



Del Webb Orlando Homeowners  
Association, Inc.

## *Design Guidelines*

*Draft for Community Review 04-15-21*

*[Recorded Date: xx]*

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## I. INTRODUCTION

**At Del Webb Orlando, we want to be known as a welcoming, beautiful community committed to creating a thriving and inspiring lifestyle. In order to help us obtain that vision, our mission is to continually attract and retain Del Webb Orlando residents through maintaining the high community standards, supporting initiatives that strengthen bonds among residents, and investing in improvements that support the common good.**

Del Webb Orlando is an active adult community designed to respect the visual character of its site, minimize environmental impacts and maximize water and energy conservation principles. To preserve and enhance these principles, these Design Guidelines are established to maintain high community standards and help homeowners preserve and enhance their property values. These Design Guidelines pertain to all homes in Del Webb Orlando.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly, cohesive and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction or modification of improvements of any nature. They also establish a process for judicious review of proposed new Declarant Controls and changes within the community.

The Design Guidelines have been adopted by the Board of Directors (HOA Board of Directors) of the Del Webb Orlando Homeowners Association (the "Homeowners Association") pursuant to the Declaration. The Design Guidelines will be used to support the Del Webb Orlando mission by the Architectural Review Committee (ARC) established under Article IV of the Declaration of Covenants. The term "Reviewing Entity" is used in these Design Guidelines to mean either the HOA Board of Directors, and/or the ARC.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these Design Guidelines or the Declaration, the government standards shall prevail. To the extent that the local ordinance is less restrictive than these Design Guidelines, and any standard contained therein, or the Declaration, these Design Guidelines and the Declaration shall prevail.

If an ARC application is the "first of its kind," or differs substantially from what is currently the standard at Del Webb Orlando, the HOA Board of Directors shall be the approving authority. The Reviewing Entity will discuss the application at an open meeting and ~~table~~ deny the application. Homeowner has the option to appeal ~~and submit it,~~ to the HOA Board of Directors for consideration. The Board will notify the Reviewing Entity of its decision in a timely fashion. -No ruling will be retroactive to any prior homeowners'

application. The final Board decision will be incorporated in the Design Guidelines and shall be identified in Exhibit 1: Board Decisions Affecting Design Guidelines.

Should the Reviewing Entity permit a modification on a property, such approval shall not be construed in any way as a waiver of the Design Guidelines for future submittals. Exceptions to the Design Guidelines may be considered on a case-by case basis. Once an application is approved by the Reviewing Entity, the homeowner agrees to complete the project as stipulated.

The Reviewing Entity reserves the right to make periodic inspections before, during and after the modification completion to determine compliance with the approval notice. As identified in section V. A. Non-compliance by Homeowner, corrections must be remedied within thirty (30) days from the notice of violation.

Consistent with the Declaration, the Reviewing Entity requires that the modification commences in accordance with approved plans within one hundred and eighty (180) days from the ARC notice of approval. If the modification does not commence within the required period, such approval shall be deemed withdrawn by the Reviewing Entity and it shall be necessary for the homeowner to reapply for approval before commencing any modifications.

Once the modification has commenced, the homeowner shall diligently pursue to completion. All modification work shall be completed within one hundred and eighty (180) days of commencement unless otherwise specified in the approval notice or the Design Guidelines, or unless the Reviewer grants an extension in writing, which it is not obligated to do. If approved work is not completed within the required time, it shall be considered nonconforming and shall be subject to enforcement action by the HOA.

The Design Guidelines are supplemented by Architectural Review Standards that address the most common property improvement projects. The Architectural Review Standards may be revised to reflect future community considerations and advances in materials and technology. Homeowners are required to adhere to the Architectural Review Standards and are advised to consult them when planning any exterior modifications.

## II. RESIDENTIAL DESIGN GUIDELINES

In an effort to preserve and enhance property values, the Board of Directors support the following Del Webb Orlando Design Guidelines.

### **Architectural Character**

1. No exterior modifications, alterations, changes, or renovations (referred to as modification(s)) shall be allowed on any homes unless an application for written approval has been received from the Reviewing Entity. ARC applications will not be considered if there are outstanding homeowner violations. The homeowner must disclose and correct any violations prior to the sale of a home.
2. Secondary garages are prohibited. Additions are prohibited except as otherwise addressed in the Design Guidelines.
3. The architectural design of any modifications to the exterior of any existing home shall strictly conform to the design of the original home in style, detailing, materials, and color.
4. The height of any modification to an existing home shall not be higher than the original roof ridge line. No modifications shall be made which provide a roof pitch that varies from the roof as originally constructed.

The width of any modification to an existing home shall not be wider than the originally constructed outside walls of the home. Modifications include, but are not limited to lanais, pools or bird cages.

5. All modifications to homes shall be built within the building setback lines originally established for Del Webb Orlando regardless of any more lenient requirements of any local governmental authority. These building setbacks and private areas are set forth in the Architectural Review Standards.
6. All materials used in maintenance, repair, and modification shall match those used in the original construction as to color, composition, type, and method of attachment. The Reviewing Entity may allow substitute materials if such materials are deemed by the Reviewing Entity in its sole discretion to be compatible with the theme of the community.
7. The HOA is not responsible for any modifications, damages or damage claims due to modifications made by a homeowner or their contractor as a part of an ARC application.
8. No modifications shall be permitted if it is determined to have a material adverse impact upon neighboring properties and/or the community. Homeowner is encouraged to obtain prior permission from adjacent property owners and/or the

HOA to ensure adequate construction access when such access affects or requires encroachment on other property or the common area.

9. When any modifications are performed to an existing home, the established lot drainage shall not be altered from the builder's original construction.
  - (a) Any homeowner who modifies the existing grading or drainage shall be liable for all costs and expenses of repairing such changes, and/or any costs, liabilities, damages or causes of action arising out of such modifications.
  - (b) All roofs drain to the ground solely within the deeded lot area as permitted on the construction plans and site survey. Any project, including down spouts that materially increase the drainage of storm water onto adjacent property must receive prior consent from the homeowner of the adjacent property. Drain lines, which direct roof drainage, must be approved by the Reviewing Entity and will comply with the following standards:
    - (i) A drain line plan with pipe sizes, discharge locations, emitters, and existing drainage patterns must be submitted on a plot plan of the property to the Reviewing Entity for consideration.
    - (ii) Discharge of drain water must follow above guidelines.
    - (iii) Drain line alignments shall be set so that discharge water flows in the same basic direction as existing flow lines on the lot. Emitters, water disbursement, and/or erosion control measures must be provided to eliminate erosion of the soil on the lot.
    - (iv) Roof drain downspouts, or any other surface runoff or groundwater may never be connected directly or indirectly to any public sanitary sewer system.
    - (v) Gutters and downspouts shall match those originally installed in color and composition. If no gutters were installed originally on the home, modifications must match the color of the house and trim.

#### **Homeowner's Property: The Private Area**

1. The private area of each lot is defined in the Architectural Review Standards.
2. In an effort to preserve the overall appearance of the community and attractive front, side and rear corridors, all exterior modifications shall be reviewed and approved by the ARC. All exterior requests must be in conformance with the Design Guidelines.
3. The ARC shall have the express right to specify the location of any improvements proposed to be located in private areas such as side yards that face a street.
4. The standard setbacks for each lot shall be 2 feet from the side property lines, 3 feet from the front property line, and 5 feet from the rear property line. Any exterior modifications may not encroach on these setbacks without specific prior Reviewing Entity approval. Polk County may have more stringent set back requirements and the homeowner is responsible for validating and complying with those set back requirements.

## Lawn, Landscaping and Decorative Guidelines

1. Certain areas have been designated as open space, wetland or preserve within the Del Webb Orlando Declaration of Covenants and shall be maintained as required by regulatory authorities and as described in specific permit conditions. No homeowner, occupant, guest or contractor may mow, fertilize, apply pesticides to, maintain, alter or modify, or dispose of any material in any area not owned by the homeowner, including areas set aside as open space, wetland or preserve.
2. Homeowners must maintain landscape/ garden beds at least two (2) feet from the side property line. Landscaping maintenance and replacement shall be in accordance with the maintenance standards comprising the community-wide standard described in Section II.C.3. below and in conformity with the following requirements:
  - (a) Prohibited invasive plantings **may not** be used in Del Webb Orlando. A list of the prohibited invasive plantings are set forth in Architectural Review Standards and are periodically updated through the University of Florida Extension Office/Florida Exotic Plant Council List of Prohibited and Invasive Plant Species.
  - (b) Annual, seasonal, and perennial plants may be installed within the original landscape bed without approval by the Reviewing Entity as long as plants are consistent with Architectural Review Standards. Newly installed annual or perennial plants may not exceed thirty-six inches (36") in height. Any areas that are planted with annuals and perennial plants must be maintained by the homeowner in accordance with the community-wide maintenance standards. The Reviewing Entity reserves the right to limit the number of annual, seasonal, and perennial plants.
  - (c) Turf sod must cover all ground surfaces of the lot outside planting beds.
  - (d) **Driveway extensions, walkways and French drains.** A paver driveway width may be extended on each side by ~~not~~ more than two feet (2') per side provided:
    - (i) The additional width does not extend past the overall width of the garage walls;
    - (ii) Homeowners may alter the shape of the walkway as long as the size and radius are visually aesthetic as determined by the Reviewing Entity. The walkway may not be lengthened except to incorporate a small radius from the driveway to the walkway (i.e., change the angle to a curve where the driveway connects to the walkway);
    - (iii) Are attached to the driveway; and,
    - (iv) Do not alter drainage.Added pavers must match the original pavers installed by the Declarant. Concrete or asphalt is not permitted as driveway material. Homeowners may add French drains or weeping tile systems if the system matches the color of the Homeowner's gutters and downspouts, and that the drainage path has not been altered from the Declarant's original design.
  - (e) **Project Clean Up and Damage Repair.** Owners are responsible for all clean-up of the project. All debris, sod, soil, etc. is to be removed and hauled to the

proper waste sites outside of the community. Debris must not be left at the curb until the designated collection day. Dumping waste in common areas or in any other area of the community is prohibited. If the project causes any damage to a neighboring property or common area, the Homeowner is responsible for all repairs and restoration.

- (f) **Water features.** A fountain, bird bath or water feature (the feature) shall be limited to one (1) per home site and shall only be permitted within the rear yard patio. The material of the feature shall be natural material, color and design and must be compatible with the overall architectural theme of Del Webb Design of these features should discourage creation of stagnant pools of water.
- (g) **Holiday/Seasonal Decorations:** Residents may display holiday decorations located or visible from outside their home if the decorations are of the kinds normally displayed in residential neighborhoods, are of reasonable size and scope, and do not disturb other residents by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Additionally:
  - (i) Seasonal Decorations:
    - (i) Spring/summer seasonal decorations may be displayed from March 20 to September 21.
    - (ii) Fall seasonal decorations may be displayed from September 22 to November 30.
    - (iii) Winter seasonal decorations may only be displayed from November 15 to January 31.
  - (ii) U. S. Federal Holiday Decorations:
    - (i) Specific U.S. Federal holiday decorations may be displayed ~~one~~ up to (43) weeks before and removed no later than one (1) week after said holiday.
    - (iii) Music or other sounds that may be heard beyond the property or strobe-type lights are never permitted.
    - (iv) Exterior inflatable decorations, if used, must remain inflated between 7AM and 7 PM, at a minimum (or longer).
    - (v) Any decorations may not extend higher than the roofline.
    - (vi) The Del Webb Orlando HOA Board of Directors may designate different specific start and stop dates for decorations.
- (h) **Decorative elements:** A homeowner may install one (1) decorative element to the exterior of their home after approval by the Reviewing Entity.
- (i) **Flag Display:** Approval is required for the installation of any free-standing flagpole or wall mounted bracket. A home may have one or the other but not both.
  - (i) A freestanding flagpole must not be more than 20 feet high on the homeowner's property. Flag poles may not obstruct sightlines at intersections and may not be erected within or upon an easement. The installation of a freestanding flagpole is subject to all governmental regulations, including, but not limited to, drainage, setbacks and lighting.
  - (ii) A wall mounted bracket should be installed on the opposite side of the address sign on the garage wall, or in the front center above the garage door. Any other location must be approved by the Reviewing Entity.



- (iii) Allowable flags:
    - (i) United States flag, the official flag of the State of Florida, or a flag which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW- MIA flag consistent with the United States Flag Code and Florida Statute 720.304. The United States flag must be illuminated after dusk.
    - (ii) First responder flags.
    - (iii) Official national flag of countries other than the United States.
    - (iv) Sport team flags.
  - (iv) All flags must be displayed:
    - (i) On either a permanent flagpole or a wall mounted pole,
    - (ii) Must not be larger than 4 ½ feet by 6 feet; and,
    - (iii) Be in good condition, show no signs of deterioration, and must be hung in an appropriate and respectful manner.
  - (j) **Screening of ground mounted equipment:** All ground mounted equipment (i.e. air conditioners, generators, etc.) must be screened from the street view. Shrubs may not encroach or trespass on a neighboring property and must match the material and size originally installed by the Declarant.
  - (k) **Landscape fabric:** Solid plastic sheeting or polyethylene used over ground areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil.
3. **Extended Absence:** Homeowners who plan to be away for an extended period (two weeks or more) are encouraged to remove flags and any other exterior decorative elements that may be damaged by wind and weather.
4. **Landscape Maintenance:** Minimum landscape maintenance levels must be adhered to by each individual homeowner. The community-wide standard for landscape maintenance includes the measures described in the following subparagraphs:
- (a) Mowing, edging and trimming is required once every 7 days during the heavy growing season which is April 1 through November 1. Mowing, edging and trimming should be done "as needed" during all other times.
  - (b) Weeding, which may include the use of chemicals must be conducted in a manner to achieve the highest level of order.
  - (c) Fertilizing and lawn pest control is mandatory and must be applied at a minimum of 4 times per year.
  - (d) Shrubs and plant materials must be neatly trimmed and must not encroach on doors and windows.
  - (e) Mulch should be applied as needed.
5. Watering, irrigation, and irrigation maintenance and repair will be the sole responsibility of the homeowner. The homeowner will be required to water consistently to maintain a green and healthy lawn at all times, unless there is a county-imposed water restriction.

6. Trees should be pruned during the growing season to promote shaping and thinning and to remove branches that interfere with nearby improvements or pedestrian traffic. During the dormant season, trees should be pruned to remove dead, damaged or crossing branches and to develop the natural form of the tree. Dead or diseased trees should be removed or trimmed as soon as discovered, after taking appropriate measures to protect against the spread of disease. Dead trees should be replaced as necessary to maintain the appearance of the lot as approved by the Reviewing Entity. An homeowner may not cut down or remove any tree without the approval of the Reviewing Entity, unless a tree has fallen during a natural event (i.e., hurricane).
7. All tree and shrub pruning will be the responsibility of the homeowner within the specified homeowner planting beds installed by Declarant. Pruning of trees & shrubs will be in compliance with nursery standards. Tree topping, which leaves limbs and branches greater than one-half inch (1/2") in diameter exposed, will not be allowed.

**Ancillary Equipment:**

1. Exterior ancillary equipment is any equipment which provides support to Homeowners' activities. The equipment includes, but is not limited to home air conditioning systems, generators, water softeners or filter systems, satellite dishes, pool heaters and filters, solar panels, tubes, and lights, or other outside equipment.
2. Homeowners must apply for and receive approval from the Reviewing Entity prior to installing all ancillary equipment, except for satellite dishes under one (1) meter in diameter and TV antennas that receive local channels.
3. Satellite dishes and TV antennas must be installed in accordance with Del Webb Orlando HOA guidelines and manufacturer / installer recommended placement. Rear or side home mounting is preferred if an acceptable signal is available. If pole mounted, the pole must be screened with landscape material.
4. Once approval is granted and equipment installed, ancillary equipment must be screened, as much as may be practical, from street view with plant material, unless otherwise stipulated by the Reviewing Entity. Plantings used for screening shall be plantings which initially (i.e., when first planted) screen a minimum of fifty percent (50%) of the equipment and which substantially screens the equipment one (1) year from the date of approval by the Reviewing Entity.
5. Ancillary equipment not allowed includes, but is not limited to, window air conditioning, swing sets and other non-portable play sets (including horseshoe pits).
6. Portable play equipment, garden equipment, and any furniture (except for furniture within a covered front patio) must be stored nightly within the rear patio, lanai or garage area.

7. Hoses must be neatly stored within the Homeowner's private area, not within the property setback area, and within a container manufactured for hose storage or on a hose rack attached securely to the home.

### **Clothes Lines and Other Clothes Drying Equipment**

Portable stand-alone clothes lines/poles/racks may be erected only in back yards, not within the property setbacks (5 feet from the rear property line and 2 feet from the side property lines), and in no case beyond the walls of the house. Clothes lines/poles/racks may only be set up from one hour before sunrise to one hour after sunset and must be stored within the house, garage or lanai when not in use. Hardware for such equipment may not be affixed to any part of the house or to plants or fences. Any clothes drying equipment should be placed as inconspicuously as possible to limit visibility from the street.

### **Trash and Recycling Containers**

All trash and recycling containers shall be covered containers and shall be stored in the garage of each home. Containers may be left out for collection at dusk on the day prior to collection and must be re-stored in the garage by dusk on the day of collection. Trash and recycling of waste materials must conform to the Polk County Waste and Recycling Regulations.

### **Signs:**

1. No signs will be permitted on any individual lot within the community, nor may they be displayed from any window in the home, except for one - (1) standard real estate "For Sale" sign measuring 18" x 24" mounted on a black steel push frame, no more than 32 inches in overall height located in the front yard. All signs shall have a white background with blue text and no photos or pictures other than company logos. Signs must be in good condition.
2. "No Soliciting" and security/ alarm notifications shall be limited to one (1) placard or sticker not to exceed ten (10") by ten (10") inches" in size placed on the front door or door frame or in a window near the front door or within the mulch bed nearest to the front door and/or the rear door of the residence.
3. In accordance with the Declaration, no other signs are permitted on any residential lot.

### **Lighting:**

1. Landscape lighting shall be low-voltage or solar lighting may not exceed twenty-four (24) inches in height.
2. Landscape lighting installed should be low level and recessed to shield the source of the light. Fixtures shall be aimed carefully to highlight the landscape only. Tree mounted, eave and gutter mounted downlights are not allowed.

3. Before installation, a lighting layout plan for lighting fixtures shall be submitted to the Reviewing Entity for review and approval. The submittal shall include a plan of existing landscaping and hard surface locations, proposed light fixture locations, manufacturer and light type, and photographs and dimensions of the proposed fixtures.
4. Enclosures of light fixtures shall be designed to conceal the lamp bulb. No lighting shall be permitted that constitutes a nuisance or hazard. Light bulbs may not exceed the manufacturer's recommendation for bulb wattage.
4. Owners may install security spotlights/floodlights or security cameras with prior ARC approval and the fixtures must not transmit light directly or indirectly onto another home or home site. Security lighting and cameras must be installed as discreetly and as inconspicuously as possible. In no case may any lighting shine on other properties or be a visible nuisance to neighbors. Security lighting may not be on continuously for more than 5 minutes. Tree mounted, eave and gutter mounted security lights are not allowed. Building or lanai light fixtures and cameras, including spotlights, floodlights, and lantern lights shall conform to the architecture of the home and the character of the community as determined at the sole discretion of the ARC.
5. Post-mounted light fixtures are not permitted.
6. Colored bulbs are not allowed in any lighting (including landscape and house lights) except for holiday decorations.
7. Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize visibility.
8. Holiday lighting must be consistent as identified above. Electrical cords must never be located over public sidewalks. Should extreme weather conditions become a factor in removal of holiday lights within the designated time frame, the Reviewing Entity, in their sole discretion, may grant an extension of the allowable period of removal.

### **Swimming Pools, Spas & Hot Tubs**

1. Permanent swimming pools, spas and hot tubs will require submission to and approval by the Reviewing Entity. Pools, spas or hot tubs shall be of the in-ground type, or, if above ground, may not exceed three feet (3') in height above the existing grade level.
2. Swimming pools, spas and hot tubs will be permitted only within a screened lanai or birdcage.
3. Swimming pools, spas and hot tubs must be screened from direct **front** street and neighboring property views, including lots and Common Areas, with landscape materials of adequate density. The Reviewing Entity may require additional plant materials to be planted to screen the spa or hot tubs from neighboring properties.

- Maintenance of planting materials for spas and hot tubs are the homeowner's responsibility.
4. Swimming pools, spas and hot tubs must be installed according to Polk County ordinances.
  5. All pool, spa and hot tub equipment must be screened in accordance with the Ancillary Equipment section of these Guidelines and Architectural Review Standards.
  6. Homeowner is encouraged to obtain prior permission from adjacent property owners and/or the HOA to ensure adequate construction access when such access requires encroachment on other property or the common area.
  7. Swimming pools, spas and hot tub drains must connect to the storm sewer. No swimming pools, spas or hot tubs may be drained onto open space or any other property.

### **Barbeques & Fire Pits**

1. Built-in and portable barbecue units shall be for cooking only and must be located within the rear yard lanai or patio area. Location must be carefully planned to minimize smoke or odors affecting neighboring properties and must be natural gas, propane, charcoal, wood pellets or electric.
2. Fire pits must be kept on the patio or lanai area of the home and must use natural gas or propane and be kept in good working condition.
3. Outdoor wood burning is prohibited.
4. Exterior fire pits must be approved by the Reviewing Entity prior to installation.

### **Lanai and Patio Extensions / Birdcages, Front Entry Screening, Florida Rooms, Windows, Storm and Screen Doors, Additional Living Spaces**

1. All modifications should be designed in harmony with the architecture of the home and match as to material and color as offered by Declarant and must be approved by the Reviewing Entity. Construction that conflicts with the drainage pattern established for the lot will not be allowed. Decks, front and side patios, and courtyards are not permitted.
2. No extension or modification shall be approved if it is determined to have a material adverse impact upon neighboring properties and/or the community. The size of modifications shall be determined by the available space per lot and the Reviewing Entity reserves the right to limit the size and location.
3. Screens and shade devices must appear as an integral part of the building elevation and must be made of materials that complement the home and the Neighborhood. Awnings or similar shading devices are permitted on the side (if not on a corner lot) and rear of the home if the colors and materials are consistent with the house and community wide standard. No advertising or logos are allowed on awnings.
4. Screened Lanai and Extensions/
  - a. The height of the screened area must not be higher than the original roof line.
  - b. The width must not be wider than the width of the home.
  - c. Solid material may not be used in the dome of the screened lanai and extension.
  - d. The materials used must be bronze aluminum frame and charcoal screening and may not contain decorative elements (i.e., animals, trees, etc.).

- e. The rear wall of the screened area must not be within the setback area of five (5) feet from the rear property line of the lot and not encroach on any easement.
  - f. The side of the screened lanai or extension, including door pads, must not be within the setback areas of two (2) feet from the side property lines.
  - g. A licensed and insured contractor must perform the work ~~is required~~.
  - h. Patios are not permitted in front or side yards.
  - i. All building materials must conform to the architectural character of the homes in the neighborhood.
5. Front Entry Screening
- a. The materials used must be bronze aluminum frame and charcoal screening.
  - b. The design must conform to the architectural character of the homes in the neighborhood and may not contain decorative elements (i.e., animals, trees, stars, etc.).
6. Florida Room – Converting from a Lanai to an Indoor Living Space
- a. A licensed and insured contractor must perform the work and governmental permits must be obtained prior to any work
  - b. The exterior walls of the Florida Room must be stucco and painted the same color as the house. All other materials are prohibited.
  - c. Windows and doors must match the home in style and color. Window style, frame materials and color should match the home's existing as installed by the Declarant.
  - d. The height of the enclosure must not be higher than the original roof ridgeline. The width must not be wider than the width of the home.
  - e. .
7. Storm and Screen Doors: All storm door additions must be full glass or full glass self-store. Storm and screen doors must match the color of the doorframe trim or the color of the front door and may not contain decorative elements (i.e., animals, trees, etc.). A photograph of the front of the home must be submitted with the ARC application form as well as a drawing or photograph showing style and color of the requested door. Security bars are prohibited on doors and windows.

**Prohibited Items:**

Pursuant to the Declaration and/or these Design Guidelines, the following structures and items shall be prohibited from use in Del Webb Orlando:

- 1. Storage buildings or sheds
- 2. Additional garages (whether attached or unattached)
- 3. Tents of a permanent nature, including screened in pergolas
- 4. Permanently placed front yard furniture or storage equipment
- 5. Fencing of any kind (except for invisible fencing in the rear yard)
- 6. A bird or squirrel house exceeding the roof eave in height
- 7. Artificial vegetation
- 8. Accessory buildings, including gazebos, greenhouses and guest houses (unless constructed by Declarant)
- 9. Children's play equipment

10. Horseshoe and sporting pits
11. Dog houses and dog runs

**All intended structures must receive written approval by the Reviewing Entity before installation will be permitted.**

Notwithstanding the above, with the approval of the Del Webb Orlando Board of Directors, the HOA shall be allowed to install any structure(s) necessary for purposes of managing the Homeowners Association.

## **ARCHITECTURAL REVIEW AND RESIDENTIAL PROPERTY HOMEOWNER REQUIREMENTS**

The architectural change process has been established to maintain the integrity of the architectural and design character of Del Webb Orlando. To this end, the Reviewing Entity will review all proposed modifications on homes for conformity with the Design Guidelines and the Architectural Review Standards supplement to the Design Guidelines. Article IV of the Declaration sets forth provisions with respect to the review process, including possible delegation of certain review functions to the ARC and ultimate transfer of the review function to that committee at the end of the Declarant Control Period. Until such transfer, any and all approval or denial rights rest with Declarant and each such approval or denial will be in writing. In the event certain review functions are delegated to the ARC, Declarant reserves the right during the Declarant Control Period to withhold approval even if granted by the ARC. In addition, the HOA Board of Directors reserves the right to withhold approval even if granted by the Reviewing Entity.

### **II. Residential Property Homeowner Requirements**

Owners are required to submit plans (described below) to, and receive written approval from, the Reviewing Entity prior to performing (1) exterior modifications to existing homes, (2) exterior painting, (3) landscaping, (4) installation of pools, spas, hot tubs, (5) any work that is an exception to or deviation from the Design Guidelines or the Architectural Review Standards supplement to the Design Guidelines, (6) lanais or patios or (7) any concrete work, installation of ancillary equipment, signage, and any and all other such on-site improvements whether or not they are listed in the Design Guidelines or the Architectural Review Standards supplement to the Design Guidelines. It shall be the responsibility of all homeowners and residents to comply with all standards and guidelines of Section II of these Design Guidelines, as well as all requirements of the Declaration.

#### **A. Submittals for Modifications**

1. The homeowner shall submit an Architectural Review Committee application form. The latest version of the form shall be posted on the Del Webb Orlando Information website (<http://www.delwebborlando.info.com>) and may also be obtain from the Del Webb Orlando Homeowners Association office. Per the checklist that is a part of the form, the homeowner shall submit a separate form for each proposed improvement, showing the plans for the proposed improvement as follows:

- (a) For landscaping plan approval, or amendments to an approved landscaping plan, the homeowner shall submit landscaping plan for the lot, including a description of all varieties and sizes of trees and shrubs, with the location of each tree and shrub clearly delineated on the plan, including sizes of the landscape beds and distances from the property line(s). The homeowner is encouraged to color code the trees and shrubs and provide a legend and photographs which will facilitate review.
  - (b) If the submittal is for an amendment to a previously approved landscape plan, the existing trees and shrubs shall be marked on the landscape plan with a circle marked with a dashed line and a cross in the center indicating their location, and with the proposed modifications marked on the landscape plan with a circle marked with a solid line and a dot in the center. In the event the homeowner desires to install any hardscape, including but not limited to brick, masonry, wood, curbing, pavers, concrete stepping stones, rocks or other inert material, such items shall be clearly marked on the landscape plan and a legend, photographs, and information on color and style shall be provided so that the reviewer can easily determine the location and type of material. Homes have been designed and graded to provide positive drainage from the lot and to protect environmental resources; in the event homeowner's plan proposes to alter the grade of the lot, the location of all drainage structures and direction and slope of flow must be indicated on the plan. homeowner shall hold harmless Declarant and the Homeowners Association for any and all damage to any party caused by the alteration of the grade by the homeowner in connection with the design or installation of the homeowner's landscaping, including damage to the homeowner's house. Homeowners will be responsible for any damage caused by any alteration to drainage by them or hired landscapers.
  - (c) For modifications to the home, the homeowner shall submit a floor plan for the site, including the plot plan and a copy of the floor plan for the model and elevation. On such plans, the homeowner shall draw the proposed modifications to the exterior elevation. If the homeowner has a photograph of another house, or picture out of a magazine that will assist the reviewer, such photo should be submitted. The application should contain a description of the materials the homeowner plans to use in such modifications.
  - (d) If the modification affects the roof or roofline, a roof plan must also be submitted. A building section may be requested depending on the complexity of the modification.
2. Homeowners are advised that Polk County requires certain permits, depending on the proposed modification. It is the Owner's responsibility to comply with permit requirements. The homeowner shall provide the Reviewing Entity with copies of any such required permits if so requested. Homeowners should contact the Polk County Building Department for further information.
- (a) Prior to submission of a request for a permit to be issued by the County, the homeowner will obtain the approval of the Reviewing Entity of any plans or modifications inclusive of, but not limited to, those items outlined above.



- (b) Any permit or approval issued by the County shall in no manner whatsoever bind the Reviewing Entity with respect to approval or denial of any application for items submitted for consideration; the Reviewing Entity shall be fully independent and will have full authority for approval or denial of any such matters.
3. Renters and non-owners must provide homeowner signatures on all Architectural Review Committee applications.
  4. The Reviewing Entity shall review such submittals in a public meeting and based solely on the information contained within each submittal. Every effort shall be made to respond within forty-five (45) days. The Reviewing Entity's decision shall be final on all reviews.
  5. Upon completion of review by the Reviewing Entity, one (1) set of plans shall be returned to the homeowner accompanied by a letter / email indicating the Reviewing Entity's decision and shall be rendered in one (1) of the following three (3) forms:
    - (a) Approved - The entire application ~~document~~ submitted is approved in total.
    - (b) Conditionally Approved per Attached Letter - The document submitted is approved with certain conditions. A Homeowner may proceed with the work to be performed but must comply with all conditions of approval.
    - (c) Tabled – for further information to be provided by the homeowner.
    - (d) Not Approved/ Denied - The entire application submitted is not approved and no work may commence.
- C. Fees:** The ARC reserves the right to subject all applications to a fee to cover any expenses associated with reviewing the application. The ARC will only apply these fees when expenses are incurred by the Association for a third-party review.
- D. Effect of Building Permit:** If the plans submitted by an homeowner require a building permit, the approval by the Reviewing Entity is not a guarantee that such plans will be approved by the County. If the County requires modification to such plans, such architectural review must also be approved by the Reviewing Entity for the homeowner to remain in compliance with these guidelines.

### **III. NON-LIABILITY FOR APPROVAL OF PLANS**

The Declaration contains a disclaimer by Declarant, the Homeowners' Association, and the ARC 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.**

### **IV. ENFORCEMENT OF INSTRUMENTS**

The Amended and Restated Declaration of Covenants for Del Webb Orlando at Ridgewood Lakes dated June 21, 2010 (the Covenants), describes **the** scope of authority of the Homeowners Association, including the review and determination of alleged violations by

Owners and Occupants, execution of certain remedies, and recommendations to the HOA Board of Directors of the Homeowners Association for further action. The Del Webb Orlando Homeowners Association may execute certain remedies as provided for in the Declaration.

### **Non-Compliance by Homeowner**

The Covenants describes the Homeowners Association's right to require the homeowner to remedy any non-compliance. After notice of the violation, the homeowner shall have thirty (30) days to complete the remedy. If the remedy cannot be performed within thirty (30) days, the Homeowners Association shall take the time estimated for taking the remedial action into consideration. If the homeowner has not complied within thirty (30) days, or the time period otherwise designated by the Homeowners Association if applicable, the duly authorized representative of the Homeowners Association shall have the right to enter the homeowners' property to perform the necessary work to bring the home into compliance. All costs incurred by the Homeowners Association to bring the noncompliant homeowner into compliance, including the cost of the work and interest, shall be charged to the homeowner as a Special Assessment. Any amounts invoiced to the homeowner pursuant to this paragraph or pursuant to the Declaration as Special Assessments shall be due and payable within thirty (30) days of receipt of such invoice by Owner. The failure of the homeowner to pay a Special Assessment levied against homeowner is a default and could subject homeowner to suspension of his rights to use the Common Area(s) and the Homeowners Center and such additional remedies as provided in the Declaration. The decision to suspend an Owner/Member's rights to use such facilities will be made by the HOA Board of Directors of the Homeowners Association.

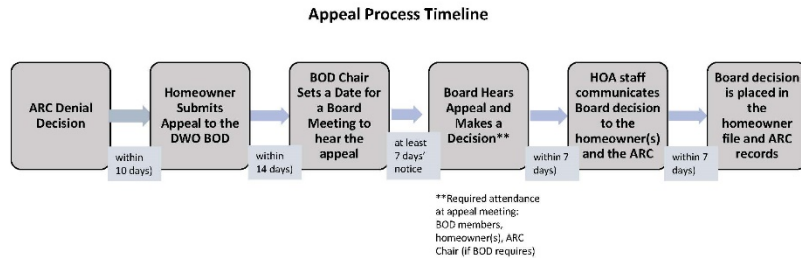
### **Appeal of Decision**

Any homeowner aggrieved by a decision of the Reviewing Entity may appeal such a decision to the HOA Board of Directors. The homeowner may "Request to Appeal" an ARC decision within ten (10) business days from the date on the ARC Not Approved / Denied letter/email.

To appeal, the homeowner must submit an ARC Decision Appeal Form to the Del Webb Orlando Community Manager. The latest version of the form shall be posted on the Del Webb Orlando Information website (<http://www.delwebborlandoinfo.com>) and may also be obtain from the Del Webb Orlando Homeowners Association office. The dated "Request to Appeal" Appeal Form must include the following information:

- The date of the ARC meeting,
- The reason and/or rationale for the appeal,
- Any new information that may not have been considered by the ARC,
- A copy of the complete ARC application and any supporting documents, and
- A copy of the Not Approved/ Denied letter/ email. Within fourteen (14) days of submission of the "Request to Appeal," the HOA Board of Directors shall establish a date for the homeowner appeal meeting and provide at least a seven (7) day notice to allow all parties to attend the meeting. The meeting will include the HOA Board of Directors, the homeowner requesting the appeal consideration and, at the Board's option, the ARC Chair. At the conclusion of the meeting the HOA Board of Directors will vote on the appeal request. The decision of the HOA Board of Directors is final with no additional "requests for appeal" considered. The Del

Webb Orlando Community Association Manager will forward a final disposition letter of the results to the homeowner.



## **V.CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES**

The Design Guidelines may be amended as follows:

- A. Changes to these Design Guidelines may be proposed by the HOA Board of Directors of the Homeowners Association and/or the ARC. Additionally, any homeowner may submit to the HOA Board of Directors proposed changes to these Design Guidelines for review and consideration.
- B. Any ARC recommendation to amend the Design Guidelines shall be approved by a majority of the Committee members and be forwarded to the HOA Board of Directors for consideration.
- C. If the HOA Board of Directors approves the proposed amendment, it shall become an amendment to the Design Guidelines. Such amendment shall be promptly recorded and posted at the homeowner's center bulletin boards / website and copies made available at the Homeowners Association office.
- D. All amendments shall become effective upon adoption recording with Polk County Clerk of Courts. Such amendments shall not be retroactive to previous work or approved work in progress.
- E. In no way shall any amendment to the Del Webb Orlando Design Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration or the Articles or Bylaws of the Homeowners Association.

## **VI HOMEOWNERS ASSOCIATION COMMON AREA AND RECREATIONAL FACILITY DESIGN GUIDELINES**

The following Design Guidelines govern the maintenance and operation of the Shared Improvements and Facilities including the community center.

### **A. Architectural Character:**

The physical structures constructed by Declarant and conveyed to the Homeowners Association shall be maintained and/or replaced by the Homeowners Association utilizing the same or similar design, size, location, style, structure, materials, color and architecture.

### **B. Landscaping:**

C. The Del Webb Orlando Homeowners Association shall be responsible for the maintenance of the landscape corridors, medians, and other common areas conveyed to the HOA. The Homeowners Association shall maintain the landscaping required to be maintained by the Homeowners Association under Declaration, including any Cost Center established pursuant to the Declaration, without materially changing from the original design.

D. The minimum density of plant material shall depend upon the size of the site and the extent of the landscaped area. There shall be an appropriate amount of specimen sized trees (at maturity) and shrubs. Ground shall be covered with a combination of inert and living materials. Inert materials shall include the materials described in Architectural Review Standards supplement to these Design Guidelines.

E. All areas paved for pedestrian traffic such as walkways, plazas, and courts shall be a hard surface material with limited vertical irregularities.

F. The plantings allowed in Del Webb Orlando were selected after consideration of several factors. A list of the prohibited plantings is set forth in Architectural Review Standards.

G. All landscaping shall be designed and maintained so as not to interfere with the view of any ground signs on the site or adjacent properties, and not obstruct the view of traffic entering, exiting, or passing by the site.

H. Where landscaping of a new project adjoins an existing landscaped area, the new landscaping shall include appropriate transition between the two areas.

### **I. Ancillary Equipment**

Heating, ventilation, and air conditioning equipment, ancillary mechanical equipment, radio, television, computer signal transmitting and receiving antennas, trash receptacles, and similar appurtenances (as approved by the Reviewing Entity and in compliance with the Declaration) shall be screened from general view from the street, pathways, open areas, parks, and where possible, neighboring properties. Roof-mounted units are permitted on roofs with screening where the screen is integral with the building forms and materials. The placement of any such equipment must receive written approval from the Reviewing Entity.

**AUTHORIZATIONS**

These Design Guidelines were originally prepared by Declarant, and have been modified and adopted by the Board of Directors of the Del Webb Orlando Homeowners Association. These Design Guidelines may be amended and recorded from time to time by the HOA Board of Directors.

**MEMBERS OF THE BOARD OF DIRECTORS OF DEL WEBB ORLANDO HOMEOWNERS ASSOCIATION, INC.**

Reaffirming the previously approved guidelines which were previously approved by the Board of Directors in November 2019.

\_\_\_\_\_ Date: \_\_\_\_\_  
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