

**MEADOW POINTE II COMMUNITY DEVELOPMENT DISTRICT
ARCHITECTURAL REVIEW POLICY**

INTRODUCTION

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

I. ARC

1.01 **ARC Coordinator.** The District shall have an ARC/DRC Coordinator (the "ARC Coordinator"). The ARC Coordinator shall consider all plans and specifications submitted to the District, and shall make recommendations to the Board of Supervisors for approval or modification of such plans and specifications, as otherwise provided herein.

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

1.03 **No Liability.** Review and approval of any application is made solely on the basis of aesthetic considerations. Neither the ARC Coordinator nor the District shall bear any liability for ensuring the soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements or Deed Restrictions. Neither the District, the ARC Coordinator, nor any member of the Board of Supervisors shall be held liable for any injury, damage, or loss arising out of the manner or quality of approved construction of or modifications to any improvements.

II. REVIEW PROCEDURES

2.01 **Application Process.** All applications (the "Application") for any new building improvement or for any alteration, modification or addition to an existing building on a residential parcel (referred to below as the "Improvement") shall be submitted to the District's office, located in the Meadow Pointe II Clubhouse, 30051 County Line Road. Application forms may be obtained at the District's office, and must be submitted to the District in complete condition, including any required signatures and plans and specifications, as provided below.

2.02 **Submission of Plans and Specifications for Approval.** The Application shall include two sets of plans and specifications for any proposed Improvement. The plans and specifications shall include the following:

- (a) Front, side and/or rear elevations of the proposed Improvement, as appropriate;
- (b) Data as to the types of materials to be used in the proposed Improvement, including the color (via paint swatch) and texture of all exterior finishes;
- (c) Graphic depiction of, and narrative describing, the nature, kind, shape, and height of the proposed Improvement; and
- (d) A description of how the proposed Improvement is in harmony with the external design and location of the existing buildings and improvements on the lot, the surrounding property and the community; and
- (e) A property survey showing all easements and the proposed Improvement, and in clear specific detail, with dimensions and distances from property lines, where the proposed Improvement will be placed.

2.03 **Approval of Plans and Specifications.** Upon receipt, the ARC Coordinator shall conduct a review of the Application and make a recommendation for approval or modification to the Board of Supervisors prior to its next regular meeting. At least seven (7) days prior to the meeting, the

District shall notify the applicant of the date on which the Board of Supervisors will consider the Application. Applications recommended for approval by the ARC Coordinator without modification, may be approved by the Board of Supervisors on a consent agenda, or may be presented to the Board of Supervisors for consideration if requested by any Supervisor. All Applications receiving a recommendation for modifications from the ARC Coordinator shall be presented to the Board of Supervisors for consideration. In all cases, the applicant shall have the right to address the Board of Supervisors regarding the Application. Within thirty (30) days after the completed Application has been accepted by the District, the Board of Supervisors shall either approve the Application or recommend modifications, in writing, pursuant to the provisions contained herein. If the Board of Supervisors fails to take any action within said thirty (30) days, the Application shall be deemed automatically approved. In the event the District approves the Application, both sets of the plans and specifications shall be endorsed by the chairman of the board as "approved". Thereafter, one set of endorsed plans and specifications shall be returned to the applicant (or the applicant's authorized agent) who submitted them, and the other set shall remain in the possession of the District.

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

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

design, and compatibility with existing structures in the community.

2.05 **Right of Entry and Inspection.** The District Board of Supervisors and any of its authorized representatives or agents shall have the right to inspect the exterior of the Improvements for compliance with the approved plans and specifications, at reasonable times, in a reasonable manner, and upon 48 hours prior written notice to the applicant.

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

2.07 **Submission of Application for Review.** No Application shall be considered to have been "accepted" for review by the ARC Coordinator until the Application is deemed complete by the ARC Coordinator. An incomplete Application shall be returned to the applicant marked as such and shall include a statement specifying the defect(s) in the Application. The thirty (30) day review period shall not commence until the completed Application is accepted for review.

2.08 **Completion.** Approved Improvements shall be commenced within six (6) months following District approval, and be completed within six (6) months (or other approved period of time) from commencement of construction, unless otherwise specified in the Deed Restrictions. Notwithstanding the foregoing, Applications for solely the repainting of any portion of the property shall be completed within sixty (60) days following District approval. If commencement does not occur within the aforementioned timeframes, re-submittal and re-approval of the Application shall be required. Once construction has commenced, all construction shall be completed in a timely and continuous manner. Upon request by the applicant, the District may grant an extension of time for completion due to extenuating circumstances. The applicant shall notify the District that the Approved Improvements are completed within seven (7) days thereof.

2.09 **Appeal of District Decision.** The Board of Supervisors' approval or recommendation of modifications for an Application shall be in writing and provided to the applicant within ten (10) days after the review hearing. An applicant may petition the court of appropriate jurisdiction for a review of the District's decision in the manner as provided by law.

III. COMMUNITY DESIGN STANDARDS

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

3.02 **Building Material/Color.** All exterior building materials shall be of the same type, quality and style as that of the building structure as originally constructed, or compatible with existing buildings on surrounding property and in the community. All exterior colors must match the existing structure, if any, and be compatible with existing buildings on surrounding property and in the community. Only those colors approved by the District in the "Homescapes" Book 1 and Book 2, incorporated herein by reference, as they may be amended from time to time, may be utilized. One color shall be used for the walls (the "primary" color) and one color for the trim. The garage door color must be the primary color unless the Board of Supervisors approves a complementary color in its sole and absolute discretion. Accent color shall be limited to entry doors. Windows must be compatible with the windows used in the rest of the building.

3.03 **Roofs/Gutters.** Roofing materials, color and hue, and configurations, shall be compatible with the existing structure, if any, existing buildings on surrounding property and in the community. No gravel type roofs shall be allowed, except on flat roof surfaces.

Roof gutters and downspouts of seamless aluminum construction sized according to roof area to

be accommodated are permitted and shall be of a color either matching the fascia or white. Downspouts shall not be directed towards an adjacent property.

3.04 **Outbuildings/Sheds/Gazebos/Playsets.** No more than one outbuilding/shed/gazebo may be constructed, erected or placed on a residential parcel. All such buildings must be (a) of the same material, design, style and color as the main building; (b) in compliance with all set-back and easement requirements, and any other applicable ordinances, codes, or government rules; (c) compatible with the community and applicable Deed Restrictions; and (d) placed in the backyard. Children's playsets are also allowed, subject to District approval, provided the playset is located in the backyard or sideyard and is substantially screened from view by adjacent homes.

3.05 **Screen Enclosures/Sunrooms.** All such structures must be of a design that is compatible with the main building. Screen enclosures shall be constructed with white or brown aluminum framing or the same type of materials as the main building design and smoke colored screen material, and shall not exceed the width and height of the main building.

3.06 **Garages.** Garage doors shall be of standard solid panel construction which will conceal the contents of the garage. Garage doors may be screened for ventilation, provided that such screening must be mounted on the inside of the garage door and be retractable.

3.07 **Awnings.** All awning intended for an area visible from the street must be compatible with the building and will be considered on a case-by-case basis.

IV. AMENDMENTS

4.01 **Amendments.** The District may, from time to time, amend, modify or revise provisions of this Architectural Review Policy, including the procedures for submitting, reviewing and approving Applications, via rulemaking. No such amendment, modification or revision shall affect the buildings approved prior to the enactment of such amendment, modification or revision. Notwithstanding the foregoing, the Board of Supervisors may approve additional paint colors or lessen those Improvements

subject to District approval at a public meeting without engaging in rulemaking.