

COMMUNITY ASSOCIATION
OF
PINEDA SPRINGS, INC.

ARCHITECTURAL REVIEW COMMITTEE
ARCHITECTURAL GUIDELINES

CHRONOLOGY
September 1, 2021

INITIAL GUIDELINES
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AMENDMENT 1 -GUIDELINE 3.1 - PAINT
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AMENDMENT 2 - GUIDELINE 3.2 - ACCESSORY STRUCTURES
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COMMUNITY ASSOCIATION
OF
PINEDA SPRINGS, INC.

ARCHITECTURAL REVIEW COMMITTEE
ARCHITECTURAL GUIDELINES

AS APPROVED BY THE
BOARD OF DIRECTORS
ON
July 19, 2021

GUIDELINE I
GENERAL ADMINISTRATION

1.1 AUTHORITY

- a. The authority for the Architectural Review Committee (hereafter, the "ARC") is set forth in Articles III and IV of the Declaration of Covenants and Restrictions (the "Declaration") which encumber the lands governed by the Community Association of Pineda Springs, Inc. (the "Association"). The ARC is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the community.
- b. Pursuant to Declaration Article IV, Section 4.2, the ARC may adopt architectural control criteria in the form of rules and regulations (hereafter, these "Guidelines"). Any changes to the Guidelines require approval of the Association's Board of Directors ("Board"). These Guidelines set forth and implement the ARC's powers to control the design, construction and installation of building improvements, setbacks and landscaping and any changes of the foregoing which might be made by any Owner on each Lot.
- c. By ARC resolution passed on June 21, 2021, "The Architectural Review Committee resolves to delegate the non-expiring authority to promulgate, approve or amend guidelines to the Board of Directors of the Community Association of Pineda Springs, Inc."

1.2 PURPOSE

- a. The Association, acting through the ARC and the Board, has a responsibility to the Owners to maintain and enhance the value and aesthetic quality of the Pineda Springs community.
- b. The ARC's goal is to avoid harsh contrasts in the landscape and architectural themes and to foster thoughtful design so that there is harmony between the residences, the neighboring residences and the Common Areas. The ARC intends to use its best efforts to maintain sensitivity to the individual aspects of design.
- c. The ARC is a committee whose purpose and function are to act as a review, advisory, application approval and administrative body. The ARC is not a violation/compliance enforcement committee. Enforcement of the Association's rules and covenants is vested with the Board.
- d. The ARC will be accessible to the Owners to advise them on ARC procedures as set forth in the Guidelines with the intention of assisting the Owner to more accurately obtain information, estimates, designs/layouts and proposals for their desired changes and improvements prior to submitting a formal request for ARC review.

1.3 ARC MEMBERS

- a. The members of the ARC are volunteers, appointed by the Board.
- b. The ARC shall include a minimum of three (3) members and one (1) alternate as appointed by the Board to each serve a one-year term.
- c. ARC members may be removed from the ARC, with or without cause, by a majority vote of the Board.
- d. Any ARC member who has unexcused absences from three (3) committee meetings in a year may be removed from the ARC by the Board.
- e. Vacancies will be promptly filled by appointment of the Board, and such replacement will serve only until the next appointment cycle at the first Board meeting following the annual election of Directors, at which time the ARC membership will be reviewed, adjusted as necessary, and re-appointed for another one-year term.

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1.4 ARC MEETINGS

- a. The ARC shall meet as necessary, but no more often than monthly, in order to review fully complete applications. All meetings shall be open to the membership and will be properly noticed.
- b. The ARC reviews applications for compliance with the requirements of the Declaration, as well as the then-current Guidelines.
- c. All complete applications will be timely reviewed upon receipt, and a decision provided within thirty (30) days of receipt unless notified prior to this time that more information is required for the ARC to make a decision.

1.5 DISCLAIMER

- a. Approval by the ARC of any proposed modifications, changes, improvements, demolition or additions is not to be in lieu of any required municipal or county permit or approval. Owners are encouraged to contact the appropriate City of Melbourne or Brevard County agency to determine if municipal or county regulations require additional permitting or approvals. Where such municipal or county permits are required, then copies of the approved permits should be submitted with the appropriate ARC application or forms.
- b. Neither the ARC or the Association shall be responsible for reviewing or inspecting any municipal or county permit applications. Nor shall the ARC or the Association be responsible for reviewing or inspecting any architectural or construction plans, sketches, diagrams for soundness, fitness for purpose, merchantability or appropriateness of design, purpose, methods or materials.
- c. Any review and approval by the Architectural Review Committee does not imply nor give any warranty nor does it substitute for compliance by owner with local, city, county, state, federal, or any other governmental, regulatory or other legally established entity's codes, statutes, laws and requirements. The individual owner is wholly and solely responsible for full compliance with any and all other legal requirements
- d. Neither the directors, or officers of the Association, the members of the ARC, nor any person acting on behalf of any of them, shall be liable for any costs or damages incurred by any Owner or any other party whatsoever, due to any mistakes in judgment, negligence or any action of the ARC in connection with the inspection, review, approval or disapproval of any improvements or proposed improvements.
- e. Each Owner agrees, as do their successors and assigns by acquiring title thereto or an interest therein, or by assuming possession thereof, that they shall not bring any action or suit against the directors, or officers of the Association, the members of the ARC, or their respective agents, in order to recover any damages caused by the actions of the ARC.
- f. Neither the directors or officers of the Association, the members of the ARC, nor any person acting on behalf of any of the foregoing, shall be responsible for any defects in any plans or specifications, nor for any defects in any improvements constructed pursuant thereto. Each party submitting plans and specifications for approval shall be solely responsible for the sufficiency thereof and for the quality of construction performed pursuant thereto.

1.6 PROCESS TO APPROVE, AMEND OR REMOVE ARC GUIDELINES

- a. An Owner may submit a proposal to amend these Guidelines in writing to the ARC for its consideration.

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- b. The ARC may submit a written Guideline proposal to the Board of Directors for its consideration and review.
- c. Prior to Board action (except for mere corrections to the Guidelines), the Guidelines may be reviewed by the Association's property manager and legal counsel.
- d. If the of Board decides to consider adopting any proposed changes to these Guidelines, the Board will notice the meeting to consider the proposed changes to the membership at least fourteen (14) days prior to the Board meeting at which such changes may be considered or adopted.
- e. The Membership will be given the opportunity to provide feedback to the Board at the Board meeting prior to the Board vote to amend the Guidelines. Amendments to the Guidelines will be made by a simple majority vote of the Board members present in person or by video/telephonic conference.

1.7 GENERAL REVIEW APPROACH

- a. The ARC's primary focus shall be the exterior of the home and landscaping of a Lot, but the ARC may find it necessary to review the structure as a whole. Any repairs or rebuilding or new construction following a significant casualty or loss to the structure may require that the repairs or even complete home design meet, in the sole judgment of the ARC, minimum acceptable values and standards for the neighborhood. Such review and approval may result in specific requirements as to the interior areas of the improvements.

1.8 PROFESSIONAL CONSULTANTS

- a. The Owner is encouraged to use licensed professional consultants (i.e., Architect, Landscape Architect, Land Surveyor and Contractor).
- b. It is the Owner's responsibility to make sure that the project consultant or designer obtains approval of the ARC.
- c. The Owner is responsible to make sure the Contractor(s) completes the project in conformance with the approved plans and specifications.

1.9 APPLICATIONS

- a. Applications shall be submitted on the approved ARC application form.
- b. No ARC application shall be considered complete, nor the ARC obligated to commence its review of a submitted application until the Owner or the Owner's agent has provided all required or requested information, materials, images, samples or exemplars as required or requested by the ARC in the ARC's sole discretion.
- c. If repair or replacement is necessary and the color, style, material, or appearance is consistent with the original dwelling, the project is considered maintenance. The Owner will notify the ARC of the maintenance project using the ARC form to certify the home is being repaired or maintained consistent with the original condition of the home or structure. This action does not require ARC approval unless contractor equipment or dumpsters will be required for the maintenance.
- d. Any other changes to the exterior of the residence, other than defined as repair or replacement, require the prior approval of the ARC.
- e. Information and documents submitted must be sufficient for the ARC to evaluate the homeowner's request and shall include, but not limited to, those items listed on the ARC application. Based on the nature of the project, the ARC may request the following:
 - 1) Equipment to be used in the project.
 - 2) Contractor and Contractor contact information, if appropriate.

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- 3) Copies of Insurance, bonding and Licensure of Contractors.
- 4) Anticipated schedule of work progress once work starts.
- 5) Copies of permits.
- 6) Any other relevant documents, plans, material lists, sketches or information.
- f. A Performance guarantee deposit of \$500 from Contractor or Owner may be required by the ARC and must be submitted to the Association manager anytime contractor equipment or dumpsters are required for a project. The deposit will be returned upon completion of the project if no damage was done to HOA Common Areas, road right-of-way or other Association property; or, if damage was done, the area is returned to its original condition by the Owner or contractor and the Association property (whether same is Common Area, paved areas, irrigation systems, sod/turf, plantings or trees, or otherwise) repaired and/or replaced. Proof of Contractor insurance is required if motorized equipment is used on or must cross over Association Common Areas (e.g., road right-of-way, grass strip, sidewalk, etc.)

1.10 TIME LIMITATIONS

- a. After review and approval by the ARC, the Owner must begin and complete construction within one (1) year from the effective date of approval, or forfeit all approvals. Should an approved application expire, then a new application must be submitted and approval obtained before re-commencement of construction.
- b. Depending on the scope of the project, this time limitation may be adjusted accordingly by ARC approval upon Owner's written request.

1.11 APPLICATION WITHDRAWAL

- a. An application may be withdrawn without prejudice, provided the request for withdrawal is made in writing and filed with the ARC.

1.12 VARIANCES

- a. Any request for variance from the Guidelines must be made in writing. Any variance granted shall be considered unique and will not set any precedent for future decisions. The ARC is not permitted to grant variances to architectural, residential construction or Lot requirements or covenants as set forth in the Declaration or, the Plats which set forth the Pineda Springs community or any municipal or county rule or regulation.

1.13 CONSTRUCTION INSPECTIONS

- a. Periodic inspections may be made by the ARC while the project is in progress to determine compliance with the approved application. The Association is empowered to enforce the decisions of the ARC by those means as set forth in the Declaration by any action, including an action in a court of law, to ensure compliance.

GUIDELINE II
EASEMENTS AND BUILDING SETBACKS

2.1 ROAD EASEMENT

- a. There is a twenty-five foot (25') HOA-owned road right-of-way easement from the centerline, with the exception of cul-de-sacs where the easement is fifty (50') feet from the center of the cul-de-sac. Such easements are shown on the subdivision plat. The road easement includes the sidewalk and grass between the road and sidewalk, and a small strip of land inward from the sidewalk.
- b. Each Owner is responsible for cleaning the sidewalk and maintaining the grass strip between the road and sidewalk adjacent to their property.
- c. No trees are allowed in the grass strip between the road and sidewalk so as to maintain a common appearance and so as to not impact the sidewalk or curb integrity.

2.2 UTILITY EASEMENTS

- a. Each lot is served with underground electricity, TV cable, telephone, gas, water, and sewer. The location of these utilities should be accounted for in any landscaping plans. Sewer and water connections are indicated on the as built plans.
- b. Locating all utility connections is the responsibility of the Owner.
- c. Utility Structures. All utility company pull boxes, transformer, etc., have been set within the easement or right-of-way.
- d. Future grading around these structures should insure drainage. Landscape planting may reduce the visual impact of these structures but are the Owner's responsibility.

2.3 SIDE AND REAR EASEMENTS

- a. Some Lots may have additional easements for drainage pipes, road and utility easements.
- b. Reference the recorded plat and Owner's individual Lot survey for details.

2.4 BUILDING SETBACKS

- a. See plat for each individual Lot setback or contact the City of Melbourne.

2.5 SURFACE WATER MANAGEMENT (STORM WATER DRAINAGE)

- a. Surface drainage patterns must not be altered from the original storm water drainage grades
- b. No drainage swale may be filled, re-directed or otherwise altered in any fashion to include the planting of trees or palms, bushes or ornamental grasses or the laying of mulch.

GUIDELINE III
ARCHITECTURAL STANDARDS

3.1 PAINT COLOR

- a. Repainting of the house using the existing base color, trim and accent color is considered maintenance. An ARC form shall be submitted to certify the home is being repainted with the existing colors. Paint samples must be provided with the ARC form. Such maintenance does not require ARC approval.
- b. Any change in colors from the existing colors for base color, trim color, and/or accent color requires the prior approval of the ARC.
- c. The ARC encourages the use of complimentary accent materials and colors.
- d. All accents should be coordinated with the architectural design and character of the building.
- e. All color samples submitted for review must be the manufacturers' color samples.
- f. Landscape curbing color should complement the overall color scheme of the home.

3.2 ACCESSORY STRUCTURES
(Left blank intentionally)

3.3 DRIVEWAYS AND WALKWAYS

- a. All pavers shall be maintained in their original color, texture and appearance. Pavers may be sealed with a clear sealer to enhance their color and deter staining. Pavers shall not be painted.
- b. Driveways and walkways shall be constructed of pavers.
- c. Driveways and walkways must be maintained in a reasonable condition and be free from mildew, discoloration or other physical defects.
- d. The color of pavers used must conform with the property's color palate and be approved by the ARC.

3.4 HURRICANE SHUTTERS.

- a. Hurricane shutters are appropriate as protection to door and windows.
- b. Removable storm shutters or permanently attached shutters incorporated into the home's design may be permitted but require ARC approval.
- c. Permanently attached shutters require ARC approval.

3.5 POOL AND DECK LAYOUT

- a. Pool and/or spa areas shall be designed to provide for privacy of the Owner and neighbors.
- b. The ARC recommends landscaping between all patios, decks and along property lines.
- c. The pool or spa must be enclosed by a fence or screen, as required by any governmental authority.

3.6 AIR CONDITIONERS, HEATERS, POOL EQUIPMENT, WATER SOFTENERS AND OTHER MECHANICAL EQUIPMENT

- a. All exterior mechanical equipment units shall be shielded and hidden so that they are not visible from the street.
- b. Shielding may include a fence, permanent wall, and/or landscaping.
- c. Window-mounted air conditioning units are not permitted without prior ARC approval.

3.8 GARAGE/GARAGE DOORS

- a. Garage doors may be painted the same as the house, trim or an accent color as approved by the ARC.
- b. Garage doors shall generally remain closed when not in use.
- c. Carports and temporary garage structures are not permitted.

3.9 ROOFS

- a. Roof Finishes. Only asphalt architectural shingles are allowed. No three-tab shingles will be permitted.
- b. The asphalt shingle color shall complement the existing exterior colors.
- c. Gutters. Metal flashing, gutters, down spouts, and any other exposed sheet metal shall be white or painted to match the home's color or, in the case of a pool lanai structure, bronze (brown) aluminum.
- d. Roof-Mounted Equipment
 - 1) Skylights must be integrated as part of the roof design and shown on any plans, or renderings.
 - 2) Roof-mounted mechanical equipment is prohibited. Over-the-air-reception devices (antennae or satellite dishes less than 1 meter in diameter) may be installed provided such devices are installed on the side or rearward facing portions of the roof.
 - 3) Solar collectors of any kind must be approved by the ARC before installation

3.10 EXTERIOR FINISH MATERIALS

- a. Stucco in a light to medium knock-down texture for exterior wall is permitted. Heavy textures will not be permitted. Samples or photographs of proposed stucco textures must be submitted with ARC form for approval.
- b. Stone, whether natural, artificial or cast, is permitted subject to ARC approval.
- c. No mill finish aluminum is permitted.

3.11 DOORS

- a. Single or double entry doors, with or without glass panels, are permitted subject to ARC approval. Door may have sidelights or transoms.
- b. Doors may be painted to match the main body color, trim color, or painted an accent color as approved by the ARC. Manufacturer color samples of proposed paints must be submitted with the ARC form.

3.12 WINDOWS

- a. Windows shall be constructed of vinyl or aluminum.
- b. Recommended window types are single or double hung.
- c. No reflective glass will be allowed in the exterior facades. Energy saving insulated glazing is recommended, such as solar bronze, solar gray, etc.
- d. Opaque glass may be used in bathroom windows for privacy with ARC approval. Opaque bathroom window film may be applied for privacy with ARC approval for bathroom windows facing the street or sides of the Lot.

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3.14 MAILBOXES

- a. All mailboxes in Pineda Springs are to be the same design.
- b. Mailboxes may be purchased from Creative Mailbox Designs, 6422 Harney Rd. Suite F, Tampa, FL 33610. Phone number 813-818-7100.
- c. Mailbox specifications are:
 - 1) Post: 3"x6.5 Fluted
 - 2) Bracket: DB-56S
 - 3) Mailbox: T-1 – with red stamped aluminum flag
 - 4) Base: SB-63
 - 5) Letters/Numbers: Gold Vinyl
 - 6) Body Color: Black

3.15 GARBAGE AND TRASH CONTAINERS

- a. All garbage and trash containers (standard approved trash containers) shall be kept behind walls made a part of the dwelling, vegetative screening, or other physical screening, or kept in the garage until moved to the streetside for pick-up.
- b. In no event shall such items be visible from the street.
- c. All trash shall be stored in City of Melbourne approved rigid plastic containers
- d. Garbage and trash containers, yard waste containers and yard waste piles, and other refuse may be placed at the curb no earlier than the late evening before pick-up the following day and must be returned to their storage area the same day following trash pick-up.

GUIDELINE IV EXTERIOR ENVIRONMENT

4.1 LANDSCAPING

- a. The ARC desires that the landscaping of each lot should complement the overall community framework to achieve continuity rather than a collection of disparate elements. The plantings should enhance the architecture and appearance of the home, create exterior living spaces and allow for privacy. Landscaping should be designed for the East Central Florida climate and use plants suited for this locale.
- b. All landscaping must comply with the City of Melbourne Landscape Ordinance, a copy of which can be obtained at:
https://library.municode.com/fl/melbourne/codes/code_of_ordinances?nodeId=PTIILADERE_A_PXDLADECO_CH9DESTBURE_ARTXVPRLADE_S9.270PUIN.
- c. Owners must submit to the ARC an application to add, remove, or otherwise alter the landscaping of their Lot. Owners should submit with their application sketches or plans of proposed changes with pictures or names of proposed plantings or other changes. Owners are advised that some landscape projects, as described below, may not require ARC approval.
- d. No trees, shrubs, or plants other than turf shall be planted between the road and the sidewalk.
- e. No artificial grass, plants or other artificial vegetation or rocks or other landscape devices shall be placed or maintained upon the exterior portion of any Lot without the prior approval of the ARC.
- f. Landscaping projects which require prior ARC approval include, but are not limited to, the following:
 - 1) The removal and replacement of trees and shrubs
 - 2) The removal or placement of sod and/or landscaping that changes the appearance of the

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- existing landscaping
- 3) The removal or placement of pavers for a patio or walkway and any accessory structures.
- 4) The installation of curbing around existing trees and plants. Landscape curbing color shall compliment the overall color scheme of the home.
- g. Landscaping projects which do not require prior ARC approval include, but are not limited to, the following:
 - 1) Planting or replacing annual plants.
 - 2) Planting, maintaining, or replacing plants in flower pots, regardless of size.
 - 3) The removal or addition of mulch or pine straw on a routine basis, and/or replacing bark mulch with gravel/rock in landscape beds.
- h. Trees and Shrubs
 - 1) The landscape of each Lot shall include a minimum of two (2), single type or combination of: magnolia trees, Florida-variety palm, softwood or other hardwood trees with a minimum height of eight (8) feet or greater, preferably planted in the **front** yard.
 - 2) After the ARC-approved landscaping plan is implemented on a Lot, no trees or shrubs shall be added to, removed from or replaced on the Lot without the prior written consent of the ARC.
 - 3) As used herein the term "tree" shall mean and be defined as any woody-plant eight (8) feet or greater in height, to include all varieties of palm trees.
 - 4) ARC approval is not required for removal of trees that have been deemed a safety or biological threat to those around it. Replacement trees will require ARC approval.
 - 5) Any damaged or dead trees shall be removed and replaced at the owner's expense within 30 days of its removal.
 - 6) Any and all plantings must be maintained in an orderly fashion.
- i. Sod
 - 1) All Lots shall have sodded front, side and rear lawns using either Floratam or St. Augustine varieties of turf. To change grass types from what currently exists requires the prior written approval of the ARC.
 - 2) Any area not viewable from the roadway or adjacent lots, such as fenced-in areas, shall be maintained in an acceptable, manicured manner which prevents any visual, audible, or pest nuisances to others within the community, but is not subject to the other landscape and sod requirements.

4.2 FENCES

- a. There shall be no fence permitted on a Lot unless it complies with the requirements below and the size, material, location and color are approved in writing by the ARC.
- b. No fence shall be constructed street-ward of a line that is ten (10) feet to the rear of the front of the house. Fences on corner lots shall be constructed subject to City of Melbourne codes. All fences and walls located adjacent to rights-of-way shall be approved by the City Engineer. Additional setback and lower fence height may be required to meet safety issues.
- c. A total of only one fence will be permitted for a property line between two lots. Fences shall not be permitted to create alleyways or unbalanced corridors.
- d. No chain link fencing shall be permitted as a perimeter fence.
- e. Height, Perimeter, Material and Location.
 - 1) *For Lots **not** bordering any lakes, ponds or conservation areas*, fences shall not be in excess of six (6) feet in height. All fencing shall be constructed of a PVC, vinyl, or other closed pore material or aluminum rail. All PVC or vinyl fencing must be a uniform white or beige color consistent with the ARC-approved color samples. Aluminum rail fences shall be black in color.
 - 2) *For Lots bordering on lakes, ponds and conservation areas*, fences shall not be in excess of six

(6) feet in height along the side and front and shall not exceed four (4) feet in height along the lakes, ponds and conservation areas. The side fence height shall be reduced to four (4) feet beginning, at a minimum, twenty (20) feet from the rear lot line. The fences shall be black and of aluminum rail construction. Fencing along the lake, pond, and conservation area shall be of an open design with greater than or equal to fifty percent (50%) open space in the fence so as to permit maximum view of water bodies and not obstruct the view of adjacent properties. The ARC may approve PVC fences, which otherwise meet the open design criteria, along the ponds where same would be adjacent to existing PVC fences.

- f. Landscape Buffers. Landscape buffers may be required on the outside of any privacy fences and walls as determined by the ARC. Any landscape buffers shall be maintained in good condition by the Owner.
- g. Fence Installation and Maintenance. All fences and landscape buffers must be approved by the ARC before installation, planting or construction. All fencing must be maintained as originally constructed with any gates or panels remaining in a structurally sound, operating condition. All fencing must be maintained without damage or color variation. The maintenance, repair and replacement of all fencing is the responsibility of the owner.

4.3 LANDSCAPE, SECURITY AND HOLIDAY LIGHTING

- a. Exterior lighting or illumination of buildings, yards, parking areas, sidewalks and driveways on a Lot shall be designed and installed for aesthetic, safety and security purposes on the Owner's property so as to avoid visible glare or stray light (direct or reflected) from the subject home or Lot and into any street or road right-of-way or into any adjacent Lot.
- b. Exterior and landscape lighting requires the prior written approval of the ARC. Solar-powered landscape lights may be exempt from ARC approval provided that such lighting does not create and is placed in such a manner as to avoid stray light or glare into adjacent streets or from entering neighboring homes.
- c. Any exterior lighting radiating off of the property shall require the prior written approval of the ARC and any applicable regulatory authority.
- d. All exterior lighting, whether structural or landscape, shall be constructed for outdoor use and generally be white in color.
- e. Holiday lighting is exempt from the color requirement.
- f. Holiday decorations, with the exception of Christmas decorations, may be displayed for no more than fourteen (14) days prior to the holiday date and must be removed no later than fourteen (14) days after the holiday date.
- g. Christmas decorations may be installed commencing no earlier than November 15 and shall be removed no later than January 15 of the following year.

COMMUNITY ASSOCIATION OF PINEDA SPRINGS, INC.

EXHIBIT "A"

1st AMENDMENT TO ARCHITECTURAL REVIEW COMMITTEE ARCHITECTURAL GUIDELINES

The following amendment(s) is/are made to Guideline III, Section 3.1, of the Architectural Review Committee Architectural Guidelines, recorded in Official Records Book 9214, Page 1518, *et. seq.*, of the Public Records of Brevard County, Florida, as amended from time to time (additions are indicated by underlining, deletions are indicated by ~~striketrough~~, and omitted but unaltered provisions are indicated by ellipses):

GUIDELINE III
ARCHITECTURAL STANDARDS

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3.1 PAINT COLOR

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- g. The ARC has developed a recommended color palette for homes in Pineda Springs. Use of any colors on the recommended color palette requires ARC approval prior to painting your home. The color palette is intended to give homeowners a general idea for colors for their home. The recommended color palette is for Sherwin-Williams colors. Other paint brands are acceptable but must be matched to the Sherwin-Williams tint.
- h. The Pineda Springs Recommended Color Palette spreadsheet is posted on the Pineda Springs website. Paint color samples for viewing are in the possession of the HOA President, ARC Chair, and the property manager. The color palette applies to exterior paint colors only.
- i. All paint selections, other than Guideline 3.1 a., require the prior approval from the ARC before painting may commence.

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COMMUNITY ASSOCIATION OF PINEDA SPRINGS, INC.

EXHIBIT "A"

2nd AMENDMENT TO ARCHITECTURAL REVIEW COMMITTEE ARCHITECTURAL GUIDELINES

The following amendment(s) is/are made to Guideline III, Section 3.2, of the Architectural Review Committee Architectural Guidelines, recorded in Official Records Book 9214, Page 1518, *et. seq.*, of the Public Records of Brevard County, Florida, as amended from time to time (additions are indicated by underlining, deletions are indicated by ~~striketrough~~, and omitted but unaltered provisions are indicated by ellipses):

GUIDELINE III
ARCHITECTURAL STANDARDS

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3.2 ACCESSORY STRUCTURES

- a. This guideline is intended to address ARC applications for the construction or installation or sheds and/or storage units. Other accessory structures are generally not subject to the requirements of this particular ARC Guideline, but still require approval by the ARC of a formal application.
- b. The following accessory structures are permitted subject to ARC review and approval: screened pool enclosures whether attached to the residence or not; single story storage sheds; pergolas; gazebos; arbors; swing sets.
- c. The following accessory structures are not permitted: second residences; tree houses; play structures such as "jungle gyms" or play forts; any form of lean-to; or any other structure whether temporary or permanent not otherwise permitted by the ARC, these Guidelines or the Declaration.
- d. Such approved structures must be well-maintained at all times. The Association shall retain the right to demand the Owner perform such maintenance the ARC may require to return or maintain any such structure in a fashion comporting with the character of the neighborhood or to require the Owner remove such structure completely if repairs or maintenance are not performed or not feasible or possible given the condition of structure.
- e. Accessory structures permitted by the ARC must abide by all building setbacks, municipal building and permitting requirements and may not otherwise be constructed in any drainage swale or drainage easement or other easement area; and not inhibit or restrict the desired lake/pond sightlines.
- f. Sheds and/or storage units

- 1) Sheds may be located only in the side or backyard of the Lot and within the building setback lines if a waiver is obtained from the City of Melbourne. Sheds shall be located a minimum of twenty feet (20') rearward of the front corner of the home.
- 2) Only one (1) shed (which term shall include any single-story site-built or pre-constructed shed or storage unit) per lot will be approved.
- 3) Sheds shall only be used to store personal property.
- 4) Sheds shall not, under any circumstances, be used as a living space.
- 5) Generally, sheds should be placed against the main structure when feasible and are not allowed to sit against a fence on an adjoining property line nor against the rear lot line.
- 6) Sheds, not inside a fenced area, shall be screened from the view of adjacent community members, including those across a pond and the street, by landscaping approved by the Architecture Review Committee. Landscaping should be evergreen and tall-growing (e.g., Robellini palms, Podocarpus or similar) and be maintained at a height of at least 80% of the total shed height.
- 7) The maximum size is limited to 467 cu. feet (footprint e.g., 7' x 10' x 9' roof peak).
- 8) Shed must include a solid floor comprised of either a concrete slab or an integrated floor of suitable building material (e.g., pressure treated lumber).
- 9) The area around the foundation must be backfilled; there shall be no exposed space under the shed.
- 10) No dirt or gravel floors will be approved.
- 11) All sheds must be anchored to the ground using appropriate anchor materials to prevent danger or damage to nearby homes and windows during inclement weather.
- 12) Neither flat nor metal roofs will be approved.
- 13) All sheds must have a door(s) that latches.
- 14) PODS (portable on demand storage units), shipping containers or other cargo containers, or cargo or truck trailers dismounted from axle assemblies will not be permitted as sheds.
- 15) Exterior cladding shall be stucco-textured wood or cement board, vinyl, or resin (plastic - Rubbermaid). No siding such as lap or beveled vinyl or all-metal sheds will be approved.
- 16) Color(s) on the shed must be complimentary to the primary structure.
- 17) Roof shingles should match, as closely as possible, those on the primary structure in both style and color.
- 18) Any utilities servicing the shed must be underground.
- 19) Exterior lighting (if installed) shall not exceed one 75-watt light bulb, set with a motion-detector, enclosed in a permanent fixture, and attached to the shed. Efforts must be taken to shield neighbors from light overrun.
- 20) Property owners are responsible for the maintenance of all structures on their property, including any shed and any landscaping included, and approved, in the initial request.
- 21) No items may be stored outside of, or attached to the outside of, the shed.
- 22) Shed doors should be kept closed and latched when not in use.

- 23) Owners must maintain sheds in a neat and orderly fashion and make such further repairs or maintenance as required or demanded by the Association or ARC, from time to time.
- 24) Any sheds built prior to May 17, 2021 must be updated to meet the current requirements, to include maintenance, planting of landscaping or fencing to block sightlines, building and roofing material, color and structure.

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