

# Westminster Community Association

## DESIGN REVIEW GUIDELINES

(First Adopted \_\_\_\_\_2007)

(revised 11/17/2015)

These Design Review Guidelines (Guidelines) have been created to help maintain the integrity of the Westminster community as developed by its builders. It is not the intent of these Guidelines to judge what is beautiful or not beautiful, but to coordinate, encourage and maintain architectural compatibility within the Community.

These Guidelines are intended as an overview of the process to be followed by the Architectural Review Committee (ARC) whenever a proposal to modify an existing Lot, Living Unit or Neighborhood Common Area is submitted. Requirements and restrictions on the use of your Lot and/or Living Unit are explained in Section 5 (General Covenants and Use Restrictions) of the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements, for Westminster Community Association, Inc. (the Declaration), which should be referred to for the specific requirements that pertain to your Lot or Living Unit.

These Guidelines assume that any and all "currently in place" variances, alterations, additions and landscape improvements made to Lots, Living Units or Neighborhood Common Areas, as of the date of turnover (Sept 27, 2006) by US Home to the Westminster Community Association (the Community Association) were officially approved. However, should the ARC, in its effort to promote cohesiveness and continuity among the Lots, Living Units and Neighborhood Common Areas, feel the need to question a previous Declarant's approval for a particular variance, failing to provide sufficient proof may be grounds for requesting an Owner to alter the variance in accordance with these Guidelines in order to achieve architectural compatibility within the Community.

Any undefined terms used in these Guidelines shall have the same meaning as found in Section 1 of the Declaration. In case of any conflict or ambiguity between the provisions of these Guidelines and the Declaration, the Declaration shall control.

These Guidelines cover the following aspects of your Lot or Living Unit:

**Lot and Living Unit:** Your Lot and Living Unit based on its orientation and natural features. Specific directions are provided as to the hard scape and landscape elements involved in making any changes to Lot or Living Unit.

**Architectural Standards:** Items to consider as they relate to the style, building materials, detailing and colors should you choose to make exterior changes to your current Lot or any structure located thereon.

**Construction Standards;** Directions to be followed to assure the quality of materials and workmanship for any additions and/or alterations to the Lot and Living Unit.

### **The Design Review Process**

Other than those improvements or alterations included in the "Items Not Requiring" section on page 3 of these Guidelines, you are required to submit to the ARC complete plans and specifications for any building, structure, or any other improvement proposed to be erected or altered, or any proposed grading, excavation, tree or other landscape material removal or installation, change of exterior color or other work which materially alters the exterior appearance of any structure, Lot or Neighborhood Common Area. For a more detailed itemization of improvement/alteration projects for which you must obtain prior ARC approval see the "Architectural Control by the ARC" section on page 4 of these Guidelines. Such plans and specifications will then be reviewed and either approved or denied by the ARC. To assist in this review, an application form entitled Architectural Request Form (Request Form) can be downloaded from the Association's website-[www.westminstercommunity.com](http://www.westminstercommunity.com). This form furnishes the ARC with the basic information it needs to review, and also functions as a checklist so that all design aspects can be inspected upon completion. Any questions in reference to these Guidelines should be submitted to the ARC. The ARC will make every effort to clarify the Guidelines and interpret the applicable provisions.

If your Living Unit is located within a Neighborhood Association, the completed Request Form and attached detailed information should be submitted first to your Neighborhood Association. They will review it and make their assessment, then forward it to the ARC for approval/denial.

Step 1: If applicable, secure the services of an architect, designer, landscaper, subcontractor or whomever you have decided to employ to accomplish the improvements or alterations desired. Outline a plan or concept for the improvements or alterations and obtain a written design plan for such improvements or alterations.

Step 2: Preliminary Review: Sometimes it may be advisable to schedule a preliminary review of your conceptual ideas and drawings with a representative of the ARC.

Step 3: Final Review: When drawings and specifications are complete, they must be submitted to the ARC for final approval or denial. Be sure to include all applicable full working drawings, site improvement plans, site grading and landscape plans. Design review fees, if any, must be paid to the Community Association at this time. The Request Form together with final drawings and plans must be submitted to the ARC. An incomplete application will be returned to the homeowner. The ARC will make every attempt to review the plans within 30- 45 days after the original submittal. No work may be started until approval is received from the ARC. All alterations must begin within six months of the final ARC approval and shall be completed in a most expeditious timeframe. Failure to begin within six months will require resubmission.

#### Step 4. Denied ARC Requests

- a) The Property Manager (PM) will send a copy of the "Denied" ARC form along with a cover letter which explains the ARC position to the homeowner. The PM will also send a copy to the ARC Chair and the Compliance Committee Chair.
- b) The PM's letter will state that the homeowner has two (2) weeks from the date of the letter to respond to the PM **in writing or by email** as to their intent.
- c) The letter from the PM will give the homeowner two (2) options:
  1. Rectify the denial by complying with the guidelines set forth by the ARC.
  2. Appeal the decision of the ARC **in writing, to the Board of Directors no later than one (1) board meeting after the denial.**

- d) The PM will forward the homeowner's response to the ARC Chair, the Compliance Committee Chair, and Board of Directors, in the case of an appeal.
- e) The Board of Directors will rule on the appeal with their decision being final.

The Community Association and the ARC do not assume responsibility for the following:

- a) The structural adequacy, capacity or safety features of the proposed improvement or variance.
- b) Soil erosion, un-compactable or unstable soil conditions.
- c) Acquiring necessary permits from state and local authorities, and compliance with any or all building codes, safety requirements, governmental laws, regulations, or ordinances.
- d) Performance or quality of work of any contractor, or subcontractor
- e) Hazardous waste regulation compliance is a requirement and responsibility of the Owner.

**Items NOT REQUIRING ARC Notification and/or Approval.**

- a) Door hardware such as peepholes, kick plates and lock.
- b) Downspouts and gutters, which are painted white or match the color of the house.
- c) Hanging baskets.
- d) Hose reels and/or hangers as long as they are inconspicuous.
- e) House identification numbers providing the size is limited to four (4) inches high by two and one-half (2 ½) inches wide in ceramic, metal or plastic.
- f) Landscaping that occurs within existing planting beds, which does not, according to the ARC, constitute a major landscaping change, and whose plantings comply with **Lawns and Landscaping** item k.

- g) Edging installed in or around existing beds including plastic, bricks, or concrete edging, providing that the installation does not exceed eight (8) inches in height and is not a permanent structure, such as a mortared wall.
- h) Low voltage lighting for landscaping.
- i) General repairs to roofs, driveways, exterior facades when using materials matching those existing.
- j) Holiday decorations, provided that they are put up no sooner than 30 days before the holiday, are removed within 15 days after the holiday, and do not create a nuisance for the neighbors.
- k) Security signage (a single sign placed within ten (10) feet of the entrance to the home).
- l) Application of CLEAR flat or corrugated Lexan panels or some other type of CLEAR flat golf ball resistant material on windows facing the golf course for protection against errant golf ball damage.
- m) Window replacement that does not alter the appearance of the house.

### **Architectural Control by the ARC**

Except for "Items Not Requiring ARC Notification and/or Approval", as set forth on page 3 of these Guidelines, requests for improvements and/or changes to any of the following MUST be presented to and receive written approval from the ARC: any building or other structure or improvement or addition of any nature (including, but not limited to, fences, walls, swimming pools, screen enclosures, patios or patio extensions, hedges, exterior paint or finish, awnings, shutters, hurricane protection, basketball hoops, swing sets or play apparatus, decorative plaques or accessories, statues, benches and other site furniture, trellises, birdhouses, mail and/or newspaper boxes, exterior lighting, swales, asphaltting, sidewalk/driveway surfaces or treatments or other improvements or changes of any kind, (even if not permanently affixed to the land or to other improvements).

Each building, wall, fence, or other structure or improvement of any nature, together with landscaping, shall be erected, placed, relocated, altered or removed only in accordance with the plans and specifications and plot plan so approved by the ARC and applicable governmental permits and requirements.

Refusal of approval of plans, specification and location plans, or any of them, may be based on any grounds, including purely aesthetic ones, which, in the sole discretion of the ARC, is deemed sufficient.

Any change or improvement in the exterior appearance of any building, wall, or other structure, and any extensive change in the appearance of landscaping, shall be deemed an alteration requiring approval.

### **Open Space**

Any land located in the Community (other than Golf Club land) and designated as open space, landscape buffer, preserve area, Conservation Area or words of similar import on any plot, declaration of covenants and restrictions, site plan, permit or other document shall be preserved and maintained by the Owner of such land as open space. If such land or an easement over such land has been conveyed or dedicated to the Community Association or to a Neighborhood Association, the Association or Neighborhood Association shall preserve and maintain such land. No development may occur on such land except structures or improvements which promote the use and enjoyment of the land for open space purposes.

### **Lawns and Landscaping.**

- a) Except for designated Conservation Areas, buffer zones, open space or other similar areas, all areas not covered by structures, walkways or paved parking facilities shall be maintained by their Owners as lawn or landscaped areas to the pavement edge of any abutting streets and to the waterline of any abutting lakes, canals or water management areas regardless of ownership of the underlying lands. Stone, gravel, or paving may not be used as a substitute for grass in a lawn, unless prior ARC approval is granted.
- b) Certain areas as determined by the Declarant or the Development Order shall remain in a natural or unimproved state.
- c) All lawns and landscaping shall be completed at the time of completion of the structure as evidenced by the issuance of a Certificate of Occupancy by the appropriate governmental agency, and shall thereafter be kept in good condition by the Owner. Lawn areas of each home site are to be sodded with approved St Augustine (*Stenotaphrum secundatum*) species. All areas that are not sodded, paved or left in natural vegetation must be covered with three (3) inches of mulch, pine straw, or approved rock to maintain soil moisture and to keep weeds out of planted beds. Coverage is required from the back of the paved street to the property line or lake edge.

- d) Lawns must be regularly cut and mulched areas regularly re-mulched.
- e) Prior to occupancy of any residential unit of any lot or unit, there shall be installed an automatic underground lawn irrigation system. Each owner shall be responsible for maintenance and repair of their irrigation system. Coverage of the system is required from the back of the paved street to the property line or lake edge.
- f) All lawn furnishings including bird baths, pole mounted bird feeders, flag poles, ponds and similar accessories are subject to the approval of the ARC.
- g) All hedges, shrubs, and trees must be properly trimmed and maintained as determined by the ARC
- h) Trees and branches must be trimmed with a clearance of **seven (7) feet over sidewalks and fourteen (14) feet over streets.**
- i) All non-native, invasive plants must be removed. See Addendum B.
- j) Shrubs which obstruct vision sight lines at driveways, street intersections and on corner lots are dangerous for vehicular traffic and are prohibited.
- k) Any tree or plant may be used in the landscape except those on the list of unapproved Landscape/Plant materials in Addendum "B".
- m) Removal of any tree with a trunk diameter greater than 3 inches must have the approval of the ARC, unless it is diseased, dead or replaced by an identical specimen. The ARC may require the Owner to replace the removed tree or trees.
- n) Vegetable Gardens: The ARC views this as a landscaping issue and should be considered on an individual basis.

- o) **All newly approved lanai extensions are required to have ARC approved landscaping on all sides of the homeowners property only.**
- p) Any change in the type of mulch material will be considered a change in landscaping and will require ARC approval.

### **Waterfront Property**

- a) Each applicable Owner shall maintain his Lot to the line of the water in the adjacent lake or other water body; as such line may change from time to time by virtue of changes in water levels.
- b) No landscaping (other than that initially installed), fences, structures or other improvements (regardless of whether or not same are permanently attached to the land or to other improvements) shall be placed within any lake maintenance or similar easements around lakes or other bodies of water.
- c) No solid or liquid waste, litter or other materials may be discharged into/onto or thrown into/onto any lake or other body of water or the banks.
- d) No boathouse, dock, wharf or other structure of any kind shall be erected, placed, altered or maintained on the shores of the lake unless erected by the Community Association.
- e) No boat, boat trailer or vehicular parking or use of lake slope or shore areas shall be permitted. No boats of any type shall be used on any body of water which is part of the Common Areas, except those used by the Community Association, or any contractor either for maintenance or other lawful purposes or as petitioned to the ARC for approval.



- f) Any boats kept on the Lands shall be subject to Section 5.13 of the Declaration.

### **Building Exteriors**

- a) Exterior finishes must be stucco. Wood and simulated siding materials are prohibited as exterior siding materials. The homeowner is responsible for the upkeep of the homes' exterior including, but not limited to, repainting and refinishing.

The initial exterior color and design of structures shall be as approved by Declarant, and any later changes must be approved by the ARC

- b) Written notification to the ARC is required to repaint any part of the exterior of the home prior to repainting.
- c) Nothing shall be construed to limit the right of an Owner to remodel the interior of the Living Unit, or to paint the interior of the Living Unit any color desired.

### **Roofs**

All roof covering shall be tile. Missing roof tiles must be replaced with identical tiles. Roofs must be maintained in a clean and fresh appearance.

### **Solar Collectors; Roof Vents**

Solar collectors, roof vents and other installations on the roofs of structures shall be permitted only at locations approved in writing by the ARC, and may be required to be screened from view by landscaping or other suitable visual barrier.

### **Antennas**

- a) No outside television, radio, or other electronic towers, aerials, antennae, satellite dishes or device of any type for the reception or transmission of radio or television broadcasts or other means of communication shall be erected, constructed, placed or permitted to remain on any Lot or Tract or upon any improvements, unless expressly approved in writing by the ARC,

except that this prohibition shall not apply to those antennae specifically covered by 47 C.F.R. Part 1, Subpart S, Section 1.4000, as amended, promulgated under the Federal Telecommunications Act of 1996, as amended from time to time.

- b) The Community Association may adopt and enforce reasonable rules limiting installation of permissible dishes or antennae to side or rear yard locations, not visible from the street or neighboring properties, and integrated with the residence and surrounding landscape, to the extent that reception of an acceptable signal would not be unlawfully impaired by such rules.

### **Shutters**

- a) Any permanent hurricane or other protective devices (i.e. roll-up shutters, accordion shutter, coroplast panels) visible from the outside of home or unit shall be of a type as approved by the ARC, and in accordance with guidelines as promulgated by the ARC. No such devices shall be installed without the prior written approval of the ARC.
- b) Shutters must be clear, white, a neutral color or as close to the exterior color of the home as possible, **and must be approved by the ARC.**
- c) If plywood/impervious materials are used for hurricane protection, they may not be installed prior to a National Weather Service hurricane warning, and must be removed within 72 hours of the expiration of the warning.
- d) No fabric, including Kevlar, shutters will be allowed on the exterior of the house, with the exception of inside of the lanai.

### **Air Conditioners**

- a) Wall or window air conditioning or heating units are not permitted.
- b) Compressors and fans for central air conditioning or heat pump systems which are located outside the exterior of the building shall be adequately walled or landscaped to prevent being viewed from any street.

### **Pools, Spas and Screen Enclosures**

- a) No above ground pools shall be erected, constructed or installed on any Lot or Living Unit.
- b) Open air swimming pools are not permitted.
- c) Swimming pools must have a screened enclosure. Screen enclosures shall be designed to complement the architecture of each house and may not exceed the height of the house.
- d) All aluminum enclosures must have painted or anodized finishes.
- e) Swimming pool and spa equipment and housing and sprinkler pumps and other such outdoor equipment must be underground, or placed in areas not readily visible from adjacent streets. All equipment shall be adequately walled or landscaped to prevent being viewed from any street.

### **Fences**

Fences surrounding the Lot or sections of the Lot are not permitted.

### **Lighting**

All exterior lighting of structures or landscaping shall be accomplished in accordance with that initially installed or approved by Declarant. No spotlights, floodlights or similar high intensity lighting shall be placed or utilized upon any Lot which in any way will allow light to shine directly on any other Lot or the improvements, or upon any Common Areas or any part, without the approval of the ARC.-The homeowner must receive permission from the ARC to install motion sensor lighting. The ARC wants to be sure that

the homeowners are considerate of their neighbors when choosing a location for the installation, direction, and intensity of the lighting.

### **Flags/Flagpoles**

- a) Notwithstanding anything to the contrary in the Declaration, an Owner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner.
- b) On Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day homeowner may display portable, removable official flags, not larger than 4.5 feet by 6 feet which represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard. (Florida Statutes, Title XL 720.304)
- c) A flagpole, for display of the American Flag only, may be permitted if its design and location are first approved by the ARC.
- d) An approved flagpole shall not be used to mount an antenna. (This provision is intended to protect residents from unreasonable interference with television reception, electronic devices, and the operation of home appliances, which is sometimes caused by the operation of ham radios, CB base stations or other high-powered broadcasting equipment.

### **Garages, Driveways and Walkways**

- a) Conversions of garages to living space or other uses are prohibited, even though same are not readily apparent from the exteriors of applicable Units.
- b) Materials used for driveways and walkways must be concrete, brick or paver blocks. Any changes from the original installation **MUST be approved by the ARC.** This includes the painting of any driveway or walkway.
- c) Walkways and driveways should be compatible with each other and the home, as determined by the ARC.

- d) For aesthetic reasons, only roll-down garage door screening will be approved by the ARC.

### **Temporary Factory-Built or Existing Structures**

- a) No structure of any kind of what is commonly known as "factory-built", "modular", or "mobile home" type of construction shall be erected.
- b) No tent, trailer, shed or temporary structure other than those used for construction shall be permitted unless its size, appearance and temporary location on the Lot have first been approved by the ARC.

### **Trucks, Commercial Vehicles, Recreational Vehicles, Motor Homes, Mobile Homes, Boats, Campers, Trailers and Other Vehicles.**

- a) No commercial vehicle of any kind shall be parked in the Community except for construction or service vehicles temporarily present on business. The term "commercial vehicle", as restricted under this subsection, is defined as meaning all vehicles of every kind whatsoever which, from viewing the exterior of the vehicles or any portion thereof, shows or tends to show any commercial markings, signs, displays, equipment, or otherwise indicates a commercial use.
- b) No boat, trailer, semi-tractor trailers, or house trailer of any kind, camper, mobile home, motor home, bus, truck camper or disabled, inoperative or unlicensed motor vehicle of any kind may be parked or kept in the Community unless it is kept fully enclosed inside the Living Unit's enclosed garage. House trailers, semi-tractor trailers, campers, buses, motor homes, mobile homes, truck campers, and the like are permitted to be parked in the Community for loading and unloading purposes only, and then for a maximum of 24 hours. Parking for longer periods of time may be permitted, only with the prior written approval of the Board of Directors.
- c) No motor vehicle shall be parked anywhere other than on paved or other areas designated for that purpose, or in garages. Parking on lawns or landscaped areas is prohibited.

- d) No motor vehicle shall be used as a domicile or residence, either permanent or temporary.
- e) Passenger automobiles, vans and light pick-up trucks with single rear wheels of no more than one (1) ton designation, in a presentable condition, and which will fit into the Living Unit's enclosed garage, shall be permitted. The term "vans and light pick-up trucks" is defined to mean vehicles with no more than one (1) ton, rear single wheels or less rated weight carrying capacity.
- f) Paragraphs (a) through (e) shall not be deemed to prohibit any temporary facility permitted by this Section.
- g) Any vehicles parked in violation of this Section shall be subject to being towed away at the owner's expense.

### **Signs**

- a) No signs, banners, billboards or advertisements of any kind, including without limitation, those of Realtors, politicians, contractors or subcontractors, shall be erected or displayed anywhere within the Community, including in windows and on motor vehicles. Contractor's signs used for the purpose of displaying county permits may be placed in an inconspicuous location during the time of the construction/work.
- b) The Board of Directors shall have the right to erect signs as they, in their discretion, deem appropriate.
- c) If any sign is erected in violation of this provision, members of the Board of Directors or the Property Manager, shall have the right to enter the property on which the sign is located and remove it. Said action to enter one's property and remove the sign, if necessary, shall be deemed expressly permitted by the Owner.
- d) The foregoing shall not apply to any signs, banner, flags, billboards or advertisements required by law.

- e) All Realtor or For Sale by Owner signs must be of the size, shape and color combination as approved by the ARC. Small oval signs are allowed for use by Owners and Realtors as approved by the ARC. The sign shall conform to the drawing depicted in Addendum "A" attached to these Guidelines and may be purchased from a vendor of the Owners/Realtors choice.
  
- f) An Owner's rights to install a sign shall be further subject to the following restrictions in addition to those which may, from time to time, be promulgated by the ARC:
  - i. The sign shall contain the telephone number and the name of either the Owner or the real estate agent/company listing the property.
  - ii. Telephone numbers shall not exceed four (4) inches in height and the lettering indicating the Owner or real estate company shall not exceed two (2) inches in height.
  - iii. Coloring of the lettering shall be white with a dark green background.
  - iv. For single family homes and villas, one (1) sign may be located in the front of the property(preferably in the landscaping), but no closer than ten (10) feet from the street pavement and another sign may be located along the rear or side of the house or villa, no farther than six (6) feet from such house or villa.
  - v. For condominiums, two (2) signs are permitted. One (1) sign may be located in the rear window of the unit.
  
- h) Signs, banners, and decorations (excluding holiday decorations, which are covered under letter "j" pg.4 of the ARC Guidelines), which are used to celebrate a special occasion or event, may be used provided that they are removed after 48 hours.

Note: Notwithstanding the foregoing, Neighborhood Associations may impose additional restrictions on the placement of signs in their respective neighborhoods.

## **Mailboxes**

- a) All mailboxes, used for the receipt of mail, newspapers, magazines or similar materials shall conform to a standard size, design and materials and shall be installed as designated by the ARC and the US Post Office.
- b) If centralized mailboxes are made available, individual mailboxes, paper boxes and other receptacles of any kind shall be prohibited.
- c) When mailbox and/or post replacement becomes necessary, the replacement mailbox and/or post should be the same style as installed by the builder. For ordering information, see the Property Manager.

## **Trash Containment**

All garbage and trash must be kept in an enclosed garage. Garbage and trash containers may be placed on the curb only on the night before or day of trash or garbage pickup service is scheduled.

## **MISCELLANEOUS**

### **Handicap Accessibility**

- a) Subject to subparagraph b of this Section, an Owner may construct an access ramp if any resident of the Unit has a medical necessity or disability that requires such a ramp for egress and ingress. Proof of the need to construct the ramp must be from a physician attesting to the necessity. (see Florida State Statutes Title XL, Chapter 720.304)
- b) Such Owner shall first submit an access ramp design plan to the ARC for approval. The ramp shall blend in unobtrusively with the Lot and be aesthetically pleasing. The ARC may suggest modifications to achieve architectural consistency with surrounding Lots.

### **Clothes Drying Area**



No outdoor clothes drying area shall be allowed unless its location and design are approved in writing by the ARC.

### **Sports/Play Equipment**

Any sport and/or play Structure, (except an approved Structure) must be placed out of sight by 8:00 p.m. or when the children have finished with their play.

### **Completion of Construction Repairs**

The construction of any addition to or the repair of the exterior of any Living Unit shall be completed with reasonable promptness as determined by the ARC.

Enforcement of the provisions of these Guidelines will be by the Owner's Neighborhood Association or the Rules & Regulations Committee of the Community Association.

Attachments –

Addendum A-Depiction of Resale Signs for Westminster

Addendum B-Unapproved Landscape/Plant Materials

See the leegov.com website - Landscaping Requirements – Invasive Exotic Plant Species List

Addendum C-Approved Rock as Mulch

- Red lava rock
- Black lava rock
- Red Tipple rock
- All other rock or stone in earth tones of browns, tans, or grays from 1" – 4" in size and may be either polished or unpolished. Glass or other artificial colors are not permitted.

Addendum D-Approved Exterior Paint Pallet

