

ARCHITECTURAL GUIDELINES  
AND  
COMMUNITY STANDARDS

*St. Ives at  
Orange Tree*



As Adopted by the St. Ives at Orange Tree Board on:  
November 19, 2024

# Contents

- 1. Introduction to Design Review ..... 6**
  - 1.1 Purpose of Guidelines .....6
  - 1.2 Governmental Permits .....6
  - 1.3 Preparer.....6
  - 1.4 Applicability of Architectural Review .....6
  - 1.5 Review Structure .....7
  - 1.6 Review Fees.....7
- 2. Design Review Procedures ..... 7**
  - 2.1 Review of New Construction.....7
  - 2.2 Review of Modifications.....7
  - 2.3 Plans to be Reviewed .....7
    - 2.3.1 Site Plan .....8
    - 2.3.2 Floor Plan.....8
    - 2.3.3 Elevations .....8
    - 2.3.4 Roof Plan .....8
    - 2.3.5 Exterior Finishes .....8
    - 2.3.6 Landscaping Plan .....8
    - 2.3.7 Other .....8
  - 2.4 Review Criteria; Recommendations; Variances .....8
  - 2.5 Review Period.....9
    - 2.5.1 Review Period.....9
    - 2.5.2 Appeal.....10
    - 2.5.3 Orange County Approval .....10
    - 2.5.4 Implementation of Approved Plans .....10
    - 2.5.5 Changes After Approval .....11
    - 2.5.6 Enforcement.....11
- 3. Architectural and Improvement Design Standards..... 11**
  - 3.1 Accessory Buildings .....11
  - 3.2 Additions and Expansions.....12
  - 3.3 Air Conditioning Equipment .....12
  - 3.4 Antennae and Communication Dishes .....12

- 3.5 Architectural Standards.....12
  - 3.5.1 Exterior Wall Treatments .....13
  - 3.5.2 Exterior Colors .....13
- 3.6 Awnings and Overhangs .....13
- 3.7 Birdbaths, Birdhouses, and Birdfeeders.....13
- 3.8 Clotheslines .....14
- 3.9 Compost .....14
- 3.10 Decks and Balconies .....14
- 3.11 Doghouses and Kennels .....14
- 3.12 Elevation .....14
- 3.13 Exterior Lighting .....14
- 3.14 Flags and Flagpoles.....14
- 3.15 Gazebos, Greenhouses, and Solariums .....15
- 3.16 Hot Tubs and Saunas .....15
- 3.17 Latticework and Trellises.....15
- 3.18 Mailboxes .....15
- 3.19 Massing.....15
- 3.20 Patios .....15
- 3.21 Playhouses and Swing Sets.....16
- 3.22 Pools .....16
- 3.23 Recreational Equipment.....16
- 3.24 Roofing .....17
- 3.25 Roof Accessories and Equipment .....18
- 3.26 Siding .....18
- 3.27 Signs.....18
- 3.28 Solar Equipment .....19
- 3.29 Statues .....19
- 3.30 Temporary Structures .....19
- 3.31 Trash Containers.....19
- 3.32 Utilities .....19
- 3.33 Water Conditioners .....20
- 3.34 Windows and Doors .....20

3.35 Gutters and Downspouts .....	20
<b>4. Landscaping and Site Standards .....</b>	<b>20</b>
4.1 Landscaping .....	21
4.1.1 Approved and Prohibited Landscape Materials .....	21
4.1.2 Plant Quality Standards .....	21
4.1.3 Maintenance .....	21
4.1.4 Ornamentation .....	21
4.2 Drainage .....	21
4.3 Easement Plantings .....	22
4.4 Edging Materials .....	22
4.5 Fences, Walls, and Equipment Enclosures .....	22
4.5.1 Height; Materials; Types .....	22
4.5.2 Property Viewing Pond .....	22
4.5.3 Construction .....	23
4.5.4 Maintenance .....	23
4.5.5 Equipment Enclosures .....	23
4.6 Gardens .....	23
4.7 Grading .....	23
4.8 Hedges .....	24
4.9 Paving; Driveway .....	24
4.10 Retaining Walls .....	25
4.11 Sewage Disposal Systems .....	25
4.12 Underground Installations .....	25
4.13 Views .....	25
4.14 Water Systems .....	25
4.15 Yard Orientation .....	26
4.15.1 Front .....	26
4.15.2 Side .....	26
4.15.3 Rear .....	26
4.16 No Parking .....	26
<b>5. Construction Guidelines .....</b>	<b>26</b>
5.1 Inspections .....	26

5.2 Vegetation Protection and Barricading .....	27
5.3. Construction Damages .....	27
5.4 Conduct .....	27
5.5 Site Cleanliness .....	27
<b>6. Non-Liability for Approval of Plans .....</b>	<b>27</b>
<b>7. Changes and Amendments to the Design Guidelines .....</b>	<b>28</b>
<b>Exhibits .....</b>	<b>28</b>
Exhibit A: Fencing Specification .....	28
Exhibit B: Equipment Enclosure Specifications .....	28
Exhibit C: Landscape Materials List .....	29
Exhibit D: Defined Terms .....	30
<b>Revision History .....</b>	<b>32</b>

# **1. Introduction to Design Review**

## **1.1 Purpose of Guidelines**

The Architectural Guidelines (see Exhibit D for definitions) provide an overall framework and comprehensive set of standards and procedures for the development of the community in an orderly and cohesive manner. These standards have been developed to assist in the planning, constructing, landscaping, and modifying of Lots within St. Ives at Orange Tree. The standards set forth criteria for design, style, materials, colors and location of site improvements, landscaping, signage, and lighting. In addition, the Architectural Guidelines establish a process for review of proposed construction and modifications to Lots and Rental Property to ensure that all sites within St. Ives at Orange Tree are developed and maintained with a consistency and quality that will maintain and improve homeowner value.

## **1.2 Governmental Permits**

To the extent that Orange County ordinances or any local government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Architectural Guidelines or the Declaration, the local government standards shall prevail. To the extent that any local government standard is less restrictive, the Declaration and the Architectural Guidelines (in that order) shall prevail.

## **1.3 Preparer**

These initial Architectural Guidelines have been prepared by the St. Ives at Orange Tree Board (the Board) and adopted by the Board pursuant to the Declaration. The Architectural Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and in Section 7 of these Architectural Guidelines.

## **1.4 Applicability of Architectural Review**

These Architectural Guidelines shall be applicable to all property which is subject to the Declaration as supplemented in accordance with the Declaration. The provisions shall apply to residential Lots notwithstanding any other provision herein to the contrary. Unless otherwise specifically stated in Article 6 of the Declaration or these Architectural Guidelines, all plans and materials for new construction or exterior modifications of improvements on a Lot must be approved before any construction activity begins. Unless otherwise specifically stated in these Architectural 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 without receiving the prior written approval of the appropriate Reviewer as described below.

Where these Architectural Guidelines specifically allow an Owner to proceed without advance approval, such allowance shall only be effective so long as the Owner complies with the requirements of the stated guideline.

Owners are responsible for ensuring compliance with all standards and procedures within these Architectural Guidelines. Owners are also governed by the requirements and restrictions set forth in the Declaration, any applicable Supplemental Declaration, and any other applicable architectural and landscape guidelines. In particular, Owners should review and become familiar with the Use Restrictions applicable to St. Ives at Orange Tree enacted in the Declaration.

## **1.5 Review Structure**

Architectural control and design review for St. Ives at Orange Tree is handled by the St. Ives at Orange Tree Board. Approval of the Architectural Review Request form is required by both the St. Ives Board and the Master Association Board.

## **1.6 Review Fees**

As long as an Applicant submits an Architectural Review Request prior to the commencement of any work as described in the Architectural Review Request, the Reviewer shall not charge a fee for review of such Architectural Review Request. If an application is filed after the commencement of the work described in the Architectural Review Request, the Applicant shall be subject to a Fifty Dollar (\$50.00) late filing fee as established by the Board, payable to the St. Ives at Orange Tree Association (the Association). The payment of a late fee shall not be deemed approval to proceed or continue with the proposed improvement.

## **2. Design Review Procedures**

### **2.1 Review of New Construction**

Plans for construction upon any Lot must be reviewed and approved by the Board, requiring the submission of an Architectural Review Request Form. Each Applicant shall submit a conceptual or preliminary site layout and floor plan, as well as any tree removal requests. Also, exterior finishes, color schemes, irrigation systems, drainage, lighting, landscaping, and other features shall be provided. Requirements for plans are further explained below in Section 2.3. Applicants may request an initial meeting with a representative of the Board to address any questions about St. Ives at Orange Tree and the Architectural Guidelines.

### **2.2 Review of Modifications**

The review of modifications shall require the submission of an Architectural Review Request to the Board. Depending on the scope of the modification, the Board may require the submission of all or some of the plans and specifications listed below in Section 2.3. In the alternative, the Board may require a less detailed description of the proposed modification. The review and approval of modifications shall take place within the same time period as required for new construction.

### **2.3 Plans to be Reviewed**

The Board may require two sets of any of the following plans (scale 1/4" = 1'-0" unless noted otherwise) for new construction or a modification, in addition to the submission of a General Application:

### **2.3.1 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 (4) inches or more measured at a height of three (3) 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'.

Any request for removal of a tree that is visible from the street requires stump removal or grinding and an approved tree, bush, or sod replacement.

### **2.3.2 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.

### **2.3.3 Elevations**

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

### **2.3.4 Roof Plan**

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

### **2.3.5 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.

### **2.3.6 Landscaping Plan**

Showing location size, species, quantity, and quality of all plant material, paving materials, light poles, mailboxes, protection of existing vegetation, use of plants, and other landscaping details. Applicants may use the list attached as Exhibit C when compiling the landscaping plan.

### **2.3.7 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.

## **2.4 Review Criteria; Recommendations; Variances**

While the Architectural Guidelines are intended to provide a framework for construction and modifications, the Architectural Guidelines are not all-inclusive. In its review process, the Board may consider the quality of workmanship and design, harmony of external design with existing structures, the neighborhood and location in relation to surrounding structures, topography, and finished grade elevation, among other things. Reviewer decisions may be based on purely aesthetic considerations. However, no Board shall grant approval for proposed construction that is inconsistent with the Architectural Guidelines, unless the Board grants a variance.



The Board shall have the authority to adopt and revise lists of recommended landscape materials and hardscape materials such as the ones attached as Exhibit C. The Board may, in its sole discretion, provide that the lists of recommended materials constitute "approved materials," and that the replacement of such materials requires no Board approval. Alternatively, the Board 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 Architectural Guidelines to acquire approval prior to installation.

Variances may be granted in some circumstances (including, but not limited to, topography, natural obstructions, hardship, or environmental considerations) when deviations may be required. The Board shall have the power to grant a variance from strict compliance in such circumstances, so long as the variance does not result in a material violation of the Declaration. No variance shall be effective unless in writing and signed by the President of the Association with the support of a majority of the Board members.

## 2.5 Review Period

### 2.5.1 Review Period

A written response shall be made to each Architectural Review Request and plan submittal within thirty (30) calendar days of submission of all materials required by the Board. One (1) set of plans shall be returned to the Applicant, accompanied by the Board's decision. The other set of plans shall be retained for the Board's records. The Board's decision shall be rendered in one of the following forms:

1. **Approved** - The entire application as submitted is approved; or
2. **Approved with Conditions** - The application is not approved as submitted, but the Board's suggestions for curing objectionable features or segments are noted. The Applicant must correct the plan's objectionable features or segments, and the Applicant may be required to resubmit the application and receive approval prior to commencing the construction or alteration; or
3. **Denied** - The entire application as submitted is rejected in total. The Board may provide comments but is not required to do so; or
4. **Incomplete** – The Board feels that the application is either lacking necessary information, or they need additional information in order to properly review it. No further review by the Board until all the requested information is provided.

If the Board fails to respond within thirty (30) days, the Applicant shall request a response by certified mail, return receipt requested, or, alternatively, by hand delivery to the Association's management office and receipt obtained. If the Board fails to respond within this additional thirty (30) day period, approval shall be deemed granted. No construction or modification that is inconsistent with the Declaration or the Architectural Guidelines shall be deemed approved unless the Board has granted a variance.

Following a notice of denial, the Applicant and/or a representative of the Applicant, within ten (10) days written notice of such denial, may submit to the Board a request to meet with the Board to review the disapproved Architectural Review Request and to discuss potential changes in order to gain approval.

### **2.5.2 Appeal**

Any Applicant shall have the right to appeal a decision of the Board by resubmitting the information, documents, and fees set forth above within thirty (30) days of receiving a response from the Board; however, such appeal shall be considered only by the Board. If Applicant fails to appeal a decision of the Board within said thirty (30) days, the Board's decision is final. In the case of a denial and resubmittal, the Board shall have thirty (30) days from the date of each resubmittal to approve or deny any resubmittal. The filing of an appeal does not extend any maximum time period for the completion of any new construction or modification.

### **2.5.3 Orange County Approval**

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

### **2.5.4 Implementation of Approved Plans**

All work must conform to approved plans. If it is determined by the Board that work completed or in progress on any Lot is not in compliance with these Architectural Guidelines or any approval issued by the Board, the Board shall notify the Owner in writing of such noncompliance specifying in reasonable detail the particulars of noncompliance and shall require the Owner to remedy the same. If the Owner 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 Declaration and these Architectural Guidelines.

#### ***2.5.4.1 Time to Commence***

If construction or landscaping projects do not commence on a modification within three (3) months of approval, such approval shall be deemed withdrawn, unless stated otherwise on the application, and it shall be necessary for the Applicant to resubmit the construction plan or landscaping plan to the Board for reconsideration.

#### ***2.5.4.2 Time to Complete***

Once construction or landscaping begins, it shall be diligently pursued to completion. All construction modifications shall be completed within nine (9) months after commencement, and all landscaping modifications shall be completed within three (3) months of commencement, unless otherwise stated in the approved plans.

The Applicant may request an extension of such maximum time period not less than thirty (30) days prior to the expiration of the maximum time period, which the Board may approve or disapprove, in its sole discretion.

If a construction project, or landscaping project, is not completed within the period set forth above, or within any extension approved by the Board, the approval shall be deemed withdrawn, and the incomplete construction or landscaping shall be deemed to be in violation of these Architectural Guidelines.

### **2.5.5 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 Board prior to implementation. Close cooperation and coordination between the Applicant and the Board will ensure that changes are approved in a timely manner.

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

### **2.5.6 Enforcement**

In the event of any violation of these Architectural Guidelines, the Board may take any action set forth in the By-Laws of the St. Ives at Orange Tree Association, or the Declaration, including the levy of a fine, or special assessment, pursuant to Section VIII.3 of the Declaration. The Board may remove or remedy the violation, and/or seek injunctive relief requiring the removal or the remedying of the violation or levy a fine. In addition, the Board shall be entitled to recover all costs incurred in enforcing compliance and/or impose an assessment against the Lot upon which such violation exists.

## **3. Architectural and Improvement Design Standards**

The following specific site criteria shall apply to all proposed or existing residential construction within St. Ives at Orange Tree unless a variance is granted by the St. Ives Board.

### **3.1 Accessory Buildings**

Owners shall secure Board approval prior to construction of any attached accessory building or permanently installed playhouses. A detached garage is not considered an accessory building, and its construction shall require Board approval on a case-by-case basis. Accessory buildings shall meet the following criteria:

1. An attached accessory building must be 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 shingles are used. No aluminum roofs are allowed.
2. 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.
3. Any utilities servicing accessory buildings shall be installed underground.

4. Accessory buildings shall be attached, shall not unreasonably obstruct any adjacent neighbor's views of any private amenities or open areas, and must be screened by a fence and/or vegetation.
5. No free-standing utility sheds or storage sheds are permitted.

### **3.2 Additions and Expansions**

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

### **3.3 Air Conditioning Equipment**

Board approval is required for the installation of air conditioning equipment or evaporative coolers – excluding the site-specific replacement of existing air conditioner equipment. Air Conditioner wall units may be approved with the following conditions:

1. Must be three (3) feet to the top of the unit from the ground.
2. Must shield wall unit 100% with shrubbery.
3. Must be painted the base color of the house.
4. No window air conditioning units shall be allowed.

### **3.4 Antennae and Communication Dishes**

All Units are to be pre-wired for cablevision in accordance with the standards established by the Board. 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 the Declaration and the Rules and Restrictions for Antenna Installation, Maintenance and Use as adopted by the Master Maintenance Association on August 25, 1999, incorporated herein by reference. If an Applicant should challenge the location approved by the Board for a satellite dish, the Applicant shall pay a one-hundred (\$100.00) dollar fee to the Association so that the Association might hire a third-party expert to verify that the satellite dish will work where approved and if not, where it should be located so as to visually shield the satellite dish from the street, yet achieve industry-acceptable levels of reception. The Board shall review the expert's recommendations and then allow conditional approval at the recommended location. Roof top tripods are not permitted.

### **3.5 Architectural Standards**

The exteriors of all buildings must be designed to be compatible with the natural site features of the Lot and to be in harmony with the surrounding units. The landforms, the natural contours, local climate, vegetation, and the views should dictate any building additions and the architectural style. The Board may disapprove plans if in its judgment the massing, architectural style, roof line, exterior materials, colors, or other features of the building do not meet these standards.

### **3.5.1 Exterior Wall Treatments**

The following are acceptable exterior wall treatments for vertical surfaces:

1. Clay brick in natural earth tones.
2. Vertical or horizontal siding painted, stained, or bleached.
3. Natural stone.
4. Painted stucco in natural earth tones.
5. Anodized or paint finishes are required on all metal surfaces including windows, flashing, drips, and caps, preferably in earth tones or compatible colors to the surrounding surfaces.
6. Vinyl materials, such as window frames, will be considered by the Board on a case-by-case basis.

Ivy and other climbing vegetation planted to grow directly on the exterior of the home is strictly prohibited. Requests to install ivy and/or other climbing vegetation on the wing/retaining walls surrounding the home will be approved on a case-by-case basis.

### **3.5.2 Exterior Colors**

Future color selections for all exterior material shall be in natural or earth tones. No pastels or primary colors may be used except as approved by the Board. Owners must submit for approval color samples of all exterior surfaces to the Board for review and approval thirty (30) days prior to commencing construction, including specifications and samples for window and metal or vinyl finishes, roof material, trim, and exterior surfaces and accents.

Owners may repaint the surfaces of their house in accordance with the originally approved color scheme of those surfaces without Board approval. Board approval is required, however, for all changes in exterior painting. Color chips or samples are required for all paint applications. Color chips must indicate the type of paint. The base color must be flat or satin finish. The 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.

### **3.6 Awnings and Overhangs**

The installation of awnings or overhangs requires Board approval. The awning or overhang color must be the same as or generally recognized as complementary to the exterior of the residence. All awnings must be non-metallic, preferably canvas, with the color of the material to match the color of the house trim.

### **3.7 Birdbaths, Birdhouses, and Birdfeeders**

Board approval is not required for the rear yard installation of any birdbath that is three (3) feet tall or less, including any pedestal. Placement in any front or side yard requires Board approval.

No Board approval is required for one (1) rear yard installation of any birdhouse or birdfeeder. Such birdhouse or birdfeeder shall measure no more than one (1) foot by two (2) feet, nor more than five (5) feet in height. Additional units or installation in the front or side yard requires Board approval.

### **3.8 Clotheslines**

Outside clotheslines shall be prohibited for all purposes unless used on a portion of an Owner's property which is fully screened from view from the street and adjacent properties, i.e., the homeowner's covered, rear porch.

### **3.9 Compost**

Board approval is required for the installation of compost containers. Compost containers shall not be immediately visible to adjacent properties, and the Owner must control odors.

### **3.10 Decks and Balconies**

Owners shall secure Board approval before installing decks or balconies. Decks and balconies must be constructed of wood or other material similar to that of the residence and, if painted, must be painted a color similar to or generally acceptable as complementary to the residence in accordance with Section 3.5.2. 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 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 Orange County requirements.

### **3.11 Doghouses and Kennels**

Construction of new doghouses and animal kennels is prohibited.

### **3.12 Elevation**

A height limit of thirty-five (35) feet for each Lot shall be the maximum height of each building and shall be measured from the finished ground floor to the highest projection of the roof or roof element. Vertical height coordination and compatibility of adjacent buildings with regard to building profiles will be considered an important design element by the Board. The Owner may be required to provide additional drawings to the Board demonstrating the compatibility of building profiles not only in frontal elevation but also from overlapping side elevations of structures on adjacent Lots.

### **3.13 Exterior Lighting**

No lighting fixture shall be installed that may be or become an annoyance or a nuisance to the residents of adjacent property. Accent (Landscaping) Lighting fixtures must be black, dark green or dark brown, so they blend in with the background. The light fixtures may not exceed eighteen (18) inches in height.

### **3.14 Flags and Flagpoles**

Each owner may display, in addition to the United States flag, one portable, removable official flag, in a respectable manner, not larger than 4 ½ feet by 6 feet, which represents the State of Florida or US Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, POW-MIA, or First Responders.

Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property if it does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectable manner from that flagpole one official United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display one official flag of the State of Florida or the US Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, POW-MIA, or First Responder flag. The additional flag must be equal to or smaller, in size, than the United States flag. Flags that do not meet these specifications are prohibited.

### **3.15 Gazebos, Greenhouses, and Solariums**

Construction of new gazebos, greenhouses, and solariums is prohibited.

### **3.16 Hot Tubs and Saunas**

Board approval is required prior to the construction of any 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 three (3) feet tall.

### **3.17 Latticework and Trellises**

Latticework or a garden trellis which is a part of the landscaping and compatible with the exterior of a structure may be installed with Board approval.

### **3.18 Mailboxes**

Mailboxes shall be maintained as constructed at locations as initially installed by the Developer. Mailboxes may be updated but must follow neighborhood guidelines and stay uniform with the St. Ives community.

If U.S. mail service or newspaper delivery agrees to make deliveries to wall receptacles attached to residences, Owners shall upon request of the Board, replace all previously approved receptacles with wall receptacles attached to residences.

### **3.19 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 Board.

### **3.20 Patios**

All plans and designs for patios and enclosures must be submitted to the Board for review prior to construction.

### **3.21 Playhouses and Swing Sets**

Playhouses and swing sets will be approved by the Board on a case-by-case basis. Tree houses are prohibited.

### **3.22 Pools**

Board 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 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 and neighboring Lots by an enclosure, wall, or fencing, such screening to be in accordance with these Architectural Guidelines and all applicable county regulations and approved by the Board.

Applications for pools shall be accompanied by a screen or fence plan and a plat of the property with the pool indicated thereon. 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 regrading of their lot, either major or minor, relating to the pool installation will not adversely affect the flow of runoff water.

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 State and county regulations, and subject to the approval and requirements of the Board, which shall include, but which shall not be limited to the following:

1. Above-ground swimming pools will not be allowed; and
2. Materials, design, and construction shall meet standards generally accepted by the industry and shall comply with applicable governmental regulations; and
3. The pool size and location shall be approved by the Board; and
4. All pool equipment, storage tanks, chemical feeders, heating equipment, and any other above-ground apparatus (except air-conditioning units) must be shielded by approved wooden fencing or dense shrubbery so that such equipment or apparatus is not visible from the street. See Exhibit B for Enclosure Specifications. Pool heater vent stacks may extend above the enclosure. Pool equipment must be shielded within fifteen (15) days from the date of completion of the pool; and
5. Water softeners, whether for pools or potable, shall be shielded by wooden fencing or dense shrubbery as long as the shrubbery totally shields the equipment.
6. All screened pool and/or patio enclosures must be colored "*bronze*" aluminum or other appropriate construction material, and all screening must be "*charcoal*" in color.

### **3.23 Recreational Equipment**

Recreational equipment, including Basketball poles, shall not be installed or utilized in the front and side yards of Lots or attached to houses or garages, unless they can be readily removed. The



installation of mobile, transportable basketball hoops will be permitted within the St. Ives community, provided the hoops meet or exceed the following criteria.

1. All basketball hoop installations are considered exterior alterations to the Lot and living unit, and therefore must first be submitted to and reviewed by the St. Ives at Orange Tree Board, using the appropriate review request form provided by the Association.
2. Requests must be accompanied by:
  - a. A copy of the plot plan or survey of the lot and unit, showing the proposed location of the hoop; and
  - b. A photo, brochure, or other material depicting in a visual manner the equipment to be installed.
3. The minimum specification for basketball hoops shall be:
  - a. Fixed height or adjustable (6' to 10' high) heavy-duty steel post, 3 1/2" in diameter; and
  - b. Graphite or acrylic backboard, not to exceed 54" by 36" in size; and
  - c. Goal and net; and
  - d. Safety braces for adjustable-height posts; and
  - e. Water or sand-filled base for transportable hoop systems (Lifetime Products Open Court Portable Basketball System, or similar); and
  - f. Steel cylinder in-ground sleeve with safety key or bolt for removable posts (Lifetime Products Basketball Pole Ground Sleeve Model 23, or similar).
4. Once installation is approved, the owner or resident agrees that any basketball equipment installed becomes an exterior maintenance item, subject to covenant enforcement for painting, cleaning, repairs, net replacements, and the like.
5. In the event of severe inclement weather (tropical storms, high winds, hail, hurricanes, etc.) owner or resident agrees to make every reasonable effort to remove, lower, relocate, or secure the basketball equipment in order to minimize potential missile hazard damage to his own or surrounding homes and property.

Recreational equipment is allowed in rear yards and shall not exceed ten (10) feet in height, except basketball backboards.

### **3.24 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. Roof materials which are acceptable are:

1. Asphalt shingles,
2. Flat cement tile, and
3. Spanish "S" or barrel tile.

Board approval is required for roof-material or roof color 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 ten (10) percent or more area discolored on any surface (or plane) by mildew shall be a violation and subject to enforcement.

### **3.25 Roof Accessories and Equipment**

Board approval is required for all rooftop equipment and accessories. All rooftop equipment must match roofing colors or be of a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing, gutters, and downspouts must be painted to match, or be compatible with, the fascia and siding of the structure.

Board approval is also required for all skylights and/or solar tubes.

### **3.26 Siding**

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

### **3.27 Signs**

All signs are subject to review and approval of the Board, which may establish specific criteria throughout the community. Permanent business, trade, or commercial signs are prohibited. Builders' signs are also prohibited.

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. Security and identification signs shall not exceed 8" x 10", and the Board may impose shape and color restrictions on security signs. Identification signs (numbers) for Lots are required to be placed and maintained on the mailboxes (see Section 3.17). All other numbers should be at least 3" high, visible, and legible from the street on which the house fronts, with the location and layout approved by the Board. The color must contrast with the immediate background material.

One temporary sign per Lot that advertises property for sale or lease, not to exceed 24 inches in height and 24 inches in width, may be installed on a Lot without the Board's approval. No sign shall be placed on the Common Area without Board approval. For Sale signs and Political signs are not allowed in the windows. The installation or relocation of all other signs requires Board approval. One (1) sign on a fence or gate for "Beware of Dog" is permitted up to 8" x 10", no more than three (3) feet from the ground.

Each Lot is allowed to have one Open House sign near its front door, but on Saturday and Sunday only. Signs cannot have any logos or company information on them except the small Realtor logo. It must be generic and say, "Open House." No signs are allowed next to the street. No other signs are allowed on the streets within St. Ives at Orange Tree. This prohibition includes garage sale, moving, etc., with the exception of temporary special event signs that have been expressly approved by the Board.

### **3.28 Solar Equipment**

Homeowners must receive approval from the Architectural Control Board before installing any solar equipment. The submitted Architectural Review Request form must include specific information on the proposed solar panels and roof location.

For homes that do not face due south, solar panels must be installed on the back or side roofs unless the homeowner shows that such location does not allow orientation of the panels within 45 degrees east or west of due south, does not allow generation of sufficient energy, or impairs the effective operation of the panels. Any piping and equipment installed on the outside walls must match the color of the wall.

For homes facing due south, solar panels may be installed on the front roof with prior ACB approval.

Reference: Florida Statute 163.04

### **3.29 Statues**

Board approval is required for all statues in the front or side yards. Board approval is not required for the rear-yard installation of any statue, which, including any pedestal, stands no more than six (6) feet tall.

### **3.30 Temporary Structures**

Temporary structures, including without limitation, shacks, trailers, vans, tanks, or tents are prohibited. Board approval is required for tents other than camping tents that are used for occasional overnight sleeping by children and are left standing for no longer than seventy-two (72) hours.

### **3.31 Trash Containers**

Trash containers shall be stored in garages or side yards behind the front building line and shall be screened from the street and adjacent property by a fence, wall, or landscaping, in accordance with these Architectural Guidelines. Trash containers with secured lids may be placed out for pick-up after sundown the evening before and must be removed by sunrise the morning after pick-up. Containers shall not be permitted to remain out between pickups regardless of holidays or other reasons.

### **3.32 Utilities**

Pipes, wires, poles, utility meters, and other utility facilities shall be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure. Any utilities or utility equipment not installed below ground or within an enclosed structure requires Board approval. Utilities include water, sewer, power (including backup system), telephone, cable television, and miscellaneous conduits.

### **3.33 Water Conditioners**

Water conditioners or softeners may be installed without approval provided that such are totally screened from view of the street and adjacent property with shrubbery.

### **3.34 Windows and Doors**

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

Board approval is required for wooden exterior shutters, which should be of a material similar to and of a color and design generally accepted as complementary to the exterior of the house.

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 to be deployed only after a storm warning has been issued by the U.S. Weather Service. Approved permanent hurricane shutters must be opened and temporary protective coverings removed within seven (7) calendar days after the "all clear" is announced.

Board approval is required for the addition of screen doors or other type doors to a home, and only if the material matches or is similar to existing doors on the house and if the color is generally accepted as complementary to that of existing doors on the house. 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.

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.

### **3.35 Gutters and Downspouts**

The location and material of all roof gutters and downspouts must first be approved by the Board. Colors of roof gutters and downspouts must match the background surface, or house trim, to which they are attached.

## **4. Landscaping and Site Standards**

Landscaping is an essential element of design at St. Ives at Orange Tree. Preservation of existing vegetation in addition to the introduction of plants native to the Orlando area must be considered in establishing the landscape design.

## **4.1 Landscaping**

All changes or additions to a Lot's existing landscaping require a Board approval. The Applicant shall develop a landscaping plan and install and maintain landscaping on such Lot (subject to such extensions granted by the Board due to weather conditions).

### **4.1.1 Approved and Prohibited Landscape Materials**

A list of approved and prohibited landscape materials that may be used within the development is attached as Exhibit C which may be updated and revised from time to time. Applicants intending to replace existing landscape material with material not included on such a list must receive Board approval before using such material.

### **4.1.2 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," State of Florida, Department of Agriculture, in the most current edition. Sod shall be free of weeds, diseases, fungus, and vermin.

### **4.1.3 Maintenance**

All landscaped areas (to the paved public right of way) shall be maintained in live, healthy, and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which become dead or badly damaged shall be replaced with similar sound, healthy plant materials.

Tree maintenance is recommended to protect homes from tree damage due to high winds. Trees should be trimmed to remove dead limbs and broken branches. Any tree limbs that hang over the street must be trimmed to be at least 14 feet above the street.

A dead, declining, or dying tree in front yards shall be removed and include stump grinding. Unless at least one approved Street Tree or Shade Tree (see Exhibit C) remains in the front yard, the removed tree shall be replaced with an approved tree that is approximately the same height as the original, or a minimum height of twelve (12) feet, whichever is less. The setback from the street for a new tree in the front yard shall be at least 10 feet from the curb. The tree setback from all utilities, including streetlights, shall be at least 15 feet.

Any Owner within St. Ives at Orange Tree which owns or 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.

### **4.1.4 Ornamentation**

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

## **4.2 Drainage**

Drainage of the Lot must conform to all Orange County requirements. All drainage and grading of any changes to the existing Lot must be indicated on a Site Plan and submitted to the Board for

approval. There shall be no interference with the established drainage pattern over any property except as approved in writing by the Board. The established drainage pattern is defined as the drainage pattern as engineered and constructed by the original Developer. 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. Water should not pond on walkways, sidewalks, or driveways into the street. The Board 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.

### **4.3 Easement Plantings**

All plantings in an easement area (that area which is part of the street right-of-way between the Lot and the curb) that have been previously approved shall be subject to the following conditions:

1. Annuals and ground cover planted in the easement area shall be less than eighteen (18) inches in height.
2. No trees shall be allowed to be planted in the easement area without Board approval.
3. Plant hangers and poured curbing will not be allowed in the easements unless the homeowner putting them in accepts responsibility should they be damaged due to use of the easement by an authorized utility.

### **4.4 Edging Materials**

All border material around flower beds, trees, etc., and shall be approved on a case-by-case basis. In no event shall retaining wall blocks be used without Board approval.

### **4.5 Fences, Walls, and Equipment Enclosures**

#### **4.5.1 Height; Materials; Types**

Fences, walls, and screens shall not exceed six (6) feet in height on front, side, and rear yard areas. Acceptable materials are aluminum picket, block and stucco, stone, brick, or landscape plants, or a combination of these as approved by the Board. All fencing within the St. Ives community is to be in accordance with Exhibit A, not to exceed six (6) feet in height and should be painted within thirty (30) days following completion of installation.

Colors and patterns of all other fencing types shall be compatible with the housing design and harmonious with the streetscape. Fencing specifications are attached in Exhibit A and particular types of fencing must be used in certain areas.

#### **4.5.2 Property Viewing Pond**

Fencing is prohibited when a rear property line is adjacent to the St. Ives Pond, unless approved by the Board.

The rear property line may be defined by a combination of earth berming and/or landscaping, which berming and/or landscaping must be on the Owner's property and be maintained by the Owner. The earth berming shall be done according to the approved grading plan and side slopes shall not be steeper than 4:1. The landscaping recommended along the property line shall be in the form of either screen trees or shrubs. A list of approved screen trees and shrubs is included in Exhibit C.

#### **4.5.3 Construction**

Fences shall be constructed in accordance with the specifications attached as Exhibit A. The exterior side of all fences shall have a finished appearance and should be finished on both sides. Owners may set fence posts adjacent to a neighboring property's fence post without permission. Tying into a neighbor's fence shall require the Owner's permission.

#### **4.5.4 Maintenance**

Any fences, walls, or screens on a Lot shall be well repaired and maintained consistent with the community-wide standard. In the event a fence, or wall, or screen is damaged or destroyed, the Owner or responsible party shall repair or recondition the same at their expense. 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 fence.

#### **4.5.5 Equipment Enclosures**

Such enclosures shall be constructed in accordance with the Enclosure Specifications attached as Exhibit B. Enclosures shall be painted the same color as the base color of the house. All pools and pool equipment shall be enclosed unless such were approved prior to the date of these Architectural Standards, in which case landscaping screening is acceptable as long as it shields 100% of the equipment. If landscaping and shrubbery fail to screen 100%, and the situation is not corrected after notice, the Owner shall lose the grandfathered status and shall be required to comply with the Enclosure Specifications.

Owners may create berms, slopes, and swales for the purpose of defining space and screening undesirable views, noise, and high winds. Grassed slopes or berms are suggested not to exceed three feet of horizontal distance to one foot of rise or vertical height (3:1 slope) in order to permit greater ease of mowing and general maintenance.

### **4.6 Gardens**

Gardens shall be allowed in patio areas only and shall be visually screened from adjacent properties, unless otherwise approved on a case-by-case basis by the Board. Garden stakes and fencing for garden type plants in side yards shall require approval from the Board.

### **4.7 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 Board. Owners should work with the natural contours and seek solutions that minimize the impact of grading with respect to major alterations of existing grades.

## **4.8 Hedges**

Hedges or continual rows of shrubs greater than 18 inches in height shall not be permitted in the front yard if adjacent to the street or sidewalk. Board approval is required for side or rear yard hedges. No hedge or shrubbery abutting the Lot boundary line will be permitted with a height of more than six (6) feet.

## **4.9 Paving; Driveway**

Owner shall secure Board approval prior to paving with any paving material, including concrete, asphalt, brick, flagstone, steppingstones, and pre-cast patterned or exposed aggregate concrete pavers, and for any purpose, including walks, driveways, or patio areas, etc. Owners shall secure Board approval before extending or expanding any driveway. The Board shall not approve such extensions or expansions for the Owner's intended purpose of providing side yard parking or vehicle storage.

Driveways shall be maintained and kept stain-free in accordance with community-wide standards. Stains will be reviewed on a case-by-case basis, and the Board shall require excessive stains to be removed. In the alternative, driveways may be painted, but only if painted with colors individually approved by the Board.

All dwellings shall have a paved driveway of stable and permanent construction of at least sixteen (16) feet in width at the entrance to the garage. Unless prior approval is obtained from the Board, all driveways must be constructed of concrete. When curbs are required to be broken for driveway entrances, the curb shall be repaired in a neat and orderly fashion to match the existing curb and shall be subject to final inspection and approval of the Board. When an existing concrete driveway needs to be replaced or repaired, it shall be constructed in the same size and shape as it existed prior to the repair unless an exception is granted by the Board. In the event a dwelling Owner proposes a more decorative and expanded driveway, the Board application shall contain the following information:

1. A detailed site plan of the property showing the existing structures, property lines, trees, landscaping, and the layout of the proposed driveway. A photograph(s) of the area proposed for the driveway shall be included.
2. If a tree or trees are potentially affected by the construction of the driveway, a statement by a certified professional arborist listing the type of existing trees affected, along with an evaluation of their continued growth and survival after the improvement and how the driveway might be affected by the growth of a tree. If a tree (or trees) is proposed to be removed, it shall be replaced in another location that is acceptable to the Board. The replacement tree shall be approximately the same height as the original, or minimum height of twelve (12) feet, whichever is less.
3. After the driveway is constructed, 35% of the area on the street side of the property from the face of the dwelling to the property line shall be maintained as grass and landscaping.
4. The type, shape, size, and color of the proposed material for the driveway shall be furnished.



5. A plan of the adjustment and relocation of the landscaping irrigation system along with any adjustments to utilities serving the dwelling.

A permit from the Orange County Building Department must be submitted to the Board prior to commencement of construction.

#### **4.10 Retaining Walls**

All retaining walls require approval by the Board. Such walls shall be properly anchored to withstand overturning forces. Stone walls shall be made thicker at the bottom than at the top to achieve stability. All retaining walls shall incorporate weep holes into the wall design to permit water trapped behind them to be released. Timber for walls or other landscape use should be treated to resist decay. Walls shall not be located so as to alter the existing drainage patterns.

#### **4.11 Sewage Disposal Systems**

Cesspools, septic tanks, or other non-central systems, other than recycling systems, are prohibited -- except for those systems originally installed with the construction of the home. Owners who wish to install any other type of sewer system shall seek the Board approval.

#### **4.12 Underground Installations**

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

#### **4.13 Views**

Views from the roadways and walkways toward a landscaped area should complement the appearance of the existing natural vegetation. All front, side, and rear building setback areas must be landscaped.

#### **4.14 Water Systems**

Installation of individual water supply, except for irrigation systems, is prohibited without Board approval and unless the system is designed, located, constructed, and equipped in accordance with requirements, standards, and recommendations of any applicable water and sanitation district or other governmental authorities having jurisdiction. Owners may install irrigation systems, above ground or underground, without Board approval so long as the Owner installing such system obtains any permits required by Orange County or other governmental authorities. It is highly recommended, but not required, that all irrigation systems connected to the Orange County water system should have separate county meters. Landscaped areas of each Lot shall be irrigated by an automatic irrigation system wherever possible. Any other water system may be installed without the Board approval so long as the water system is completely contained within the dwelling and causes no architectural change to the exterior of the dwelling.

Wells, except those drilled by the Board for the purpose of providing water service to St. Ives at Orange Tree common, require Board and County approval.

## **4.15 Yard Orientation**

Yard orientation is as follows:

### **4.15.1 Front**

The front yard is defined as the area between the sidewalk or curb and the front of the main dwelling. No fences or enclosures are allowed in the front yard without a waiver from the Board.

### **4.15.2 Side**

The side yard is the open space between the main dwelling and the Lot's side property line. Six (6) foot high privacy fences or enclosures constructed in accordance with these Architectural Guidelines may be constructed subject to the provision below. Such fences or enclosures must be set back a minimum of three (3) feet from the front yard.

### **4.15.3 Rear**

The rear yard is the portion of the Lot between the rear property line and the back of the main dwelling. Except for pond front homes, rear yard fences or enclosures are allowed just within the rear yard property line to just within the side yard property lines.

## **4.16 No Parking**

Resident vehicles (automobiles and pick-up trucks) shall be parked in garages and driveways. Parking in yards, or parking overnight on our streets, is not permitted. To request a temporary exception to park overnight on the street, for example, if the driveway is unavailable due to paving work, please contact the HOA Office.

No trucks or commercial vehicles, campers, mobile homes, motor homes, recreational vehicles, boats, boat trailers, horse trailers, or commercial vans shall be parked or stored on the property.

This parking prohibition does not apply to temporary parking of trucks and commercial vehicles, such as for pick-up and delivery and other commercial services.

Any vehicle parked in violation of these restrictions may be towed by the Association at the sole expense of the vehicle owner if such vehicle remains in violation for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle.

The Association shall not be liable to the vehicle owner for trespassing, nor guilty of any criminal act, by reason of such towing. Once the notice is posted, neither its removal, nor failure of the owner to receive it for any other reasons, shall be grounds for relief of any kind.

## **5. Construction Guidelines**

### **5.1 Inspections**

The Applicant shall schedule and coordinate a review of all construction activities with the Board to verify compliance with the approved plans and specifications. The Board may also perform additional periodic informal inspections to ensure that work is being performed in conformance

with approved plans, these Architectural Guidelines, and the community-wide standard. All inspections are observations only and will not relieve the obligation to obtain inspection approvals from Orange County and other organizations having jurisdiction.

Job sites not in compliance with Board approval, these Architectural 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.

## **5.2 Vegetation Protection and Barricading**

Prior to any construction or clearing activities, the Applicant shall take measures to protect existing vegetation. The type and materials of barricades may be reviewed by the Board. In addition, dumping backfill into, excavating soil from, falling trees into, parking in or driving through, stacking, or storing supplies or equipment in, changing site grading to causing drainage into, locating temporary construction buildings in, or disposing of toxic materials into common areas is strictly prohibited.

## **5.3. Construction Damages**

Any damage to vegetation or Common Area facilities caused by the Applicant, its contractors, sub-contractors, agents, or employees must be corrected immediately to the satisfaction of the Board, and the owner of the damaged property. If the damage is not corrected, the Board may have the Association repair such damage and assess the costs of repair to the Applicant.

## **5.4 Conduct**

The Applicant must ensure that all contractors and subcontractors control the conduct of their employees while working in St. Ives at Orange Tree. Loud music, profanity, and other behavior which is unbecoming of a quality operation will not be tolerated. Employees violating this policy may be asked to leave the premises and may be denied access at the gates.

## **5.5 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.

## **6. Non-Liability for Approval of Plans**

Each Architectural Review Request contains a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an owner.

PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE BOARD TO EXPLAIN IT TO YOU.

## 7. Changes and Amendments to the Design Guidelines

Architectural Guidelines may be amended as follows:

1. The Board may, in its sole discretion, amend these Architectural Guidelines as they apply to the Properties. Amendments shall be prospective only and shall not require modifications to existing structures or improvements unless modification to existing structures or improvement is requested by the Owner.
2. Such amendment shall be promptly posted in the Recreation Center Management Office.
3. All amendments shall become effective upon adoption by the Board, or upon adoption and consent of the Board. Such amendments shall not be retroactive so as to apply to previous work or approved work in progress.
4. In no way shall any amendment to these Architectural Guidelines change, alter, lessen, or modify any provision of the Declaration.

## Exhibits

### Exhibit A: Fencing Specification

All owners are to follow these specifications when installing fences.

STYLE: Vinyl (6' High) or Wrought Iron (6' high)

FENCE: Must tie into the house at least three (3) feet back from the front of the house. Engineered to be level and straight.

If the fence ties into a brick wall, taper the fence at a ratio no greater than one (1) foot drop in the vertical height to three (3) feet in horizontal length, so that the top of the fence is below the top of the brick walls. (SHOULD NOT BE SEEN OVER THE BRICK WALL.)

NOTE: In accordance with the Declaration & Restrictions, properties facing the Golf Course, or the St. Ives retention pond, are not to be fenced within the rear property area. See also section 4.5 on Fences, Walls, and Equipment Enclosures.

### Exhibit B: Equipment Enclosure Specifications

ALL OWNERS ARE REQUIRED TO FOLLOW THESE SPECIFICATIONS WHEN INSTALLING EQUIPMENT ENCLOSURES.

STYLE: Recommended 6' High, or a Minimum of 4' High.

GATES: OPTIONAL - Gate(s) installed must be the same material and design as the rest of the enclosure. Ornamental Hinges, Spring Latch.

PAINT: All enclosures must be painted (inside and outside) the base color of the house withing 30 days of installation. NOTE: Plastic will not be allowed.

#### PLACEMENT REGULATIONS:

1. Must shield equipment from view (100%) from the street.
  2. Cannot extend beyond the back corner of house.
  3. Can have an opening in the rear for access. If corner lot and equipment is visible from the street, must be shielded on all sides.
  4. Side portion can extend no more than 12 inches past equipment.
  5. Must not be more than 6 inches above the highest part of the equipment. However, enclosure must not exceed six (6) feet.
  6. Must have a 90-degree side return.
  7. If the enclosure must extend more than four (4) feet from the side of the house to cover equipment, then the Exhibit A - Fencing Specifications must be used.
- \* Variance may be requested on Numbers 5, 6, and 7.

### **Exhibit C: Landscape Materials List**

#### **Approved Shade Trees**

- Quercus Virginiana - Live Oak
- Quercus Laurifolia – Laurel Oak
- Ulmus Parvifolia - Weeping Elm
- Cinnamomum Camphora - Camphor Tree

#### **Prohibited Trees and Shrubs**

- Casuarina Glauca - Australian Pine
- Grevillea Robusta - Silk Oak
- Melaleuca Quinquenervia - Punk Tree
- Eucalyptus Species - Gum Tree
- Thuja Occidentalis – Arborvitae
- Shinus Terebinthifolius - Brazilian Pepper Tree
- Koelreuteria Formosana - Golden Raintree
- Bamboo
- Any species considered invasive to Florida

#### **Approved Street Trees**

- Red Maple
- Sweet Gum
- Southern Magnolia
- Shumard Oak
- Live Oak
- Laurel Oak

- Drake Elm
- Palm Trees  
Palm trees may be planted within the St. Ives at Orange Tree right of way, provided, that they are single trunk and are a type which will reach a height of at least 12 feet.

### **Approved Screen Trees and Shrubs**

- Ligustrum Japonica - Japanese Privet
- Lagerstroemia Indica - Crepe Myrtle
- Myrica Cerifera - Wax Myrtle
- Viburnum Suspensum - Sandankwa
- Photina Glabra - Red Leafed Photina
- Pittosporum Tobira - Green Pittosporum
- Nerium – Oleander
- Variegated Pittosporum
- Low-water plants and succulents, and other non-invasive trees and shrubs (If specifically approved in advance by the ARB)

### **Approved Grass Sod**

- St. Augustine, including Floratam and Palmetto varieties
- Zoysia (if maintenance is applied to keep it green year-round)

NOTE: Mixing sod on the same lot is not permitted.

### **Approved Ground Cover**

In non-sodded areas, such as plant beds and around trees:

- Pine mulch
- Cypress mulch
- Pine Bark mulch
- Rubber mulch (brown or black)
- Rocks approximately 2 inches in size (or larger) if specifically approved in advance by the ARB. Note: White rock is prohibited.

## **Exhibit D: Defined Terms**

The capitalized terms used in these Architectural Guidelines are generally defined in Article II of the Declaration. For convenience, some of these definitions and other terms used herein are summarized below.

1. **Applicant:** A Person submitting a request for architectural review to the appropriate Reviewer.
2. **Architectural Guidelines:** These Architectural Guidelines and Community Standards for the St. Ives at Orange Tree Association adopted by the Board as provided in the Declaration.
3. **Architectural Control Board:** A Board appointed committee delegated architectural review duties and responsibilities in those Properties identified in the Declaration, and any amendments or

supplemental declarations thereto, and whose powers are set forth more specifically in the Declaration. The ACB can be St. Ives Board members or appointed members of the St. Ives community.

4. **Board:** The Board of Directors for the St. Ives at Orange Tree Association, as defined in the Declaration.

5. **Builder:** A Person engaged in constructing improvements to Units for resale in the ordinary course of his or her business as more particularly defined in the Declaration.

6. **Common Area:** Property owned by the Association for the common use and benefit of the Association membership as more specifically defined in the Declaration.

7. **Declaration:** The Declaration and Restrictions for the St. Ives at Orange Tree Association, filed on, and recorded in OR Book 3400, Page 1353, of Orange County, Florida.

8. **General Application:** A proposal for any initial construction, modification or landscaping requiring the approval of a Reviewer, and containing such information as these Architectural guidelines and the Reviewer may require.

9. **Lot(s):** This term will have the same meaning as, and be interchangeable with, the term "Units," as defined in the Declaration.

10. **Pond Front Lot(s):** Lots abutting the St. Ives retention pond.

11. **Owner(s):** Record title holders to a Lot within the St. Ives at Orange Tree Association as defined in the Declaration.

12. **Properties:** Shall mean and refer to all such existing properties, and additions thereto, as are now or hereafter made subject to the Declaration, except such as are withdrawn from the provisions of the Declaration in accordance with the procedures set for therein.

13. **Supplemental Declaration:** A recorded instrument which annexes property to the Declaration and/or which by its terms imposes additional covenants, conditions, restrictions, or easements as more specifically defined in the Declaration.

14. **Use Restrictions:** Restrictions on the use of and activities which may take place on Lots as more specifically defined in the Declaration and which are attached as Exhibit C to the Declaration.

## Revision History

Revision Number	Revision Date	Revision Description	Approved By
0	Unknown	Original Architectural Guidelines (document copy not available)	St. Ives Board
1	04/16/2008	Unknown Revisions (document copy in archives)	St. Ives Board
2	03/15/2022	Multiple sections revised: 1.4 – Improvement types not allowed w/o approvals 1.5 – Added reviews by both St. Ives and Master 2.3.1 – Added stump grinding 3.5.1 – Added Ivy on house exterior prohibited 3.11 – Added dog houses and kennels prohibited 3.14 – Added Space Force flag 3.15 – Gazebos, Greenhouses, Solariums prohibited 3.18 – Added mailbox updates okay with approvals 3.21 – Added swing sets to section 3.32 – Added backup power systems 3.34 – Changed days for hurricane shutter removal 4.5.2 – Removed references to golf course lots 4.9 – Revised tree replacement specification Exhibit C – Added Laurel Oak as approved tree Exhibit C – Added Golden Raintree as prohibited Exhibit C – Added Palmetto variety of St. Augustine Exhibit D – Added makeup of ACB committee Exhibit D – Removed references to golf course lots	St. Ives Board
3	11/16/2023	3.14 – Removed Banners from title 3.14 – Added references to First Responder flag	St. Ives Board
4	01/16/2024	3.28 – Revised Solar Equipment section and referenced Florida Statute 163.04	St. Ives Board
5	02/20/2024	4.1.3 – Revised Maintenance section for stump grinding, replacement trees, and street setbacks 4.8 – Revised Hedges section to reference the hedge height limit of six (6) feet included in the Covenants	St. Ives Board



Revision Number	Revision Date	Revision Description	Approved By
6	04/16/24	2.5.4.1 – Revised Time to Commence for approved construction and landscaping projects to 3 months 2.5.4.2 – Revised Time to Complete for approved construction projects to 9 months and for approved landscaping projects to 3 months 4.16 – Added new section on No Parking on streets	St. Ives Board
7	11/19/24	4.1.3 – Added that tree limbs over the street must be trimmed to be at least 14 feet above the street.	St. Ives Board