundings. The land forms, the natural contours, local climate, vegetation, and the views should dictate the building location, the building form, and the Architectural style. The ARC may disapprove plans if in its judgment the massing, Architectural style, roofline, exterior materials, colors or other features of the building do not meet these standards.

(a) Exterior Wall Treatments

The following are acceptable exterior wall treatments for vertical surfaces: (i) Natural stone; (ii) Painted stucco in natural earth tones; and (iii) Anodized or paint finish are required on all metal surfaces including but not limited to windows, window screens, roof flashing, drips, caps, garage doors and screened pool enclosures preferably in earth tones or compatible colors to the surrounding surfaces.

(b) Exterior Colors

In most cases, Color selections for all exterior material shall be the original approved color or color scheme, another Board-approved color or color scheme. Owners must submit for approval color samples of all exterior surfaces to the ARC for review and approval prior to commencing construction or painting, including specifications and samples for window and metal finishes, roof material, trim, and exterior surfaces and accents. For a change in the residence's main color to be approved, the owner shall submit a 2' x 2' sample of the body color, a 1'x1' sample of the trim color located adjacent to the right of the body color, and a 1'x1' sample of the door color located below the trim color and adjacent to the body color on the side or rear of the structure. The resulting color patch should be a rectangle that is 3' wide and 2' tall.

The SLHOA Approved color palette is available from any ARC member.

Section 4.06 Awnings and Overhangs

The installation of overhangs or awnings is not permitted.

Section 4.07 Compost

A compost bin is defined as a contained, properly maintained area for decomposition of plant materials such as grass clippings, leaves, and small brush which is then used for mulching or soil conditioning. In an effort to support recycling efforts and conserve landfill space, the ARC will permit compost bins on residential property, provided that the following conditions are met:

(a) Location: The bin is to be located at the rear of the property no less than 10 feet from the rear and side property lines for single-family homes unless the yard has privacyfencing.

(b) Screening: The bin is to be shielded by landscape screening, subject to case-by-case application and notification of adjacent neighbors by applicant.

(c) Dimensions: The maximum size of the bin is 4 feet wide, 4 feet long and 3 feet high. Single-family homes will be allowed up to one bin per property.

(d) Color: The color of the bin will be natural wood, black, dark gray or earthtones.

(e) Use and Maintenance: The bin is used to compost only plant materials such as grass clippings, leaves, and small brush, and is turned regularly to prevent odors and aid decomposition. No household waste (kitchen scraps) or animal waste shall be composted in order to avoid odors, rodents, or health hazards.

(f) Grass Cuttings: Mulching mowers are recommended to eliminate the need to dispose of or compost grass cuttings.

Section 4.08 Decks and Balconies

Owners shall secure the ARC's approval before installing decks or balconies. Decks and balconies must meet the following specifications:

- (a) **Materials.** Decks must be constructed of PVC material. All deck screws must be stainless steel.
- (b) **Color.** The finish to all wood surfaces except the deck boards on the horizontal floor of the deck and stairs shall be:

1. Colors available in PVC
2. Only one of these criteria to be allowed to each lot.

Decks and balconies must be installed as an integral part of the residence or patio area. Any such decks or balconies must be located so as not to materially obstruct or diminish the view of or create an unreasonable level of noise for adjacent property owners. Construction shall not occur over easements and must comply with the applicable Brevard County requirements.

Section 4.09 Exterior Stairways

Exterior stairways shall not be permitted.

Section 4.10 Docks

No Owner or occupant shall be permitted to erect a dock on or adjacent to common areas or retention ponds.

Section 4.11 Dog Houses and Kennels

Doghouses must be compatible with the applicant's house in terms of color and material. Doghouses must be made of PVC material and may not exceed sixteen (16) square feet of floor space and may not exceed four (4) feet in height at the highest point. They should be located where visually unobtrusive to neighbors and the use of appropriate screening is encouraged, and may be required in some cases, in order to minimize any negative visual impacts. Overnight or extended use of a doghouse for housing pets is prohibited.

No more than one dog house will be allowed on any given property.

Animal kennels are prohibited. No animal structure shall provide shelter for more than 2 dogs over six months of age.

As a recommendation, all dog owners should remove all dog waste from the owners' Lot for health purposes. All dog owners must clean up after their own dogs on any Property outside of the Owner's Lot.

Section 4.12 Exterior Lighting

ARC approval is required to install or modify exterior lighting. Exterior lighting or illumination that may be installed on any Lot shall be installed so as to avoid visible glare (direct or reflected) to any subdivision street, Sidewalk, Common Area and other Lots. No lighting fixture shall be installed that may be or become an unreasonable annoyance or a nuisance to the residents of adjacent property.

Accent (Landscaping) Lighting fixtures must be black, dark green, brown or dark brown, or brushed nickel so they blend in with the background. The light fixtures may not exceed 18 "in height. Installation of coach lights or other fixtures that differ in color or style from those originally installed requires ARC approval.

Section 4.13 Flagpoles and Flag Display

Owners may erect a freestanding flagpole no more than 20 feet high on the Owner's Lot. Owners may display in a respectful manner from that flagpole, one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the C&Rs and the Design Review Guidelines.

Flagpoles may be placed in the front or back yard only, must be mounted or installed in an approved manner, and must be white, silver, or a neutral color. The ARC shall approve the material and composition of the flagpole and any ornamentation on the flagpole top. Flagpole halyards must be of a type that does not make noise under any wind condition. Halyards must be kept securely tied. Flagpoles must be installed in a manner so as not to present a view obstruction to neighbors. Adjacent homeowner notification will be made and neighbor input will be solicited in all cases prior to approval.

Any flag not removed from dusk to dawn requires illumination per the Federal Flag Code. Any illumination of the United States flag, which is required if you choose to display the flag 24 hours per day, shall be submitted in the normal manner for Architectural Review Committee approval. Lighting shall be designed to illuminate the United States flag from sunset to sunrise and directed so as to minimize illumination of adjacent homeowners' structures. Lighting shall be focused on a circular area at the top of the pole to have a diameter of no more than 2.5 times the length of the flag.

All other flags, pennants, streamers, and other flag like items may not be displayed from such poles, and their display anywhere else on the property must be approved by the ARC.

Owners may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag.

The United States flag must be flown in strict compliance with the Federal Flag Code (United States Code Title 36, Chapter 10) and any failure to comply with the Federal Flag Code will be considered a violation of these Design Review Guidelines and be subject to HOA violation enforcement.

Section 4.14 Holiday Decorations

Any owner may display holiday decorations on such Owner's lot for generally recognized holidays so long as the same are removed within the later of; (i) one week after the passing of the holiday or, (ii) the end of the month in which the holiday falls, with the exception of Halloween and December holiday season decorations, which shall be removed by the 15th of the following month. No other type of decoration shall be permitted.

Holiday decorations may not be installed or displayed more than 45 days prior to the generally recognized holiday. Any exception must have the approval of the Board.

Section 4.15 Gazebos & Greenhouses

The construction of any gazebo, greenhouse or solariums is not permitted.

Section 4.16 Hot Tubs and Spas

ARC approval is required prior to the construction of any exterior hot tub, Jacuzzi, or spa, and shall be an integral part of the deck or patio area and/or the rear yard landscaping. A hot tub, Jacuzzi, or spa shall be located in the rear yard in such a way that it is not higher than 3 feet tall. All fuel tanks, along with other necessary mechanical equipment, will be shielded from view at ground level by mature landscaping or decorative fences.

Section 4.17 Latticework, Pergolas and Trellises

Latticework, Pergolas, or a garden trellis may not be installed without ARC approval.

Section 4.18 Massing

Equal attention to detail and Architectural definition must be given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials, roof character, and window treatment. Retaining walls, planter walls, and privacy walls should be used to break up the elevation of a building and help relate the structure to the ground. All exposed concrete block or poured concrete foundations and site retaining walls must be covered with an appropriate wall-facing material, which must be approved by the ARC.

Section 4.19 Paint

Owners may repaint the surfaces of their house in accordance with ARC approval and in accordance with Section 4.05(b) of these Design Review Guidelines. ARC approval is required for all exterior painting. Color chips or samples are required for all paint applications. Color chips must indicate the type of paint: Base color must be flat or satin finish. Trim color must be flat, satin finish or semi-gloss. Gloss Paint is not allowed. Review criteria may include, but shall not be limited to, the sheen of paint, the home's architecture, any existing stone or brick accents, roof color, and neighboring properties' colors. The main colors for all exterior building surfaces must complement the Architectural theme of the house. For a change in the residence's main color to be approved, two (2) 3' x 3' samples of the proposed color must be painted on two different exterior walls of the residence. Painting of the gutters and soffits is prohibited. Downspouts may be painted to match the adjacent color on the walls. All colors must adhere to the established color palette that can be provided by ARC.

Section 4.20 Patios

All plans and designs for patios and enclosures must be submitted to the ARC for review prior to construction. A screen enclosure can extend beyond the side of the house provided there is at least a five (5) foot set back from the property line. The enclosure cannot be any closer to the front Lot line than a line parallel to the back of the Living Unit, however placement shall be subject to ARC approval.

Section 4.21 Playhouses

All plans and designs for playhouses must be submitted to the ARC for review prior to construction. A playhouse shall be considered an accessory building if the footprint measures no more than 20 square feet, is no more than 5 feet high from peak to ground, and is not constructed on a concrete slab or footing. Playhouses are allowed in rear yard only, as long as they are not visible from the street, public area, or in the line of sight from any surrounding property, fencing or landscape may be required. Tree houses are prohibited.

Playhouses may be commercially available plastic units. Playhouses are not permitted to have any utility services installed in or on the structure. Playhouses may not be used as housing for animals.

Section 4.22 Pools (excluding "as built" by the Developer)

ARC approval is required for the construction or installation of pools. Pools shall be an integral part of the deck or patio area and/or the rear yard landscaping. A pool shall be located in the rear yard. All fuel tanks and mechanical equipment necessary for the operation of any pool must be located in the rear or side yard and shall be screened from the street, public spaces, golf course, and neighboring Lots by an enclosure, wall, fencing, or mature landscaping such screening to be in accordance with these Design Review Guidelines and all applicable county regulations, and approved by the ARC.

Access to the site must be obtained by using the property of the Owner installing the pool. If access is needed across another Lot or common area, the Applicant shall obtain the written permission of the Owner prior to submitting the pool application. Applicants shall be required to assure that any planned re-grading of their lot, either major or minor, relating to the pool installation will not adversely affect the flow of runoff water as published in the original property survey

Any swimming pool and the screening or fencing surrounding it that is to be constructed on any residential Lot shall be in compliance with all municipal regulations, and subject to the approval and requirements of the ARC, which shall include, but which shall not be limited to the following: (i) above-ground swimming pools shall not be allowed; (ii) materials, design and construction shall meet standards generally accepted by the industry and shall comply with applicable governmental regulations; and (iii) the location shall be approved by the ARC.

All pool equipment, storage tanks, chemical feeders, heating equipment, and any other aboveground apparatus (except air-conditioning units) must be shielded by screening or dense shrubbery so that such equipment or apparatus is not visible from the street, or common areas. Pool heater vent stacks may extend above the enclosure. Pool equipment must be shielded within fifteen (15) business days from the date of completion of the pool.

Any grass or vegetation compromised or destroyed during pool installation must be replaced with healthy grass or vegetation, identical in all material respects as the previous grass and/or vegetation (unless otherwise approved by the ARC) within fifteen (15) business days from the date of completion of the pool.

Section 4.23 Recreational Equipment and Play sets

No basketball hoops or backboards shall be attached to any residence. Any portable or mechanical device that enables an Owner to engage in basketball (e.g., a pole mounted with a backboard and hoop that can be moved and temporarily anchored) may not be kept on easements or streets for use. All devices must be in good condition not requiring any repair (including nets). "Goalrilla" type units must be submitted for ARC approval and must be installed by a licensed professional.

Other recreational equipment shall not be installed or utilized in the front yards of Lots or attached to houses or garages or installed in side yards under any circumstances.

Removable recreational equipment is allowed in rear yards and shall be well maintained and deemed attractive.

Section 4.24 Roofing

Roof pitches and overhangs shall be designed for compatibility with adjacent roof profiles in front, side, and rear elevation, and may vary as dictated by Architectural design. Acceptable roof materials are dimensional shingles, tile, or better unless approved in advance by the ARC. ARC approval is required for a roof-material change. If replacement shingles do not match the existing shingles, the entire area visible from the street or adjacent properties must be replaced.

Roofs shall be maintained free from mildew. Any roof which has 10 % or more area discolored on any surface (or plane) by mildew shall be a violation and subject to enforcement.

Section 4.25 Roof Accessories and Equipment

ARC approval is required for all rooftop equipment and accessories, unless specifically noted in this Section.

Exposed flashing on the roof surface must be painted to match or an approved compatible color with the roof surface. The only exception is valley flashing which may be left as unfinished metal or painted in a manner consistent with the existing exposed roof flashing.

All flashing on the sides and bottom of the fascia as well as gutters must be maintained with the original coating visible and not painted over with any product. All Downspouts must be uniformly left the original white coating or painted to match the existing adjacent fascia and body color of the structure. The only exception is flashing, gutters, and downspouts that were installed as a component of a screened structure. These flashings and gutters must match the material approved for the screened structure.

ARC approval is also required for skylights.

Section 4.26 Sheds

No free-standing utility sheds or storage sheds are permitted except in Sunset Lakes West – Island Estates. All Sheds must comply with the requirements of Section 4.01

Section 4.27 Siding

Owners shall seek ARC approval before installing or replacing siding, due to the differences in texture.

Section 4.28 Signs

Except as specifically provided for in subsection (a) below, no sign of any kind other than the numeric address of the Lot shall be permanently displayed to the public view on any Lot or improvements thereon.

Temporary signs are limited to Permit Boxes. A Permit Box is permitted on the property no more than 1 work day before the work commences and 1 work day after the final inspection is complete. Only one permit box is permitted on a Lot.

No signs are allowed on any entrance gates or mailboxes. This also includes displaying any type of vehicle or device for sale at the front entrance.

Car wraps and signage are not permitted, including commercial vehicles.

(a) Exceptions

One security sign is permitted in the front yard located either adjacent to the driveway or in close proximity to the front entrance of the main dwelling. Security company signs are also permitted in the windows. Identification signs (numbers) for Lots are required. Address numbers should be at least 3" high, visible and legible from the street on which the house fronts. The color must contrast with the immediate background material. Security and identification signs shall not exceed 8" by 10" and the ARC may impose shape and color restrictions on security signs.

No other signs, except for the aforementioned security company signs, are allowed in windows.

One sign on a fence or gate for "Beware of Dog" is permitted up to 8" by 10."

Section 4.29 Solar Equipment

Solar equipment shall not be installed without the approval of the ARC. Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the building Architecture. This shall generally mean that the panels shall be roof mounted so that the top surface is flush with the roof surface. Solar panels should be located on the rear or side roof of a home. Any equipment placement in question will be decided by the ARC.

Section 4.30 Temporary Structures

Temporary or accessory structures, other than those used during the initial construction of a residence or model homes and sales facilities, including without limitation, shacks, sheds, trailers, vans, tanks, tents, or other similar structures are prohibited. ARC approval is required for tents other than camping tents (backyard only), which are used for occasional overnight sleeping by children and are left standing for no longer than 48 hours.

No mobile homes, trailers, shed, shacks, tents or other structure of a temporary nature (except adequate sanitary toilet facilities for workers during construction) shall be erected or permitted to remain on any Lot prior to the start of construction of a permanent residence. However, builders of improvements on the Lots may use a construction trailer.

Section 4.31 Building Type

Except for accessory buildings allowed in Sunset Lakes West – Island Estates pursuant to the C&Rs and these Design Review Guidelines, no building shall be erected, altered, placed or permitted to remain on any Lot other than a residential home.

Section 4.32 Garbage and Trash Containers

No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste.

All garbage or trash containers must be stored in concealed areas so that they shall not be visible from adjoining lots or common areas. Owners may use existing structures, fenced in areas, or mature landscape buffers to conceal the garbage or trash containers. All containers must be relocated if they produce an odor that is bothersome to others in the community, or provide an unwanted habitat for nuisance animals.

Trash containers with secured lids may be placed out for pick-up after 6:00 PM the evening before, or as otherwise dictated by Brevard County, and removed by sunset the day of pick-up. Containers shall not be permitted to remain out between pick-ups regardless of holidays or other reasons.

Section 4.33 Windows and Doors

Windows should be clear glass or a tinted glass of bronze, gray, or smoke colors. Window film must get ARC approval. Homeowner must submit sample of film with specifications. Window film must be 20% visible light reflected or less and non-reflective.

No hurricane or storm shutters shall be installed unless such has been approved by the Board. Approved hurricane shutters and/or temporary protective covering shall be allowed only after a storm warning has been issued by the U.S. Weather Service unless approved by the board for other purposes. This provides a line of communication for residences that are away from their homes for an extended period so the board can contact authorities should an event occur to an 'unguarded' home. In other cases, this aids in Fire Safety measures.

Approved permanent hurricane shutters must be opened and temporary protective coverings removed within 48 hours after the "all clear" is announced. Decorative shutters may be installed with approval from the ARC. All decorative shutters must be constructed of wood or composite material and must be painted to match the existing approved trim colors. The shape of the shutters must be such to match the shape and contour of the window they are placed next to. The size of the shutter must match the height of the window opening and the width of the shutter must be no greater than ½ the width of the window opening. Shutters comprised of slats are not authorized.

Replacement, modification or addition of exterior windows, doors, screen doors, storm doors and trim shall be subject to ARC approval. No "burglar bars," steel or wrought iron bars, or similar fixtures shall be installed on the exterior of any windows or doors of any dwelling without ARC approval.

All window coverings must be maintained in a good state of repair. Window coverings must be manufactured vertical or horizontal blinds, drapes, curtains, fans or shades that fit the dimensions of the window and properly mounted. No drawings, pictures, lettering, flags, signs, etc. may be attached or visible in any part of the window other than house security signs. Small garage door windows do not need to be covered, but if they are, the coverings must be maintained in a good state of repair. Religious seasonal decorations are permitted in windows without approval but must be removed after the season is over, in accordance with Section 4.14.

Section 4.34 Driveways

Any driveway addition of any type, including landscaped mulch, rocks, pavers, concrete, asphalt, dirt or any other material shall have a 5-foot setback from the side property line. Side driveway extensions are not permitted, nor parking any type of vehicle within 5 feet of the side lot lines. Additionally, no vehicle may be parked in any area from the front building line of the residence to the back lot line. Commercial vehicles of any kind are not permitted to park in any visible area of the community, except for contractors performing work on ARC approved projects and lawn maintenance. Parking of commercial vehicles in garages with the garage door closed is permitted.

Article V. LANDSCAPING AND SITE STANDARDS

Landscaping is an essential element of design at Sunset Lakes. Preservation of existing vegetation in addition to the introduction of plants native to the Central Florida area must be considered in establishing the landscape design.

Section 5.01 Landscaping

The Applicant shall develop a landscaping plan and install and maintain landscaping on such Lot (subject to such extensions granted by the ARC due to weather conditions). If the landscaping plan indicates that more than 80% of the front yard will be lawn, and the remaining landscaping conforms to minimum landscaping standards listed below, Applicant need not seek approval of the plan. If, however, the plan indicates that 20% or more of the front yard is to be landscaped, or the landscaping varies from the typical approved plan, Applicant must submit his plan to the ARC for approval. Plans including water improvements, such as ponds and waterfalls, require ARC approval.

(a) Minimum Landscaping

The value of landscaping on each lot must be in harmony with the surrounding neighborhood as well as enhancing to the aesthetic value of the Lot and improvements thereon.

(b) Plant Quality Standards

Acceptable plant quality standards shall apply to landscape plants used in conformance with this Section. All trees and shrubs shall be Florida No. 1 or better as defined in "Grades and Standards for Nursery Plants," Part I and Part II, State of Florida, Department of Agriculture, in the most current edition. Sod shall be free of weeds, diseases, fungus, and vermin.

(c) Maintenance

All landscaped areas on any Lot (including in easements) shall be maintained in live, healthy and growing condition, properly watered and trimmed. All fallen fruit, leaves, seeds, pods, fronds or other plant debris must be promptly removed, including those fallen on adjacent neighbors' properties and common areas. Any planting of grass, shrubs or trees which becomes dead or badly damaged shall be replaced with similar sound, healthy plant materials. Yard lawns must be planted with St. Augustine, Floritam, or Zoysia grass. Dead or dying grass must be replaced by installation of sod; provided, however, that grass plugs may be installed in lieu of sod in rear yards enclosed by fences and front, side and unenclosed rear yards only so long as the plugs are used solely to fill in gaps or holes in the turf that are smaller in size than a standard-size square or rectangle of sod.

No extensive weeds or other unsightly lawn growths shall be permitted to grow or remain upon any Lot, and no refuse pile or unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon.

A dead, declining, or dying tree in front yards shall be replaced with a tree that is approximately the same height, or minimum height of five (5) feet, whichever is less.

Owners shall keep sidewalks adjacent to Lots cleaned of visible dirt, mold, and mildew.

Any Owner within Sunset Lakes who has maintenance responsibilities for the property adjacent to the public right of way or body of water shall maintain the landscaping to the edge of the pavement or water's edge regardless of the property boundaries shown on the plat. The following standards shall apply: (i) Common Area Lakes and pond banks that lie adjacent to public roads are available for use to all Members of the Association. Lakes and pond banks maintained by the Association are available only to residents of that Sunset Lakes. (ii) The

Association maintains the Common Area turf around Association owned retention ponds that have St. Augustine grass and sprinkler systems.

Plant beds and lawns shall be kept free of weeds by the Owner and maintained in a neat manner. In the event that any Owner shall fail or refuse to keep his Lot free of weeds, underbrush or refuse piles or other unsightly growths or objects, or maintain landscaped areas, sidewalks, or other areas described above, then the Association may enter upon said Lot and remove or maintain the same at the expense of the Owner, and such entry shall not be deemed a trespass.

Any landscaping requires ARC approval and must adhere to:

Front yard – up to 20% of plantable area not including driveway, sidewalks, or easements.

Side yards – Unless fully fenced (no see through slats), up to 3 feet from the house

Back yards – unless fully fenced and not on a lake – up to 50% of owner's property.

(d) Ornamentation

The use of non-living objects as ornaments in any component of a Lot's landscaping requires ARC approval.

(e) Statues and Fountains

Statues and fountains are permitted with ARC approval.

(f) Birdbaths, Birdhouses, and Birdfeeders

Birdbaths, birdhouses and bird feeders erected when visible from the street or across from a lake require ARC approval.

Section 5.02 Drainage

Drainage of the Lot must conform to all applicable water management district, county and municipal requirements. All drainage and grading must be indicated on the Site Plan. There shall be no interference with the established drainage pattern over any Lot or other Property except as approved in writing by the ARC. The established drainage pattern is defined as the drainage pattern as engineered and constructed by the Builder prior to (or in some cases, immediately following) conveyance of title from Builder to the original individual homeowner. Owners may make minor drainage modifications to their Lots provided that they do not alter the established drainage pattern.

Landscape plans shall conform to the established drainage pattern, shall cause water to drain away from the foundation of the house, and shall prevent water from flowing under or ponding near or against the house foundation and other structures, including those of adjacent neighbors. Water should not pond on walkways, sidewalks, or driveways into the street. The ARC may require a report from an engineer as part of landscaping or improvement plan approval. Sump pump drainage should be vented a reasonable distance from the property line to allow for absorption.

Section 5.03 Easement Plantings

All plantings in an easement area (e.g., the area between the sidewalk and the curb) that have been previously approved shall be subject to the following conditions: (i) Annuals and ground cover planted in the easement area shall be less than 18" in height at maturity. (ii) Only single-trunk trees shall be planted in the easement area. Palm trees must have a five (5) foot clear trunk before the fronds start and be the type that will reach a height of at least 12 feet. Unless part of the original improvements to a Lot, these trees are to be planted no closer than twenty-five (25) feet apart. A variance must be obtained from the Architectural Review Committee for trees planted closer than 25 feet apart. (iii) Plant hangers will not be allowed in the easements.

Section 5.04 Fences, Walls, and Enclosures

In order to provide privacy and maintain a uniform appearance of quality throughout the development, the following applies:

(a) Height; Materials; Types; Construction

Fences, walls, and screens shall not be less than or exceed six (6) feet in height on front, side, and rear yard areas. Acceptable materials are wood, white or tan (wood tone) PVC as approved by the ARC. Particular types of fencing must be used in certain areas. The exterior side of all fences shall have a finished appearance. Water and wet land facing properties may have white or tan PVC picket style or vinyl coated chain link fence of 4 feet in height across their backyard.

No front yard fences shall be permitted. Fences shall not be permitted any closer to the front Lot line than a line parallel to the front of the dwelling, however fencing may be closer to the front of the dwelling if needed to screen equipment or under other circumstances, subject to approval by the ARC. Owners may set fence posts adjacent to a neighboring property's fence post without permission as long as the fence post is not set on the neighbor's property. Tying into a neighbor's fence shall require the Owner's written permission.

The composition, location and height of any fence or wall to be constructed on any Lot shall be subject to approval by the ARC.

(b) Maintenance

Any fence, walls, or screens, whether constructed by the Owner or a Builder, shall be well repaired and maintained consistent with the original approved construction.

In the event a fence, or wall, or screen is damaged or destroyed, the Owner or responsible party shall promptly repair or recondition the same at their expense, i.e., within thirty (30) days unless the ARC or Board authorizes a longer period.

If a developer-mandated, builder-installed fence is on the lot line of adjoining lots, it is the common property of adjoining landowners, and the property interest of each landowner is identical.

In a case where the developer-mandated, builder-installed fence is on the lot line, the landowners have maintenance responsibility for their side of the fence and will be held responsible to maintain their side of the fence in a manner consistent with the original approved construction thereof.

If a fence is located totally on one lot, that lot owner will be held responsible to maintain both sides of the fence. A landowner cannot enter the adjoining lot owner's property without permission for the purpose of maintaining the

Section 5.05 Vegetable Gardens

Vegetable gardens shall be allowed in rear yards only, and shielded from view of adjacent lots or Common areas. Vegetable gardens must be well kept and reasonable size. Use of a size greater than 25% of the back yard for this purpose is prohibited.

Section 5.06 Grading

Owners shall not grade their property so as to interfere with the established drainage pattern over any property except as approved in writing by the ARC. The elevation of the Lot shall not be changed so as to materially affect the surface grade of the surrounding Lots, or obstruct the drainage in any manner. Owners should work with the natural contours and seek solutions that minimize the impact of grading with respect to major alterations of existing grades.

No lot or parcel shall be increased in size by filling-in the waters on which it abuts. Refer to section 5.02.

Section 5.07 Hedges

ARC approval is required for hedges in front, side, or rear yard. Properties on the pond or lake are not to have hedges over four feet high within the area between the property line and twenty feet inside the property line.

Section 5.08 Paving; Driveways and Walkways

Owner shall secure the ARC's approval prior to paving with any paving material, including concrete, asphalt, brick, flagstone, stepping stones, and pre-cast patterned or exposed aggregate concrete pavers, and for any purpose, including walks, driveways, or patio areas. The staining or application of any coating other than a clear sealer must have prior approval of the ARC.

All replacement driveways and walkways shall be of the same size, shape, dimension, and grade (or better grade) of material as the original unless otherwise approved by the ARC. Owners shall secure ARC approval before extending or expanding any driveway or walkway. The ARC shall not approve such extensions or expansions for Owner's intended purpose of providing side yard parking or vehicle storage. No motor vehicles of any kind shall be parked on walkways.

Driveways shall be maintained and kept materially stain-free. Stains will be reviewed on a case-by-case basis, and the ARC shall require excessive stains to be removed.

Section 5.09 Curbing and Mulch

Permanent curbing requires approval by the ARC. All curbing shall be of a color, dimension, and style to complement the surrounding landscape and building features.

All mulches, organic and inorganic must harmonize with the property and be maintained.

Section 5.10 Sewage Disposal Systems

Public sewers are the only sewage disposal system allowed.

Section 5.11 Underground Installations

Owners shall seek approval for any proposed underground installation, except for installation of underground sprinkler systems.

Section 5.12 Views

All sides of a house or structure that are directly visible from a Common Area (Street or Boulevard) should be landscaped in such a way to complement and enhance the appearance of the property. The landscaping design and materials should be themed constantly throughout the view.

Section 5.13 Irrigation Systems

Owners may install irrigation systems underground without the ARC's approval so long as the Owner installing such system obtains any permits required by Brevard County or other governmental authorities. Landscaped areas of each Lot and the roadway boulevard shall be irrigated by an automatic irrigation system. No individual water supply system or well shall be permitted on any Lot.

Section 5.14 Water Conditioners

Water conditioners or softeners may be installed outside but must be covered from view of neighbors and street.

Section 5.15 Clothes lines

Clothes lines are permitted in the yard located in the rear of the property no further forward than the rear wall of the dwelling. Stationary (permanent) installations must adhere to hurricane standards set forth by the State of Florida. Any clothesline that does not adhere to State of Florida hurricane standards must be stored in an enclosed area when not in use.

Article VI. CONSTRUCTION GUIDELINES

Section 6.01 Inspections

The ARC may perform periodic inspections to ensure that work is being performed in conformance with approved plans and specifications and these Design Review Guidelines. All inspections are observations only and will not relieve the obligation to obtain inspection approvals from Brevard County and other organizations having jurisdiction.

Job sites not in compliance with the C&Rs, these Design Review Guidelines, or approved plans will be issued a Notice of Violation and a punch list of items needed to bring the construction and/or job site into compliance. Further construction is prohibited until such punch list items have been corrected.

Section 6.02 Vegetation Protection and Barricading

Prior to any construction or clearing activities, the Applicant shall take measures to protect vegetation. Any construction areas bordering or draining to a pond, lake, or wetland shall provide proper barricades and other measures to prevent any contamination. The type and materials of barricades may be reviewed by the ARC. In addition, the following actions are prohibited: (i) Dumping backfill into an area containing protected vegetation ("protected area"), (ii) Excavating soil from a protected area, (iii) Falling trees into a protected area, (iv) Parking in or driving through protected areas, (v) Stacking or storing supplies or equipment in protected areas, (vi) Changing site grading to causing drainage into a protected area, (vii) Locating temporary construction buildings in a protected area, or (viii) Disposing of toxic materials into a protected area.

Section 6.03 Construction Damages

Any damage to any Common Property caused by the Owner, its contractors, sub-contractors, agents, or employees during construction or modification of the Owner's Lot must be corrected immediately to the satisfaction of the Association. If the damage is not fully corrected, and after reasonable notice and opportunity to cure to the Owner, the Association may undertake to repair such damage and assess the actual costs of that repair to the Owner. Any such expense incurred by the Association shall be part of the Assessments to which the Owner's Lot is subject and shall be due and payable in the same manner as annual Assessments, as provided for in the C&Rs. All access over HOA property must have written approval prior to commencement.

Section 6.04 Conduct

The Applicant must ensure that all contractors and subcontractors control the conduct of their employees while working in Sunset Lakes. Loud music, speeding, profanity, criminal actions, and other behavior that is unbecoming of a quality operation will not be tolerated. Contractors or their employees violating this policy may be asked to leave the premises and may be denied access to Sunset Lakes.

Contractors must be properly licensed and insured for the type of work they are performing.

Contractors may only access the Property through the front gate of Sunset Lakes.

Section 6.05 Site Cleanliness

All sites must be maintained in a clean and orderly manner at all times. The storage of materials should be in an inconspicuous location within the site and stored neatly and orderly. All construction debris shall be cleared at the end of each working day.

Article VII. NON-LIABILITY FOR APPROVAL OF PLANS OR CONSTRUCTION

THE OWNER SUBMITTING AN ARC APPLICATION SHALL BE SOLELY LIABLE FOR AND SHALL OBTAIN ALL NECESSARY PERMITS, APPROVALS AND INSPECTIONS REQUIRED BY STATE, COUNTY OR LOCAL GOVERNMENTAL AUTHORITY. THE OWNER THEIR CONTRACTOR(S) SHALL ENSURE THAT ALL IMPROVEMENTS COMPLY WITH ANY APPLICABLE CODES, RULES, REGULATIONS, ORDINANCES AND LAWS. IN NO EVENT SHALL THE ASSOCIATION, ARC MEMBERS, OR BOARD MEMBERS BE LIABLE FOR ANY INJURY, DAMAGES OR LOSS RESULTING FROM THE DESIGN, METHODS OR QUALITY OF CONSTRUCTION OR MODIFICATION OF ANY HOME OR LOT OR COMPLIANCE OF SUCH CONSTRUCTION, MODIFICATION OR HOME WITH ANY APPLICABLE CODES, RULES, REGULATIONS, ORDINANCES AND LAWS OF ANY GOVERNMENTAL AUTHORITY.

Article VIII. CHANGES TO THE DESIGN REVIEW GUIDELINES

From time to time, and pursuant to Florida Statute 720.3035, the ARC may recommend to the Board of Directors certain modifications and/or amendments to the Design Review Guidelines, although the Board has the authority to adopt modifications and/or amendments on its own initiative without the recommendation of the ARC. In order to become effective, any proposed modification or amendment to the Design Review Guidelines must be adopted by a majority of the members of the Board of Directors at a meeting duly called and noticed and at which a quorum of the Board of Directors is present and voting. Such amendments shall not be retroactive so as to apply to previous approved work or approved work in progress.

In no way shall any amendment to these Design Review Guidelines change, alter or modify any provision of the C&Rs, as amended and supplemented.

Article IX. ARCHITECTURAL REVIEW COMMITTEE

9.1 Architectural Review Committee:

The Architectural Review Committee shall be comprised of three (3) regular members and two (2) alternate members. A vote of two (2) is necessary to carry any decisions of the ARC, with the exception of major construction which would require a vote of three (3). The Alternate members shall fill any vacancies that might occur.

9.2 ARC Member Qualification.

Both regular and alternate members of the ARC shall be elected from the membership of the Association. Whenever possible and practical, one of the committee members should be an architect, general contractor, or other person with professional expertise in building, landscaping, or architectural design, or exterior design.

9.3 ARC Elections & Terms

Each ARC member shall be elected by a majority vote of the membership. Elections shall be held annually at the same time as the election of the Association's Board of Directors. Any vacancy on the ARC that is created, either by the resignation of an ARC member or alternate or the lack of an eligible candidate(s) at an election, may be filled by the Board of Directors from among the membership or at a special membership meeting, provided, however, that an Alternate member shall fill any vacancies that might occur. In the event that two alternate ARC members desire to fill a vacancy, then the Board of Directors shall select the alternate that is to become a regular member. Any regular member or alternate of the ARC that is appointed by the Board shall serve until the next scheduled annual election of ARC members by the membership.

9.4 Meetings.

The ARC shall meet when call of the Chairman as necessary, to carry out its duties and functions. The ARC meetings shall follow the same formalities and notice requirements as meeting of the Association's Board of Directors, as provided for in the Association's Bylaws and in compliance with Section 720.303, Florida Statutes, unless otherwise permitted by law.

Members have the right to attend all meetings of the ARC. The right to attend such meetings includes the right to speak at such meetings with reference to all designated items. The ARC may adopt written reasonable rules expanding the right of members to speak and governing the frequency, duration, and other manner of member statements, which rules must be consistent with this paragraph and Section 720.303(2)(b), Florida Statutes, and may include a sign-up sheet for members wishing to speak. Notwithstanding any other law, meetings between the ARC and the Association's attorney to discuss proposed or pending litigation are not required to be open to the members other than Directors.

A majority of the members of the ARC present in person at any duly called meeting shall constitute a quorum. All questions shall be decided by the vote of two (2) of the three (3) voting members of the ARC. Where a question involves proposed changes to a Lot or Living Unit owned by a member of the ARC, that member shall be disqualified from participation in the proceedings, and his place shall be taken by one of the alternate members of the ARC. If a proposed change is not approved, the reasons for disapproval shall be stated in writing. Minutes of all meetings of the ARC shall be kept in a business-like manner, and shall be part of the Associations Official Records. Copies of the plans and specifications for approved changes and construction shall be kept.

Within the ten (10) days prior to the monthly scheduled ARC meeting at least two (2) members of the ARC shall visit each site requesting a change to verify that the request is in compliance with the Design Review Guidelines and the C&Rs.