

DESIGN REVIEW COMMITTEE RULES AND REQUIREMENTS

(Revised February 11, 2014 for No Hunting & Vacant Lot Sales)

The following rules and regulations may change from time to time depending on conditions, available materials and other such criteria that may be considered by the Committee.

Initial submittal by Homebuilder shall include:

- (a) Plot Plan (Include Lot Number and Address)
- (b) Floor Plan and Elevations. (All four sides)
- (c) Landscape, Irrigation and exterior lighting Plan.
- (d) Colors (From approved palette)
- (e) Roofing materials shall be decided prior to DRC submittal.

The floor plans, elevations and landscape plans for all models can be approved prior to submittal for final individual DRC approval. At the time of submittal for final approval only the plot plan will be required.

If the initial submittal is on 24" x 36" paper, 2 copies are required.

If 11"x 17" is submitted, only one copy required.

E-mail submittals are encouraged.

Vacant Lots sold to someone other than developer approved builders, must submit all necessary paperwork as all builders and residents are required to submit. Commencement of the construction of a new home must take place within one year of purchase (the "Commencement Date"). Purchase date shall mean the date affixed to the buyer's Deed. The Commencement Date may be extended by an additional 12 months, provided the owner receives a waiver in writing from the DRC. The Completion of the home must be within 8 months of the issuance of building permit by the City of New Smyrna Beach. Completion shall be as evidenced by the Certificate of Occupancy which is also issued by the City of New Smyrna Beach. In addition to all other remedies provided by the Association's Declaration of Covenants & Restrictions, Articles and Bylaws and the laws of the State of Florida, with respect to the Association's authority to impose a monetary fine against a violator's lot, the Association expressly shall be authorized to levy a fine against a Lot and Owner in violation of this policy in an amount not to exceed \$1,000 per month that construction of an approved dwelling unit has not been timely commenced and said fine shall be deemed reasonable for the purpose of this policy.

Submittals by homeowners or their subcontractor must include a copy of the survey with the improvements shown on it. The color, style and dimensions of the improvement either on the survey or on a separate page with the information must be submitted. The name and address of the applicant must be provided. In most cases after approval by the DRC a permit must be issued by the City of New Smyrna Beach.

1. Roofs

- (a) Maribella, Villas and Tuscany require tile roofs. 1 color approved.
- (b) Marisol allows shingles 1 color and style approved.
- (c) Condominium Buildings require Tile Roofs.
- (d) When asphalt shingles are used only 1 color per builder shall be approved.
- (e) Savona requires tile roofs, 1 color approved.
- (f) Parkside HOA gutter additions require an executed Waiver & Release of Liability form and approval by the DRC as to there location.
- (g) Parkside HOA skylight or sun tunnel additions require a Waiver & Release of Liability form prior to installation.
- (h) Portofino Estates - Roofs shall be tile.

2. Fences and Walls

- (a) Fence materials shall be white vinyl, white PVC, white wrought iron, black wrought iron or as outlined below.
- (b) Perimeter fences must be installed either on the property line or 3 feet inside of the property line.
- (c) Fences shall be allowed on all lots as; or part of a pool enclosure.
- (d) Fences used as pool enclosures may be white vinyl or PVC, Wrought iron or similar styles manufactured in aluminum, either in white or black.
- (e) Solid fences may be up 4 to 5 solid with an additional 1 to 2' lattice but shall not exceed a total of 6' in total height.
- (f) Except in extraordinary circumstances, solid privacy fences up to six (6) feet in height are only allowed from the front plane of the primary structure to the rear plane of the primary structure.
- (g) Walls may be used in lieu of fences under the following conditions:
 - 1. Walls must be the same finish and color as the exterior of the residence with a decorative cap.
 - 2. Solid walls may be six (6) feet in height in side yards only.
 - 3. Solid walls may be four (4) feet in rear yards with an additional two (2) feet allowed with wrought iron or similar materials and the additional two (2) feet must be a maximum of twenty-five percent (25 %) solid.
- (h) No fence or wall shall be constructed as to interfere with the drainage pattern in the area.

3. Pools

- (a) No above ground pools shall be allowed.
- (b) In ground pools shall be as permitted by the City of New Smyrna Beach. Trim tile colors may be bright but not of a reflective or florescent nature.
- (c) Parkside has its own rules governing pool use and restrictions. Residents may request a copy of them separately.

4. Sidewalks and Driveways

- (a) Driveways may be concrete or brick pavers.

- (b) Sidewalks will be as allowed by the City of New Smyrna Beach, either concrete or brick pavers.
- (c) If pavers are used the color must blend with or complement the color palette approved for the specific builder.
- (d) Parkside patio extensions are allowed if approved by the DRC.
- (e) Portofino residential walkways and driveways shall be brick pavers.

5. Screen Enclosures

- (a) Framing for screen enclosures may be white or bronze. DRC recommends white.
- (b) Screen Enclosures may be no closer than five (5) feet to the rear property line.
- (c) No solid materials shall be used above four (4) feet in height.
- (d) Metal roofs shall not be allowed.
- (e) Materials that are of similar color as the screen and translucent may be used as roofs.
- (f) Parkside enclosures of existing covered paver patios are allowed with DRC approval. Waiver and Release of Liability forms must be executed.
- (g) Parkside enclosures of *extended* paver patios are NOT allowed although extensions of the patios ARE allowed if approved by the DRC.

6. LP Gas Tanks

- (a) In ground LP tanks are required if State and Local codes can be met.
- (b) Above ground LP tanks are permitted if **they cannot be buried and only if** screened with either landscaping or fencing.

7. Awnings & Hurricane Shutters

- (a) Hurricane Shutters for protective purposes and decorative awnings will be approved on a case by case basis, taking into consideration the style, color, materials and location.
- (b) Hurricane Shutters may only be closed for short periods or during periods of eminent threat of tropical storms and hurricanes.

8. Outbuildings; Accessory Structures; Flag Poles

- (a) Outbuildings or Accessory Structures closer than ten (10) feet to the rear and side property lines shall not have any solid walls or materials above four (4) feet in height.
- (b) Outbuildings or Accessory Structures such as cabanas or storage buildings area must be constructed with the same materials and in the same style as the primary residence on the lot.
- (c) Only flags as allowed (size and type) under Florida Statute 720.304 are allowed; Flag Poles require DRC approval. However, SMALL (under 3' & ½' in diameter), temporary (easily removable), decorative (seasonal or holiday), flags and poles may be placed in gardens or close to the home without review.

9. A/C and Pool Equipment; Solar Panels

- (a) Shall be screened from view using fencing and/or landscape materials.
- (b) Solar heating panels are allowed, but placement is restricted to the sides and rear of the homes. A signed waiver is required before DRC Approval will be issued.
- (c) Screen shall be charcoal only. No solid colors (no see through) shall be allowed.

10. Paint and Exterior Colors.

- (a) A color palette will be reviewed and approved by the DRC.
- (b) Exterior colors shall be color matched from the Sherwin Williams color deck
- (c) Approved colors within the NEUTRAL family of colors include SW-6070 through SW 6173 which are included on pages 11 through 25 of the color deck.
- (d) An accent color for some trim and doors may be allowed if approved by the DRC.
- (e) All homeowners and builders throughout all neighborhoods must choose colors from the approved selection **or obtain DRC approval.**

11. Landscape, Irrigation and Lighting Plan Required.

- a. Landscape materials shall be installed and maintained in general conformance with the approved plan. Minimum requirements for materials are two (2) trees, two (2) under-story trees and twenty shrubs.
- b. Irrigation shall provide 100% coverage to the landscaped and sodded areas and not over-spray on impervious surfaces or neighboring properties.
- c. Landscape and sodded areas shall be maintained in a neat and healthy manner.
- d. Landscape lighting must be permitted by the DRC and shall be positioned in such a manner as not to be offensive to adjacent properties.
- e. Lawns on waterfront lots shall be maintained by the adjacent lot owner to the waterline.
- (f) Trees installed between the sidewalk and the street must be Live Oak trees per the PUD agreement with the City of New Smyrna Beach (22.2.2).
- (g) Any removals or installations must be approved by Venetian Bay's DRC Committee as well as the City of New Smyrna Beach.
- (h) Maintenance of the trees is the responsibility of the home owners.
- (i) Sod shall be St. Augustine in all neighborhoods with the exception of Portofino Estates which shall be Bermuda grass.
- (j) Portofino Landscaping shall be upscale to match existing homes
- (k) Shrubs or other landscaping shall not be installed whereby it would block the view of the pond and/or fountain from an adjacent lot owner or future lot owner.

12. Recreation and Tot Play Equipment.

- (a) Portable Basketball Backboards are permitted. They may be used in the front yard driveway. They should be stored in the side yard when not in use.
- (b) Plastic Tot play equipment is permitted in rear yards only. The equipment should be positioned behind the rear of the home to screen it from the street.
- (c) Equipment placed in rear yards backing up to Airport Road or other streets require landscaping or fencing to hide the equipment from view of the street.
- (d) On waterfront lots equipment should not be visible from the opposite bank.

13. Mail and Newspaper Receptacles.

- (e) Only cluster style mailboxes are allowed. Individual boxes may be used until a cluster box becomes available.
- (f) Individual newspaper receptacles are not allowed at all.

14. Miscellaneous Other Rules:

- (a) There shall be no hunting or fishing in the community of any sort. As such, no building of tree stands or hunting blinds are allowed. Demolition of structures will be at the expense of the violator and may be subject to fines and other penalties.

**VENETIAN BAY HOMEOWNERS ASSOCIATION, INC.
DESIGN REVIEW COMMITTEE
424 Luna Bella Lane Suite 135-1
New Smyrna Beach, Florida 32168**

October 21, 2005

**ATTN: Property Owners, Builders and Real Estate Sales Persons
@ Venetian Bay Subdivision**

The Board of Directors met on September 1, 2005 and asked the Design Review Committee to enforce and regulate **Section 2, 15. Sign Control., of the Declarations of Covenants and Restrictions.** A copy is reprinted below along with the requirements of the DRC for signs at Venetian Bay.

***Section 2.15. Sign Control.** No sign of any kind shall be erected, permitted to remain on or displayed to public view on or from any Lot, except an approved sign giving the name of the occupant of the residence located on said Lot or an approved sign advertising the premises for sale or rent. All signs must be approved by the Committee as a condition to their being erected or being allowed to remain. Political signs shall be erected and removed in accordance with applicable City ordinances. The Declarant, and builders designated by him, reserves the right to erect signs, flags, or the like upon common areas or Lots owned by the Declarant for the purpose of advertising or marketing Declarant's Lots or the Venetian Bay Community in general to the public.*

The enforcement of this provision will begin on December 1, 2005. This should give everyone ample time to get new or replacement signs. The Committee negotiated prices for the signs and awarded the bid of **\$95 plus tax (and \$45 plus tax for installation if requested)** each to:

Graphic Signs
Keith Cook, Owner
1516 State Avenue
Holly Hill, FL 32117
The order form is attached.
(Delivery to Venetian Bay is included)

The approved Sign is shown on the following page.



Content of Signs

For Sale-For Rent-or Available

Real Estate Company or By Owner

Telephone Number

Additional Information

Price subject to Change – Check with Sign Vendor for current Price.

15. Venetian Bay Single Family Residential Sign Standards

The purpose of standards for signs within Venetian Bay community is to insure that the community maintains its neighborhood character. To this end it is important that sales activities within the community do not interfere with the homeowner's enjoyment of Venetian Bay's natural beauty. Sign Standards shall be enforced by the Venetian Bay Design Review Committee.

All signs shall be in conformance with the designated Venetian Bay colors, size and design as follows:

- | | |
|-----------------------|--|
| 1. Colors. | Beige background with dark brown Venetian Bay logo.
Dark brown lettering. |
| 2. Size/Design | Signs shall not exceed 18" by 24", shall be vertically orientated with a rounded top and the Venetian Bay Logo.
(Example shown above) |
| 3. Mounting/Placement | The sign shall be mounted on a dark brown matching post.
The sign shall be installed so the top is a maximum of 42" from grade. |

Site Signage

1. Only one sign is allowed for each individual lot indicating that it is for sale, rent or lease. A sign rider not exceeding 3" by 18" may be attached to the bottom of this sign.
2. Signs up 16 Square Feet are allowed in front of homes being used as a sales center, identifying it as a sales center and including hours of operation.
3. The signs in paragraphs 1 and 2 above shall be installed so that the top of the sign is a maximum of 42" above grade.
4. New neighborhoods under development can be identified by a sign not exceeding 4' by 8', which sign shall be removed upon the earlier of (a) installation of a permanent neighborhood entrance sign, or (b) within 90 days of completion of the first home in the new neighborhood. These signs shall be installed so that the top of the sign is no more than 6' feet above grade. **ALL ENTRANCE SIGNAGE IS SUBJECT TO PRIOR APPROVAL OF THE DESIGN REVIEW COMMITTEE.**

5. No vendor, subcontractor or financial institution signage is allowed at any time. Builders should inform all suppliers and subcontractors of this restriction and ensure that no signs are placed on their constructions site. Unauthorized signage will be removed and discarded without notice.

SIGN ORDER FORM FOR VENETIAN BAY

To: Graphic Signs

From: _____

Date: _____

Number of Signs: _____
(If signs are different please use an additional form.)

Content of Sign:

Line 1: _____

Line 2: _____

Line 3: _____

Additional Info Rider _____

You may email this form to Graphic Signs @:

Email: info@signsofstone.com

If you any questions from Graphic Signs his telephone number is:

(386) 547-4569