

**Austin Park at Nocatee Homeowner's
Architectural and Building Criteria and Review Procedure**

[Revised October 23, 2018]

In accordance with the Declaration of Covenants and Restrictions for Austin Park, the following architectural criteria and review procedure has been established for the Austin Park community. As stated in Article V of the Covenants:

No landscaping, improvements or structure of any kind, including without limitation, any building, fence, wall, pool, spa, ornament and statue, flag pole, play structure, satellite dish, screen enclosure, sewer, drain, disposal system, landscape device or object, driveway or other improvement shall be commenced, executed, placed or maintained upon any lot or Building Site, or upon the Common area, nor shall any additions, change or alteration therein or thereof be made, unless and until the plans, specifications and location of the same have been submitted to, and approved in writing by the Developer or Developer's designee.

This review process is a cornerstone to ensuring quality and consistency in the community is maintained. The following design criteria and review procedure are meant to provide homeowners with a clear and efficient process for review and approval of any addition or change they wish to make to their home or yard.

I. Austin Park at Nocatee Architectural and Building Criteria

1. Setbacks

Front – primary structure	20 feet
Front with front facing garage	25 feet
Side	5 feet
Side – corner lot	10 feet
Rear – primary structure	10 feet
Accessory structure	3 feet

Subject to PUD standards, setbacks are measured from the outside foundation wall of the structure.

2. Building Setback for Conservation Areas

Lots that backup to Conservation Areas have a twenty-five (25) foot building setback in lieu of the typical rear yard setback. This building setback line is reflected on the recorded plats for Austin Park.

3. Pool Setbacks

Setback for pools and associated decks (with or without a screen enclosure) is a minimum of five (5) feet from the property line. Setbacks for pool equipment and air conditioning units shall be in accordance with the approved PUD.

4. Swimming Pools

All pools shall be required to be enclosed by a screen enclosure or approved pool fence meeting the applicable safety codes of St. Johns County. Pool enclosures may not be visible from the street in front of the dwelling unless approved. Above ground pools are prohibited.

5. Fences

The composition, height and location of fences to be constructed on any Lot shall be subject to Developer approval. Wire or chain link fences are prohibited.

Approved rear yard fencing for **Wooded** or **Interior** Lots should be a white vinyl fence six (6) feet in height. Fencing along the street side of a corner lot must be located inside the side setback line for a corner lot and properly landscaped.

Wooded lots may be allowed to have the four or six (4 or 6) foot aluminum fencing at the rear of the lot and is to be no taller than side fencing. This is done in order to better view the preserve if the overall design is approved by the Architectural Review Board.

Approved rear yard fencing for lots located along **Lakes** consist of black aluminum or wrought

iron fencing not to exceed four (4) feet in height. The fence style should be a decorative wrought iron look that will not obscure the view of the lake for adjacent homeowners. ***Submit fence type for approval.***

Fencing should not be closer to the front of the house than the mid-point of the sidewall plane of the house.

6. Satellite Dishes

Satellite dishes or similar equipment not larger than one meter in diameter may be installed in the rear or side of the home site out of view from the street. Additional landscaping may be required to properly screen the dish from view of the adjacent house.

7. Garages

Each house is required to have a two or three car garage with operable doors. Garage doors shall remain closed when not in operation. **Garage may not be converted to living space.**

8. Mailboxes

Only Architectural Committee approved mailboxes and posts may be used (see Exhibit "B"). **All mail boxes and stands must remain in good repair with attached door and working flag. Post must remain vertical and plumb.** Mailboxes should be regularly maintained in a clean and consistent manner, painted the original semi-gloss black, and be free of **chipped or faded paint, corrosion, and/or** any other decoration.

9. Motor Vehicles and Boats

No boats, recreation vehicles or other motor vehicles except passenger automobiles, motorcycles, vans, pickup trucks, and SUV's of non-commercial appearance may be parked or stored in the driveway.

10. Signs

Only the approved form of "For Sale" and "For Rent" signs as shown on Exhibit "A" are permitted. These signs and post should be a dark green color with beige background and professionally lettered. Other forms of for sale or for rent signs are prohibited. **The sign shall not exceed 9" x 12" in size and must be professionally painted in a uniform beige color with green letters. The use of "Bandit" real estate signs is prohibited to try to sell or rent real estate. At no time should a sign be placed in a window.**

Political signs not exceeding three square feet in total area may be placed on the lot as long as they are not placed earlier than fourteen (14) days before the election and must be removed within 48 hours following the election. There should not be more than two political signs on any lot at one time.

11. Street Trees

At the completion of the initial construction of each house in Austin Park, the Builder will install a street tree in accordance with the community's County approved construction plans. Although

these trees are located within the right-of-way - as defined in the Covenants, section 2.5, as “Limited Common Area”, each homeowner should ensure the tree is properly irrigated, and overall maintained. Smaller trees shall be pruned and limbed to a height no less than six feet above the sidewalk. Trees whose branches extend past the curb into the roadway shall be pruned and limbed to a height no less than 14 feet above the street to allow trucks, busses, and emergency vehicles clearance for safe passage through the neighborhood. Should a tree die or become diseased, the Austin Park Homeowner's Association will be responsible for replacing the tree provided the homeowner has not caused the tree harm.

12. Landscape Maintenance

Each homeowner should properly maintain all landscape beds and sodded yard from the back of curb at the street to the water's edge, if the lot is adjacent to a storm water pond. Each Owner shall also keep, maintain and irrigate the trees, shrubbery and grass and other landscape material located on that Owners lot in good repair and in attractive condition. Landscape maintenance shall include without limitation, irrigation, fertilization, weeding, mowing, trimming, edging, and spraying for insects and disease, and periodic replacement of dead, damaged or diseased plantings. Hedges shall not exceed a height of 4 feet.

13. Landscape Materials

Cypress mulch, pine bark, nuggets, pine straw or similar natural material are acceptable for mulch in existing landscaping beds. Landscaping stone/rock, or lava rock must be at least 1” in size and no more than 3” in size, and earth tone in color per “Exhibit C”. White pea gravel is prohibited. The use of stones, rocks or lava rocks as mulch in existing landscaped beds must be approved prior to installation.

14. Grass Types

All grass shall be St. Augustine or Zoysia. All other grass types are prohibited.

15. Limited Common Area

Homeowners are responsible for maintaining any and all limited common area adjacent to their lot as defined in the Covenants section 2.5. The limited common area shall always remain sod. No other landscape material, plant, decorative stone, pavers, or any other decorative element shall be placed in this area. This includes the area around the street trees and mailboxes.

16. Irrigation

All landscape beds and sod should be irrigated with a fully automatic irrigation system. Reuse irrigation water supplied by JEA shall be the sole source of irrigation water. Individual wells are prohibited.

17. Collection

All garbage and refuse shall be placed for pickup not earlier than the evening preceding pickup, and all containers for garbage and refuse shall be returned no later than the evening of pickup to their normal, hidden location. All trash and recycling containers must be hidden from view from

the street except during permitted times. Except for normal construction debris on any Lot during the course of construction of the Dwelling, no weeds, garbage, refuse or debris of any kind shall be placed or permitted to accumulate upon any portion of the Property. Upon design approval by the Architectural Review Committee, enclosures that hide trash cans from sight may be used.

18. Exterior Paint

Painting any exterior surface of a home requires Architectural Review Committee (ARC) approval prior to painting. New colors shall be chosen from the approved color schemes in the “Austin Park Paint Book”. All exterior colors must be chosen from within the same “scheme” and used on the appropriate surface as outlined in the paint book (i.e. body, trim, accent/door). Choices will additionally be evaluated as to the harmony of external design and location in relation stone accents, roof color, pavers, as well as surrounding structures. Exterior paint shall be maintained in a clean and consistent manner free of chipped, faded, or cracked paint or stucco.

19. Basketball Hoops

Free standing (portable) basketball hoops shall not be placed or used on public street or cul-de-sacs, or on any common area of the HOA. Portable hoops on homeowner property must be located at least 12 feet from the street. No basketball hoop/rim/backboard may be attached to the front of side of any dwelling. Also, no goal shall be placed on another owner’s property, whether for temporary or permanent use, or be located on or adjacent to a public street or public sidewalk. Any basketball goal that is installed shall be kept in a stationary upright position (including portable goals). Basketball goals shall be kept in good repair, including the use of a net (with no torn loops) and a backboard that is continuously kept in good repair. The basketball goal pole shall be kept in good condition and routinely painted. Portable basketball goals that are removed from the stationary position (for the winter or special occasions) must be completely removed from view.

20. Window Air Conditioning Units

No window air conditioner units or similar type, that penetrates the exterior of the structure, shall be installed and are prohibited.

21. Non-Decorative Items

Non-decorative items (including but not limited to BBQ grills, smokers, etc.) should not be stored in the driveway.

22. Solar Collectors and Renewable Energy Devices

Solar collectors and renewable energy devices may be utilized by a resident provided the device:

- a) Does not interfere with, or restrict visibility of, the resident property or neighboring properties.
- b) Does not obscure any resident’s ordinary view of common areas including preserve areas, lakes, [parks and/or public areas such as sidewalks and community streets.
- c) Is not within reasonable view from the street on which the property is located.
- d) Is not on the front and side exterior walls of the home.

- e) Is not freestanding.
- f) Is not within ordinary view from common areas.
- g) Is not installed in common areas.

A property owner may install solar panels onto their own property rooftop in accordance with Florida state law. Installed rooftop solar panels may not elevate more than six (6) inches when measured from the underlying roof to the highest perpendicular point of the panel. It is recommended that solar panels be installed on the rear roof of the home to preserve the community appeal and appearance. All Solar Collection and Renewable Energy Devices are subject to approval by the Austin Park Architectural Review Board.

23. Driveways

Driveways must remain in good repair and free from weeds, dips, holes and bug infestations. Repairs to pavers must be the same size, shape, color, and pattern of original stones. Any changes to the size, design, or color of the driveway requires ARC approval.

24. Exterior Lighting

All exterior lighting including, but not limited to, carriage lights, light fixtures and landscape lighting must remain in good repair with no broken or missing parts and installed properly with working lights. All lights must remain black or dark bronze finish and be free of corrosion and chipped paint. Light bulb colors shall remain white.

25. Seasonal Christmas or Holiday Decorations and Lights

Seasonal decorations and lights may only be displayed 30 days prior to a holiday through 15 days after.

26. Covered Porches/Screened Enclosures

All covered porches (i.e. lanais) must be under truss support. No metal patio covers, or metal screened-in rooms will be allowed. Screened enclosures shall not be visible above the roofline from the street, and shall not extend past the sides of the house. The color of the screen should be Charcoal and Dark Bronze for the frame.

27. Outside Mechanical Equipment

Outside mechanical equipment such as LP tanks, water softeners, pool pumps and heaters shall be properly screened from view by landscape material and/or vinyl fencing.

II. Austin Park at Nocatee Plan Review Procedure

Homeowners who wish to submit for the approval of any addition or change to the exterior of their home or improvement to their lot shall follow the following procedures:

1. Complete the **Architectural Review Committee Design Review Application**.
2. Provide all pertinent design information including site plan, specifications, photographs or color selections, elevations, or any other information necessary to fully detail the requested improvement. Additional information may be requested.
3. Submit all plans and information to the following:

Austin Park Homeowners Association, Inc.
c/o BCM Services, Inc.
920 Third St., Suite B, Neptune Beach, FL 32266
Phone: (904) 242-0666 Fax: (904) 242-0670 arc@bcmsservices.net

- All plans submitted for review shall be evaluated for total effect and may be disapproved by the ARC Committee at its sole discretion.
- Upon receipt of all the required information, the ARC Committee will approve, deny, or require modifications within 30 days of application date. Approval or denial of the request will be made in writing.
- If Approved, the Architectural Review Committee approval expires 60 days after date of approval. Projects not started within 60 days of approval must be resubmitted.
- Any changes made prior to approval, or not properly submitted and approved through the ARC will result in a violation and may be required to be corrected immediately at the homeowner's expense.
- A fully refundable deposit of \$1,000 is required for all large projects including, but not limited to pools, screened enclosure/lanai, room additions, and large landscaping projects as determined by the Architectural Review Committee. Projects must be completed within a reasonable timeline once started or deposit will become forfeit. Any damages to community or county property are the responsibility of the homeowner and will be recovered first through the deposit. Inspections may be required.

EXHIBIT "C"

