

**PALMA SOLA TRACE VILLAS HOA**

**ARCHITECTURAL CONTROL COMMITTEE**

**STANDARDS AND GUIDELINES**



**DESIGN REVIEW MANUAL**

for

**Villa Owners**

September 18, 2014

The standards and procedures in this manual are subject to change from time to time by the Villas HOA without prior notice. This manual has been prepared expressly for the use of the Palma Sola Villas HOA.

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## **PURPOSE OF THE PALMA SOLA TRACE VILLAS DESIGN REVIEW MANUAL**

The purpose of this handbook is to familiarize Palma Sola Trace Villa Owners with the objectives, scope and application of design standards and guidelines that will be used to maintain the aesthetic appearance and environmental quality of the Palma Sola Trace Villas community.

The handbook provides specific design standards and guidelines that have been adopted by the Board of Directors of the Villas Owners Association (HOA). It also explains the application and review process that must be adhered to by Villa Owners seeking approval for any exterior modifications or changes to their villas or lots that are subject to approval by the (HOA) Association. Villa Owners are reminded that approval by the Architectural Control Committee for a proposed change does not remove the need for the **appropriate building permits** or other documentation. This handbook will serve as a valuable reference source and will assist Villa Owners in preparing acceptable applications for review by the Home Owners Association's Architectural Control Committee.

While individual creativity is encouraged, standards were established to maintain a measure of quality and consistency throughout the course of the villa neighborhood development. In some cases, there will be no permitted variation from established standards, while in other areas; flexibility may be permitted with the review and approval of the Architectural Control Committee. All Villa Owners are encouraged to familiarize themselves with its contents and to retain the manual for future use.

## **BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS**

The legal documents for the Villa Owners Association include the Declaration of Covenants and Restrictions. They impose use restrictions and specify the process for obtaining approval for changes, improvements or alterations to an owner's lot. Legally, these covenants are a part of the deed for each home and are binding upon all initial Villa Owners and their successors in ownership, irrespective of *whether or not these owners are familiar with such covenants*.

The primary purpose of this document is to establish design guidelines for the entire villas neighborhood. The promulgation and enforcement of design guidelines is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community.
- Promote harmonious architectural and environmental design qualities and features.
- Promote and enhance the visual and aesthetic appearance of the community.
- Maintain a clean, neat, orderly appearance.

The enforcement of design standards not only enhances the physical appearance of a community, but also assists in protecting and preserving property values. Villa Owners, living in this neighborhood, are protected from actions of neighbors that can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of HOA Owners living in Florida association communities consistently reveal that this was an important consideration in their decision to purchase a home.

## **MISSION AND VALUES OF THE PALMA SOLA TRACE VILLAS HOA**

Building a strong neighborhood and community is a top priority of the Board of Directors. To that end, the following mission and values statement has been adopted.

### **Mission:**

- Foster a sense of neighborhood and community
- Preserve home equity value
- Maintain a safe environment
- Proactively and reasonably implement the covenants
- Develop pride in our neighborhood and community

### **Values:**

- Provide clear, regular and transparent communication to all Villa Owners (resident, non-resident, banks and investors) and to tenants.
- Balance cost and quality of service in order to set dues at a reasonable level while maintaining the property well and planning for the future.
- Foster participation by including as many residents as possible in committees.

## **ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE**

All Villa Owners are automatically members of the Villa Home Owners Association (HOA). The HOA is a not-for-profit corporation that is responsible for, the upkeep and maintenance of villa exteriors and landscaping within the villa neighborhood.

The Association (HOA) is also responsible for the administration and enforcement of all covenants and restrictions. The Declaration of Covenants and Restrictions for the Villas Home Owners Association provides the scope and authority of the Architectural Control Committee (ACC). The members of the ACC are appointed by the Board of Directors (BOD) of the Villa Owners Association.

The Architectural Control Committee is responsible for enforcing the Association's Design Guidelines for exterior modifications to homes and improvements to lots as proposed by lot owners.

The ACC will review and evaluate applications submitted by lot owners for exterior additions, alterations or modifications to a home or lot using the Design Guidelines approved by the Association's Board of Directors and the governing documents of the association.

As part of its responsibilities, the Architectural Control Committee will make recommendations to the Board of Directors with respect to the modification of the Design Guidelines initially approved by the BOD. Subject to the mandates contained in the Association's governing documents and provided for under applicable Florida law, the BOD will also be responsible for reviewing possible violations of the Villa Association's ACC Design Guidelines.

The ACC's review and approval responsibilities embrace all aspects of construction, which shall include, but not be limited, to the following:

- Land Planning
- Site Work, Grading & Drainage
- Architectural Design
- Exterior Colors, Materials & Finishes
- Construction Materials
- Signage
- Landscape Design
- Architectural/Landscape Lighting
- Exterior Alterations / Modifications

## **AUTHORITY OF THE ACC**

The ACC shall have exclusive jurisdiction over all construction and modifications to completed Structures or Accessory Structures within Palma Sola Trace Villas Neighborhood. The ACC shall consist of at least three (3), but no more than five (5) individuals, who are Villa Residents and who shall serve terms subject to the sole discretion of Palma Sola Trace Villas BOD. The ACC shall be deemed a committee of the Association.

The ACC may disapprove Applications and Design Documents for non-compliance with the provisions contained in the Master Association Design Review Manual, the Villas Association Design Review Manual or on purely aesthetic grounds where, in its sole judgment, such action is required to maintain the desired character of the overall Villa neighborhood or the Palma Sola Trace Community.

## **ALTERATIONS REQUIRING REVIEW AND APPROVAL BY THE ACC**

Any changes, permanent or temporary, to the exterior appearance of a villa or lot are subject to review and approval by the Architectural Control Committee. The review process is not limited to major additions or alterations, such as adding a deck, or patio. It includes such minor items as changes in doors, screens and windows. Approval is also required when an existing item is requested to be removed. (There are a number of exceptions to this otherwise inclusive review requirement.)

Minor landscape improvements do not require Architectural Control Committee approval. This includes single specimen plants and small-scale improvements that do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure.

***If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, Villa Owners should first seek clarification from the Architectural Control Committee before proceeding with the improvement.***

## APPLICATION AND REVIEW PROCEDURES

Application and review procedures used by the Architectural Control Committee are detailed below.

1. **Applications.** All applications for proposed improvements must be submitted in writing using the application forms authorized by the Architectural Control Committee. A copy of these forms is included as an exhibit to this handbook. Applications must be complete in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies that must be remedied in order to be considered for review.
2. **Supporting Documentation.** The application must include a complete and accurate description of the proposed improvement(s). To permit evaluation by the Architectural Control Committee, supporting exhibits will frequently be required. Examples include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc. The design guidelines and application forms provide guidance with respect to the supporting documentation required for various types of improvements.
3. **Time Frame for Completion of the Review.** The Architectural Control Committee is required to approve or disapprove any proposed improvement within thirty (30) days after the receipt of a properly completed application. However, the thirty (30) day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for Villa Owners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.
4. **Notice of Approval / Approved with stipulations / Disapproval.** Villa Owners who have submitted design review applications will be given written notice of the decision of the Architectural Control Committee. This notice will be issued by ACC Chairperson. Please do not contact the ACC in the interim of this process for approval or denial. (Note: Once approved, the approval documents are sent to the management company for storage and safe keeping)
5. **Changes to Applications and Design Documents.** All villa improvements must be completed in accordance with the owner's application and design documents as approved by the ACC. Changes to (these initial approved documents) must receive prior written approval of the ACC, whether such changes are requested by the owner or required by utility companies and governmental or quasi-governmental authorities with jurisdiction over such improvements.

## ACC FEES

ACC design review fees when applicable, apply to cover any costs that may be associated with a project. No set fee is charged for the application review within the committee. If an outside source is

required during the review process and a cost is associated with work performed with the review, the applicant shall pay this cost to the ACC before the project can be approved.

## **INSPECTIONS**

Periodic inspections may be made by a representative of the ACC during or after completion of construction or modifications to determine compliance with applications and design standards in this manual. Owners and applicants are required to provide access and cooperate fully with members of the ACC and its representatives.

## **RESPONSIBILITIES OF APPLICANTS**

The ACC assumes no liability for any aspect of new construction or modifications to completed structures or accessory structures, including, without limitation, the following obligations which are the sole responsibility of the applicant or owner:

- Selection of licensed and insured building and trade contractors.
- Quality of workmanship or materials provided by any building or trade contractor.
- Compliance with ordinances, ADA provisions, environmental regulations, building codes, safety requirements, and product approvals.
- Suitability of surface and subsurface soil conditions, including radon.
- Water runoff and drainage control during construction or after completion of improvements.
- Accuracy of elevation grades, stakeouts, surveys and lot grading plans.
- Permits or approvals as may be required by any governmental or quasi-governmental authority.
- Completeness or adequacy of Design Documents submitted by an Applicant
- Determination of structural, mechanical, electrical or fire / safety adequacy as well as code compliance or other technical aspects of proposed designs and construction materials / methods, which are the sole responsibility of Applicants and architects, engineers and contractors working on behalf of the Palma Sola Trace Villa Neighborhood Applicant.
- Compliance with the ACC Design Review Manual, the Declaration or any other covenants, conditions, restrictions and easements burdening a lot or the property.

## **LICENSES AND INSURANCE**

New construction and modifications to existing structures or accessory structures shall be performed only by licensed and insured building and trade contractors. Prior to commencing work within the community, builders, and contractors, at their expense shall obtain casualty and liability insurance. Depending on the scope of work and potential liability, the types of insurance coverage may include the following:

- Commercial general liability insurance

- Workers compensation insurance
- Employer's liability protection
- Comprehensive automobile liability
- Builder's risk insurance
- Hurricane insurance

## **LIMITING CONDITIONS**

The following limiting conditions shall apply to activities of the ACC and provisions of the ACC Design Review Manual:

- The standards contained in the Design Review Manual set forth minimum requirements. Where the Design Manual imposes a greater restriction than is imposed and required by the Declaration or other provisions of law, the standards in the ACC Design Review Manual shall control. In the event building codes or other provisions of law require greater restrictions than are imposed by the ACC Design Review Manual, the more stringent provisions shall control.
- Approval of Applications or Design Documents by the ACC shall not be construed as meeting the requirements of City of Bradenton or any other governmental or quasi-governmental authority with jurisdiction over the community or proposed improvements.
- Approval of Applications or Design Documents by the ACC shall not impose any responsibility on the ACC for the design, engineering or construction of structures or accessory structure.
- The Design Review Manual is subject to change by the ACC without prior notice. Applicants should contact the ACC Administrator to ascertain what changes, if any, may affect proposed plans for new construction or modifications to completed structures prior to undertaking preliminary or final designs. The ACC shall not be liable for mistakes and may require an applicant or owner to correct deficiencies arising as a result of any ACC approval.

## **APPLICATION SUBMISSIONS**

Applications and Design Documents may be mailed or delivered to the ACC using one of the following methods:

### **If mailed**

#### **Palma Sola Trace Villas HOA**

c/o C&S Condominium Management Services, Inc.

4301 32<sup>nd</sup> Street West, Suite A-20

Bradenton, FL 34205

Telephone: (941) 758-9454

Fax: (941) 753-3062

### **If e-mailed**

E-mail to: [ACC@PalmaSolaTrace.org](mailto:ACC@PalmaSolaTrace.org)

### **If hand delivered**

The ACC application and supporting documents may be given to an ACC member, Villas HOA Director or the villa's management company.

**Note:** Applications may be picked up from any of the above sources.

## **MODIFICATIONS REVIEW APPLICATION AND PLANNING MEETING**

To ensure that design standards will be maintained for structures, the ACC has jurisdiction over modifications, which include alterations, replacements and additions to existing lots and structures after completion of original construction.

Owners anticipating modifications are required to discuss the scope of proposed improvements with the ACC Chairperson to determine if an *Application* is required and, if so, whether or not a planning meeting should be set. The purpose of this meeting is to determine (a) fees possible for processing applications and (b) the extent of Design Documents required for approval.

Upon receipt and review of an Application, the ACC will issue a letter with its decision, indicating approved as submitted, approved with stipulations or disapproved. All Design Documents attached to the application will be retained by the ACC. After approval of an application, the building and/or trade contractors, working on behalf of an Applicant, may apply for building permits and commence work.

## **MINOR MODIFICATIONS**

Minor modifications can be processed by submitting an application to the ACC, along with sufficient details, to explain the proposed modifications. Usually, a written explanation supported by sketches, color chips, and product photocopies or literature is sufficient. Minor modifications include, but are not limited to, alterations, replacements and additions such as the following:

- Exterior Lighting (pathway)
- Landscaping
- Entry Screen Door
- Approved Hurricane Shutters
- Spa on back deck. Must be screened for safety purposes

The ACC has the authority to require the repainting of a structure, at the owner's expense, if colors vary from those on file and authorized to use.

## **MAJOR MODIFICATIONS**

Major modifications usually require more complete details. For example, site plans, lot grading plans, landscape plans, architectural drawings and color chips are necessary for certain modifications.

Major modifications include, but are not limited to the following:

- Hurricane shutters not already approved for the Villa Neighborhood
- Walkways and driveways
- Swimming Pools
- In-ground Spas
- Screen enclosures
- Patio decks and covered porches
- Pergolas, gazebos, pavilions, and cabanas
- Fences, walls, planters and fountains
- Berms, swales, grading and retaining walls

## **GENERAL PROVISIONS**

The following general provisions apply to modifications:

- Modifications shall comply with the current provisions and standards contained in the ACC Design Review Manual for modifications.
- Modifications must be approved by the ACC prior to the commencement of work. In addition to other available remedies, the ACC may require modifications to cease in the event such work is commenced without approval.
- In the event modifications are performed without approval of a Modifications Review Application, the ACC may require, at the expense of the Applicant, the following: (a) the timely removal of such modifications and the restoration back to the original status, or (b) the timely completion of remedial work to bring such modifications into compliance with the ACC Design Review Manual.
- Modifications must be consistent with the architectural style, materials and finishes of the existing structure, and compatible with other structures or accessory structures in the neighborhood. Views from the street, adjoining properties and common areas will be taken into consideration with regard to the approval of modifications.
- At the option of the ACC, comments on proposed modifications may be solicited from other owners. The ACC may, but is not obligated to, take into consideration the comments of others before rendering a decision on a Modifications Review Application.
- All modifications must be completed within the time limit agreed to on the Villa Owners Application, unless an extension of time is approved by the ACC.
- Applicants shall ensure that all building and trade contractors comply with Construction Site Standards in this Manual.

- Upon the completion of modifications, the ACC may a final inspection to determine if all improvements, including landscaping, have been completed in accordance with Modifications the application and design documents. Applicants are obligated to take remedial action as may be required by the ACC Chairperson to complete improvements not in compliance with Design Documents.

## ARCHITECTURAL DESIGN

1. **Preferred Architectural Themes.** The overall architectural themes encouraged for Palma Sola Trace Villas embrace a variety of regional designs including *classical architecture* with authentic detailing, *transitional designs* reflecting a blend of the past and present, and *contemporary styles* featuring traditional materials applied in a more modern fashion.
2. **Prohibited Architectural Styles.** While diversity and creativity in residential designs are encouraged, certain architectural styles are not considered compatible with the regional architectural style envisioned for Palma Sola Trace. These include, but are not limited to, ultra contemporary and overly modern designs such as International Revival, Milesian, Art Modern, Art Deco and Post Modern.
3. **No Automatic Approval.** The approval of plans for a specific lot does not automatically imply approval on another lot by the ACC. The ACC may prohibit modifications to existing structures or accessory structures based on standards contained in this manual or the master DRC manual. The decision may also be based purely on aesthetic grounds, where, in its sole judgment, such action is required to maintain the desired character of the overall community or individual neighborhoods.

## SITE AND STRUCTURE REQUIREMENTS

1. **Design Approval.** No work shall commence on a lot until:
  - The appropriate design documents have been submitted to and approved by the ACC.
  - ACC fees if applicable, have been paid.
  - Permits received from governmental and quasi-governmental agencies with jurisdiction over any such improvements.
2. **Size Requirements.** Minimum requirements for lot size shall be confirmed before approval may be granted.
3. **Sitting Restrictions.** Lots have sitting requirements that will affect the location and orientation of Structures and other improvements. These include, but are not limited to, the following: building setbacks, swimming pool (additional information follows) and patio deck setbacks, minimum and maximum finish floor elevations, easements, and conservation areas.

#### 4. Swimming Pools and In-ground Spas.

- Location.

- Subject to easements, in-ground pools and spas may be located in the rear yard. Pools, spas, decks or screen enclosures associated therewith must comply with the following setbacks:

- Typical Yard Width – 37.5 feet
- Minimum Side Yard Setback – 5 feet
- Minimum Rear Yard Setback – 5 feet

Note: Easements may result in additional setbacks not shown above.

- Pool Equipment.

All pumps, filtration and other equipment must be buffered from the street and adjoining properties by landscaping.

- Portable Spas.

- Portable spas are permitted if located under a covered porch within a screen enclosure.
- Seating capacity should consider the size of the area designated for the placement of the hot tub. Reasonably, this should be no larger than seating for four (4) adults.
- Spa shell color should blend naturally with exterior colors of the villa.
- Electricity provided should be designated outlet with voltage necessary to support the spa.
- Drainage should be adaptable to prevent any flooding to the villa structure.
- Operation must meet sound specifications of no greater than 50 dBs.
- Compliance with building and safety codes are the responsibility of the applicant and not the ACC.

- Pool and Spa Protection

Pools and spas must be protected on exposed sides by a screen enclosure or a fence. Spas as an alternative, may be enclosed by a protective cover with a locking device that must be secured when spa is not being used.

- Screen Enclosures.

- Subject to easements and setbacks, screen enclosures may be used to enclose the sides and overhead of an open patio deck or pool deck.
- Screen enclosures shall be attached to and integrated with the structure. No flat roofs are permitted on screen enclosures. Screen enclosures may not be higher than the ridgeline of the roof.
- White or bronze frames are permitted, subject to approval of the overall design.
- Screening. Black or charcoal screening is permitted.
  - Spot Lights or other lighting fixtures may not be mounted to screen enclosure frames.
  - The roof of screen enclosures may not be covered with

- Corrugated fiberglass panels
- Canvas
- Vinyl
- Aluminum pan roof panels
- Composite roof panels

## PORCH AND DECK FINISHES

Materials & Finishes	Entry Stoops / Front Porches		Other Porches / Patio Decks	
	Permitted	Not Permitted	Permitted	Not Permitted
Broom finish concrete with picture frame edging	<b>X</b>		<b>X</b>	
Broom finish concrete with color agents	<b>X</b>		<b>X</b>	
Broom finish concrete with exposed natural stone aggregate	<b>X</b>		<b>X</b>	
Broom finish concrete trimmed in pavers or brick	<b>X</b>		<b>X</b>	
Concrete with specialty coating	<b>X</b>		<b>X</b>	
Brick	<b>X</b>		<b>X</b>	
Brick Pavers	<b>X</b>		<b>X</b>	
Natural Stone Pavers	<b>X</b>		<b>X</b>	
Precast or interlocking concrete pavers	<b>X</b>		<b>X</b>	
Stone set in mortar	<b>X</b>		<b>X</b>	
Composite tile	<b>X</b>		<b>X</b>	
Wood		<b>X</b>		<b>X</b>
Recycled plastic and wood polymer composites		<b>X</b>	<b>X</b>	
Chattahoochee set in epoxy		<b>X</b>	<b>X</b>	

## **FENCES, WALLS AND PLANTERS**

### **Design Approval**

In order to create a sense of privacy between lots, applicants are encouraged to draw upon landscape devices, such as planting composition, berms and limited privacy walls. The use of fencing is discouraged, except for safety purposes around swimming pools and spas.

The location and design details of all fences, walls and planters shall be submitted for approval by the ACC as part of design review or modifications review. Perimeter fences shall conform to a standard design established by the ACC. All other types of fences, walls and planters are considered custom in nature and, in addition to showing the location, Design Documents shall include elevations with full details and finishes, such as colors, caps, specialty bands, tile inserts or decorative embellishments.

### **Classifications**

Depending on location and function, fences and walls are classified as one of the following:

- Perimeter fences
- Pool fences
- Privacy walls
- Service fences

Fences intended to serve as dog runs are not permitted on any lot.

Underground electronic fences to control pets are permitted and may not extend beyond the boundary of any lot.

Fence Classifications, locations and types will be reviewed on a case-by-case basis. The view of fencing from the street, adjoining lots or common areas will be taken into consideration in the review process.

### **Locations**

Unless otherwise approved in writing by the ACC, fences, walls and planters shall be limited to the locations as provided in this section. Due to site conditions, swale grades and drainage requirements locations may become more restrictive as determined by the ACC on a case-by-case basis. Privacy walls shall not impede drainage for the lot upon which such improvements are proposed or for any adjoining lots. The location of fences, walls and planters are subject to easements of record.

### **Perimeter Fences**

Subject to standard design criteria in this section, perimeter fences may be used to enclose portions of side and rear yards.

- **Location:** Interior Lots: A perimeter fence for an Interior lot may extend from a point 10'-0" behind the front facade of a Structure to the side property line on each side and, thereafter, to and the rear property line.
- **Location: Corner Lots:** On the interior side yard of a Front Lot, a perimeter fence may extend from a point 10'-0" behind the facade of a structure to the side yard property line and, thereafter, to the rear property line. On the street side yard of a corner lot, a perimeter fence may extend from the rear corner of a structure to the maximum buildable area line and, thereafter, along the maximum buildable area line to and along the rear property line.
- **Height:** For lots with no swimming pool and lots with a swimming pool and screen enclosure, perimeter fences may be 4'-0" to 6'-0" in height. For lots with a swimming pool and no screen enclosure, the fence height must be at least 5'-0".
- **Design:** Perimeter fences shall be open-picket in style and conform to a standard design, finish, color, height, post, and gate details as provided in this section.

*For lots that back onto a lake, perimeter fences may remain open on the back or run across the rear lot line*

## **Pool Fences**

If a screen enclosure is not constructed, pools and in-ground spas shall be protected by a pool fence which shall conform to the following requirements:

- **Location (Interior Lots):** A pool fence for an Interior Lot may extend from a point 10'-0" behind the front facade of a Structure to the side property line on each side and, thereafter, to and across the rear property line.
- **Location (Corner Lots):** On the interior side yard of a Corner Lot, a pool fence may extend from a point 10'-0" behind the front facade of a Structure to the side yard property line and, thereafter, to and across the rear property line. On the street side yard of a Corner Lot, a pool fence may extend from the rear corner of a Structure to the Maximum Buildable Area line and, thereafter, along the Maximum Buildable Area line to and across the rear property line.
- **Height:** 5'-0" to 6'-0"
- **Design:** Perimeter fences shall be open-picket in style and conform to a standard design, finish, color, height, post, and gate details as provided in this section.

## **Privacy Walls**

Privacy walls shall be restricted to limited applications, such as providing additional privacy for a specific room with extensive glass walls within a Structure. Privacy walls shall include a cap detail for definition. Depending on the location and height of a privacy wall, intermediate detailing may be required, such as specialty bands, tile inserts or decorative embellishments.

- Location (Front Walls): Privacy walls shall include a cap detail for definition. Depending on the location and height of a privacy wall, intermediate detailing may be required, such as specialty bands, tile inserts or decorative embellishments.
- Location (Interior Lots): Only to the extent necessary to satisfy its intended purpose as determined by the ACC, a privacy wall for an Interior Lot may be located between a point 10'-0" behind the front plane of a Structure and the rear of a Structure and extending to the side property line.
- Location: Corner Lots: The requirements above for an Interior Lot apply to the interior side yard of a **Corner Lot**. However, along the street side yard, a privacy wall may extend to and along the line of the maximum buildable area only to the extent necessary to satisfy its intended purpose as determined by the ACC.
- Height: 5 feet maximum
- Gate Materials: Wood or Painted Aluminum

*Note: Materials, finishes and colors must be compatible with the exterior of the villa structure.*

### **Decorative Walls and Planters**

Decorative walls and planters, such as balustrades, may be permitted on a limited basis to define entry walks or outdoor spaces and for landscape purposes within the Maximum Buildable Area of a lot. Unless otherwise approved in writing by the ACC, decorative walls and planters shall be limited to a height of three feet (3 feet).

*Note: Materials, finishes and colors must be compatible with the exterior of the villa structure.*

### **Perimeter and Pool Fence Specifications**

ITEM	STANDARD
Manufacturer	Specrail / Style S-1 or equal
Material	Extruded Aluminum
Pickets	5/8 inch square x 0.50 in thick
Picket Spacing	3 3/8 inch inside opening
Finials	Limited Use – flat bar shown below is permitted
Scrolls	None
Ball Caps	Yes
Top Rail	1 inch square x 06 inch thick
Intermediate Rail	1 inch square x 06 inch thick
Bottom Rail	1 inch square x 06 inch thick
Section Posts	2 inch square x 125 inch thick
Post Spacing	72 ½ inch on center

Color	Brown or Black
Finish	Polyester powder coating or electrostatic paint
Height	4 feet to 6 feet (varied by classification)
Single Gate Width	36 inch (minimum) / 48 inch (recommended)

*Gates for pool fences must be equipped with self-closing and self-latching devices*



*Exhibit of Perimeter (shown) and Pool Fence Design*

## ACCESSORY STRUCTURES

- **Design Approval** - The location and appropriate design details for accessory structures shall be submitted for approval by the ACC as part of design review or modifications. Design documents shall include top views, elevations, exterior finishes, colors and related details. All Accessory Structures shall be located within the maximum buildable area and consistent with the design, materials, and colors of the principal structure to which they apply.
- **Classifications** – Subject to the approval of the ACC, the types of Accessory Structures listed below are “permitted”. Other types of Accessory Structures shall be evaluated on their own merits, but are subject to approval.

Permitted	Not Permitted
Detached gazebos	Detached garages
Detached pavilions	Detached guest houses
Detached cabanas	Detached storage or tool sheds
Detached pergolas	Detached barbecues

Swimming pools and Spas	Dog houses
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- **Detached Pergolas** – Detached pergolas or arbors are an effective method of producing shade and defining outdoor spaces. Pergolas shall have a minimum of two layers of top cross members unless otherwise approved by the ACC.
- **Detached Gazebos, Pavilions and Cabanas** – Roof shingles for gazebos, pavilions, and cabanas shall match the manufacturer, style and color of those used for the principal Structure. Fascias, soffits, trim and columns shall be compatible as determined by the ACC.

**EXTERIOR COLORS**

Exterior Colors are controlled by the Board of Directors. Exterior painting is scheduled approximately every seven years for units. During the painting contract negotiations, the board determines if the original color or an alternate color will be used.

Owners will not paint any exterior portion of their villa without written permission from the ACC. Minor touch-ups are permissible, as long as, the established color for the villa unit is used.

**Screen Enclosure Colors** – White or bronze screen enclosure frames are permitted with charcoal or black screening.

**Window Colors** – White, cream and bronze colors are permitted for aluminum window and glass sliding door frames, subject to approval of the other exterior color selections. Colors permitted for wood and other types of frames will be evaluated by the ACC.

**Repaints** – From time to time spot painting due to repairs may be required on existing structures. Structures may be repainted the same color without approval of the ACC. No modifications to existing approved paint colors will be permitted. This provision applies to all exterior colors including, but not limited to, exterior walls, trim, accents and roofs.

*Additional Exterior Color information is contained in the Master Design Review Manual. This information is for reference only and explains why the color scheme utilized within the villas neighborhood was established.*

**EXTERIOR LIGHTING**

1. **Overview.** The intent of the standards in this section is to ensure that lighting is properly used to enhance the architectural detailing and landscape design of a Structure during evening hours without overpowering the streetscape, producing excessive glare, or affecting adjoining Structures. Architectural lighting must be shown on floor plans submitted for Design Review, and landscape lighting must appear

on landscape plans submitted for Landscape Review. After completion of a Structure or Accessory Structure, any additional architectural or landscape lighting must be approved as part of Modifications Review.

2. **Location of Lighting Fixtures.** All architectural lighting must be attached to the Structure or Accessory Structure and all landscape lighting must be located within the maximum buildable area of the lot. Lamps are not permitted.

3. **Style and Finish of Lighting Fixtures.** Lantern style lighting fixtures are permitted for the front entry, proximate to garage doors, and on porches and patio decks not located in side yards. Eave, wall and ground lights must be shielded. Globe lights will not be permitted. Approved finishes include copper, Verde green, rust or black. White fixtures are not permitted.

4. **Illumination.** The maximum level of illumination shall not exceed a low-to-medium level of illumination to achieve a soft look or warm glow.

5. **Bulbs.** All exterior lighting must be equipped with white, frosted or clear incandescent or LED bulbs. No other types of bulbs are permitted including, but not limited to, fluorescent, quartz, mercury vapor, high pressure sodium or metal halide. Colored bulbs are not permitted except during approved holiday periods.

6. **Lenses.** Glass panels or lenses and vinyl or plastic liners for lighting fixtures must be white, frosted or clear. No colored panels or lenses are permitted.

7. **Path Lights.** Path lights, not exceeding 30" in height above grade, may be used on a limited basis to light walkways leading from the driveway to the front entry. Pagoda or Ballard style lights must have diffusers with extended shields to reduce glare from the street. Path or ground lights are not permitted for installation along driveways outside the Maximum Buildable area.

8. **Landscape Lights.** Ground lights, ground-level spot lights and well lights may be used on a limited basis.

9. **Entry Lights.** Hanging fixtures, wall or ceiling mounted fixtures, and recessed high hats maybe used for entry lighting. Low-wattage incandescent lights are best for wall-mounted fixtures, while higher-wattage fixtures are recommended for overhead use.

10. **Garage Lights.** Decorative wall-mounted fixtures approved by the association are used to light garage door areas and are mounted on each side of the garage doors.

11. **Porch Lights.** Hanging fixtures, wall- or ceiling-mounted fixtures, and recessed high hats may be used for porch lighting.

12. **Side Yard Lights.** Doors facing or opening to the side yards of Structures may be lighted with a

shielded fixture which provides up and/or down light only.

13. **Spot / Flood Lights.** A maximum of two [2] wall or eave mounted spot lights, not exceeding 150 watts per fixture, are permitted only on the rear plane of a Structure. Fixtures must be mounted less than 12'-0" above grade and fitted with a shield to minimize light spillage. Lamps may not be directed at such an angle to cause excessive glare or light spillage that may affect adjoining Structures, as determined by the ACC. Wall and eave mounted spot / flood lights are not permitted in front or side yard areas.

14. **Light Spillage and Glare.** Other than decorative fixtures attached to the entry or garage of a structure, light sources should be hidden when possible so the light is seen, but not the lamp. Besides achieving the most natural look possible, hiding the light source avoids glare that results when lamps are in direct view. Glare can also be reduced by using several smaller lights rather than one larger one. The use of diffusers, shields and grills is also helpful.

*No exterior lighting will be permitted which, in the opinion of the ACC, would create a nuisance to adjoining structures or excessive glare from the street. In the event lighting produces excessive glare or light spillage after installation, the applicant will be required to correct the situation by reducing the wattage of lamps, adjusting shields, or taking other measures as directed by the ACC Chairperson.*

## **LANDSCAPING, IRRIGATION AND WELLS**

1. **Design Approval** – The purpose of the landscape review process is to ensure a harmonious neighborhood streetscape and to protect the aesthetic quality of the overall community. The Palma Sola Trace Villas landscape design standards are intended to provide for the needs and desires of the applicant in a manner which also protects the lifestyle of adjoining neighbors. Landscape plans shall be submitted for approval by the ACC as part of the design review application.

Installation and removal of landscaping shall be subject to the prior approval of the ACC. No trees shall be removed except for diseased or dead trees and conflicting with the growth of other landscaping or for safety reasons. Such removal may be conditioned upon replacement of removed trees at the Owner's expense as determined by the ACC.

2. **Landscaping of Easements** – Landscape material within easements and conservation areas shall be limited to sod, low ground cover or small shrubbery, subject to the approval of the ACC. Trees are not permitted within easements. No landscape material is permitted within easements which will interfere with vehicular traffic or prevent maintenance of utilities.

3. **Landscape Zones.** In order to maintain a framework of cohesiveness from which Applicants may express their landscape choices, the following landscape zones have been established:

- Streetscape Zone
- Front Yard Zone

- Side Yard Zones
- Rear Yard Zone

4. **Landscape Requirements (Streetscape Zone):** The Streetscape Zone stretches from the curb to the front yard property line and runs the full width of the Lot. On Corner Lots, this zone also extends the full length of the street side yard to the rear property line.

The Streetscape Zone shall be sodded as per specifications in this section. No other landscape material is permitted in Streetscape Zones unless approved by the Architectural Control Committee.

5. **Landscape Requirements (Front Yard Zone):** The Front Yard Zone runs the full width of the lot and is the area between the front plane of the Structure and the Streetscape Zone. The minimum landscape requirements within the Front Yard Zone shall include the following:

- At least one [1] approved yard tree within the Front Yard Zone or the quantity shown on the Final Site Plan. Trees must be from the approved list below and fruit trees will never be permitted.

**Front Yard Trees**

- Sabal Palm Sabal palmetto (16-20' oa ht.) (Used in grouping of two or more)
- Queen Palm Syargus ramonzoffianum (18-24' oa ht.)
- East Palatka Holly Ilex attenuata 'East Palatka' (10-12' ht., 2.5" cal min) Blanchard Magnolia Magnolia grandiflora 'Blanchard' (10-12' ht. 2.5" cal min)
- Ligustrum Tree Ligustrum lucidum (6-8' ht., multi-trunk, natural form) Little Gem Magnolia Magnolia grandiflora 'Little Gem' (9-11 ht., 2.5" cal, full)
- Black Olive Bucida bucedas 'Shady Lady' (10-12' ht., 2.5" cal min) Purple Tabebuia Tabebuia impetiginosa (8-10' ht., 2.5" cal min)

6. **Landscape Requirements (Side Yard Zone):** The Side Yard Zone is from the front to the back of the Structure on both sides over to the respective property lines. The minimum landscape requirements within the Side Yard Zone shall include the following:

- **Interior Lots:** One [1] approved shrub per three (3') linear feet along mechanical equipment to act as a Service Fence. Sides of Structures need not be planted.
- **Corner Lots:** One [1] approved shrub per three (3') linear feet along the street side only. In addition, Front Yard Trees may be required in the side yard per the Final Site Plan. If more than one [1] Front Yard Tree is required, one may be substituted by a cluster of two [2] approved palm trees.

7. **Landscape Requirements (Rear Yard Zone):** The Rear Yard Zone runs the full width of the lot and is the area between the rear plane of the Structure and the rear property line. The minimum landscape requirements within the Rear Yard Zone shall include the following:

- One [1] approved yard tree shall be planted within the Rear Yard Zone.

Trees must be from the approved list below:

***Rear Yard Trees***

- Live Oak *Quercus Virginiana* (10-12' ht., 2.5" cal)
- Sycamore *Plantanus occidentalis* (10-12' ht., 2.5" cal)
- Mahogany Tree *Swietenia mahogoni* (10-12'ht., 2.5"cal)
- Slash Pine *Pinus elliotii* (10-12' ht., 2.5" cal)
- Red Maple *Acer rubrum* (10-12' ht., 2.5"cal)

*If a pool is constructed, the perimeter of the pool or pool screen enclosure must be buffered with landscaping.*

8. **Minimum Tree Requirements.** The minimum required trees within the boundaries of a lot shall be the greater of the requirements set forth above for Front Yard, Side Yard and Rear Yard Zones or as required by the City of Bradenton.

9. **General Requirements**

A. **Design Approach.** The recommended landscape character of yard areas should emphasize a casual or natural environment versus a formal appearance.

B. **Landscape Quality and Installation.** All plant material to be Florida #1 or better as described within the Florida Grades and Standards 1973, Florida Dept. of Agriculture, Tallahassee, FL and any subsequent revisions hereto. All plant material must be free from disease, insect infestations, defects and injuries. Installations should allow adequate area to promote a healthy growth pattern and to accommodate the mature growth requirement of each plant species. Trees shall be correct in form for their species and have a normal growth habit with developed and densely foliated branches.

C. **Street and Yard Tree Staking.** All street trees and yard trees must be staked using a ArborGuy Pro40E System as manufactured by Staking Systems Supply, Inc. or an equivalent system.

D. **Existing Trees.** Unless otherwise prohibited in conservation areas, existing trees selected to remain on a lot must be selectively pruned to remove dead wood and undesirable branches. Clusters of smaller trees and natural areas must be groomed and mulched for a neat appearance or planted with shrubs or ground cover.

E. **Tree Fences, Wells and Aerators.** Protective tree fences, tree wells, and aerators shall be installed as required by the ACC to protect existing trees to be saved.

F. **Shrubs, Ground Cover and Mulch.** Unless otherwise approved by the ACC, shrubs and ground covers shall conform to the following minimum standards at the time of planting:

Type	Min Size	Min Height	Min Spacing
Shrubs	3 Gal	20"	36" OC
Ground Covers	1 Gal	12" – varies by species	12" OC

Shrubs and ground cover in Front Yard Zones shall be planted in clusters or within curvilinear planting beds. Shrubs of the same species shall be massed together, in general, and random mixing of different species is discouraged. Different shrub species should be tiered in height with the taller shrub species closest to the Structure and the lower species in front. Plant masses should be arranged to provide visual excitement by the use of color and texture and to soften stark building elements and corners as well as to enhance architectural features. Plantings may be required by the ACC to screen portions of driveways, service areas, blank walls, patio decks and swimming pools.

All shrubs shall be top-dressed with 2" - 3" of shredded cypress, eucalyptus mulch or pine bark nuggets. Mulch with artificial dyes are not permitted. Stone, rock, gravel, crushed brick or similar materials are not allowed as a substitute for mulch for new construction or modifications.

Ground covers shall be planted in such a manner to present a finished appearance within three [3] months of planting. Shrubs shall be planted such that the gap will be closed within the first year of growth.

The use of linear buffer hedges along property lines in Front Yard Zones is not permitted. Berms, trees and clusters of shrubs may be used to create a sense of separation and definition when appropriate between front yards. Linear buffer hedges in side and rear yards must be routinely trimmed not to exceed 60" in height.

**G. Landscape Rocks and Edging.** The use of landscape rocks and edging as a design element for new construction or modifications is not permitted without the approval of the ACC. Any such materials must be used in moderation and must be shown on plans submitted for Design Review, Landscape Review or Modifications Review [as applicable]. Concrete curb edging must not extend into the utility easements in the front, side, or rear yards, or the road right of ways.

**H. Sod.** Unless required to remain natural, all remaining portions of a lot and the road right-of-ways abutting a lot shall be sodded. To insure a consistent turf color and texture throughout the community, St. Augustine Floratam must be used. Seville is permitted in shaded areas only. After initial installation, portions of turf areas may not be removed or replaced with mulch, stone, rock, gravel, crushed brick or similar materials without written approval of the ACC.

**I. Utility Equipment.** All utility company boxes and transformers are set within road right-of-ways or easements. Grading around these items must ensure positive drainage, and the landscape plan must include shrubs to reduce the visibility of utility equipment.

**J. Sight Distances at Intersections.** No fence, wall, hedge, or shrub planting shall be placed, permitted or maintained where such improvements would create a traffic or sight problem at intersections for Corner Lots or at the intersection of streets and driveways or pedestrian trails. No trees shall be permitted unless the foliage line is maintained at a sufficient height to prevent obstruction of sight lines for Corner Lots and intersections as set forth above.

**K. Artificial Vegetation and Decorative Embellishments.** No artificial grass, plants or vegetation are permitted on the exterior of a lot or structure. Decorative embellishments, readily visible from the street, are not permitted including, but not limited to, the following: deer, swans, flamingos, ducks, Birdbaths, sculpture, windmills, or similar items.

**L. Fountains and Waterscape Elements.** Subject to approval of design elements by the ACC, certain fountains and waterscape treatments are permitted within the maximum buildable area of a lot. Any such items must be shown on plans to the ACC for review.

**10. Wells.** Owners are not permitted to use lakes within the Properties for irrigation or to install wells on lots for potable or irrigation water.

**11. Irrigation Systems.** As part of original construction, each received in-ground irrigation systems, which are maintained under a service contract, which states:

- Irrigation systems shall be of sufficient size and capacity to provide full 100% coverage for the lot.
- Irrigation systems shall be designed to minimize over-spray to adjacent properties, sidewalks, streets and driveways.
- Coverage shall include right-of-ways adjoining lots. Sprinkler heads shall be located between the outside edge of the sidewalk and the curb.
- Irrigation systems shall utilize an automatic control device and an automatic rain cut off switch. These controls must be located on the outside garage wall and lockable. Unit owners will not adjust these systems.
- Pop-up spray heads shall be utilized in shrub beds; bubblers for each tree location; and pop-up rotors in sod areas. Drip irrigation may be used in areas immediately adjacent to building walls in tight planters.

**12. Landscape and Irrigation Completion.** The completion of landscaping and irrigation was approved by the Developer and Master DRC prior to a certification of occupancy receipt being issued. The ACC follows those approved guidelines.

Streetscape Zone	Front Yard Zone	Side Yard Zone	Rear Yard Zone
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Ground Cover	Yard Trees	Shrubs & Ground Cover	Yard Trees	Shrubs & Ground Cover	Yard Trees	Shrubs & Ground Cover
Streetscape Zone to be sodded. No other landscaping permitted.	One approved front yard tree from the approved list. Corner lots may require additional trees in the side yard zone as depicted on the final site plan.		For Corner Lots only, one or more approved front yard trees may be required within the side yard zone along the street side yard frontage as shown on the final site. Front yard tree is required. One may be substituted by a cluster of a minimum of two palm trees.	One approved shrub per 3 feet linear feet along the street side of corner lots and to screen equipment as a service fence shall be required. Side yards of interior lots do not require shrubs.	One approved rear yard tree shall be planted from the builder's approved list.	Landscaping along the perimeter of pools and their screen enclosures is required.

**GENERAL REQUIREMENTS**

- (1) The minimum required trees shall be the greater of the requirements above or as required by the City of Bradenton.
- (2) All shrubs shall be top-dressed with 2"- 3" of shredded cypress mulch, eucalyptus, or pine bark nuggets after watering in.
- (3) All remaining right-of-ways and yard areas to be sodded with St. Augustine Floratam. Seville is permitted in shaded areas only. If re-sodding is required for pond banks, Argentine Bahia sod must be used.
- (4) An irrigation system is required with full coverage for all yard areas and right-of-ways. Automatic control device and rain cut off switch are required to be lockable and mounted outside the garage.

**LOT AND LANDSCAPE MAINTENANCE**

**Maintenance: Landscaped Lots**

1. **Maintenance of Lots.** Except for conservation areas where special preservation provisions may apply, the Palma Sola Trace Villas HOA will be responsible to ensure a service routinely mow lawns; edge beds; prune shrubs and groundcovers; control weeds, pests and diseases via spray application of appropriate products; remove and replace dead trees and plants; dispose of trash; apply water and repair irrigation systems; replace mulch; and other necessary maintenance measures, including fertilization, to sustain the landscape in a neat, orderly, vigorous and healthy condition. Grass areas on lots with a finished structure may not exceed 6" in height between lawn cuts.

2. **Maintenance of Driveways.** (Right-of-Ways, Water's Edge and Greenbelt Buffers.) For property fronting on any roadway, the portion of driveways and aprons within right-of-ways shall be maintained by the Villas Neighborhood Association. It shall be the responsibility of the Master Association or Palma Sola Trace Villas HOA to irrigate and maintain the sod located within the right-of-way between the pavement edge and the Lot boundary.

On lots fronting on the water's edge or adjacent to a landscape easement within the properties the CDD or Villas HOA shall maintain and irrigate all landscaping between the lot boundary and such water's edge or wall. The owners shall have no right to remove trees, shrubs or similar vegetation from these areas without the prior written approval of the ACC.

## **GARAGES AND DRIVEWAYS**

### **1. Garage and Driveway Layouts.**

The conversion of garage interiors to air conditioned living space is not permitted for original construction or modifications to an existing home if such conversion results in less than the minimum stalls and standards in this section.

2. **Garage Sizes and Loading.** All garages will have a minimum internal size of 18'-0" wide by 20'-0" deep.

3. **Driveway and Apron Layouts.** Driveways shall conform to the standard driveway and apron details currently established within the villa neighborhood.

4. **Driveway Materials and Finishes.** Generally, driveways will not be painted. However, the ACC will review applications as necessary.

## **Awnings and Shutters**

1. **Awnings** - Canvas awnings may not be used within the Palma Sola Trace Villa Neighborhood.

2. **Decorative Shutters** - Shutters will be considered "decorative" if they are used primarily for ornamental embellishments or are not certified as hurricane shutters. All decorative shutter applications require ACC review before approving or not approving.

The following shutters are permitted, subject to approval of overall design:

Permitted Designs

- Louver
- Panel
- Batten

#### Permitted Materials

- Painted aluminum
- Polyvinyl
- Formed synthetics

3. **Hurricane Shutters.** If hurricane shutters are planned for a Structure, approval is highly recommended at time of Design Review rather than as part of a modification to an existing Structure. Installation details, product photos and color samples must be submitted for Design Review or Modifications Review [as applicable]. The type, manufacturer, installation, and color of hurricane shutters are subject to approval of the ACC.

A. **Types and Uses.** Hurricane shutters include temporary and permanent types. Generally, more than one type of hurricane shutter is required to provide protection for doors, windows and fixed glass openings.

Temporary hurricane panels must be stored inside a Structure or Accessory Structure and only installed as provided in this section. Permanent hurricane shutters are attached to the Structure and remain in place at all times. However, this type of shutter must be in the "**open**" position except when a tropical storm or hurricane is imminent.

Temporary hurricane panels may be installed and permanent hurricane shutters may be "**closed**" **upon issuance of a tropical storm or hurricane watch.** Temporary hurricane panels must be removed and permanent shutters released to the "open" position within **5 days** after a watch or warning is lifted.

Note: Arrangements for the installation or removal of hurricane shutters are the responsibility of Owners.

Subject to design criteria in this section, hurricane shutters may be approved for front, side and/or rear elevations, and for temporary or permanent installation based on the following:

#### Temporary (approved for all elevations)

- Corrugated steel panels
- Corrugated aluminum panels
- Hurricane fabric

#### Permanent

- Accordion windows and doors (all elevations)
- Roll-down shutters (all elevations)

Note: Other products, materials and types of hurricane shutters will be considered on their own merit by the ACC.

B. **Temporary Hurricane Panels.** Temporary hurricane panels may be composed of corrugated steel or aluminum and may be used on all elevations of a Structure. As may be permitted,

permanently affixed tracks and all other mounting brackets and attendant hardware shall be painted to match or blend with the color of the door frame, window frame, wall or other surrounds to which such items are attached.

C. **Accordion Shutters for Windows and Doors.** Accordion shutters maybe used on all elevations of a Structure. The color shall match or blend with the door frame and window frame.

## **SIGNS**

Except as may be required by legal proceedings or applicable law, all signs, billboards or advertisements of any kind must be approved in writing by the ACC.

A. **Realtor "For Sale" Signs.** "For Sale" signs for Realtors are permitted in accordance with standard designs and locations approved by the ACC. The cost of fabrication and installation is the responsibility of the realtor or home owner.

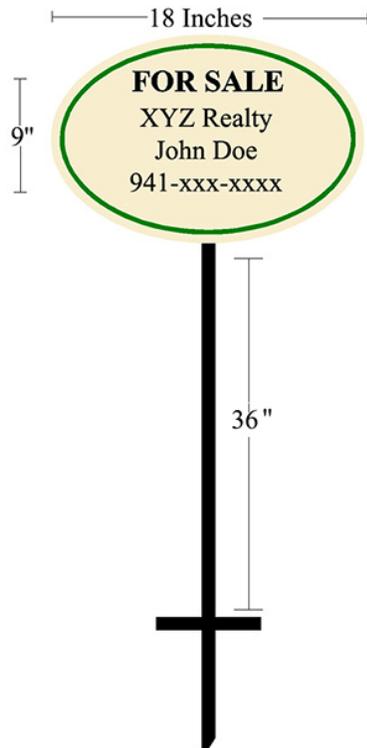
B. **Owner "For Sale" and "For Lease" Signs.** After completion of a home and sale to a third party, no signs will be permitted on any lot, except for a single "for sale" or "for lease" sign, provided it conforms to the standard design criteria contained in this Manual. "For sale" and "for lease" signs shall be placed at least 10 feet behind the front property line of a lot.

C. **Realtor "Open House" Signs.** MLS standard open house signs may be permitted within the villas neighborhood. Signs must be placed no earlier than 30 minutes prior to villa showing and 30 minutes after the showing terminates.

D. **Security Service Sign** - A villa owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home.

E. **Miscellaneous Signs and Advertising Devices.** Except as provided for in this Manual, no other signs, flags (Florida statute will be followed with requirements for display of the USA Flag) banners or advertising devices may be placed on or about any lot, attached to or part of any Structure, located in or about windows visible from the street or adjoining lots, located within road right-of-ways or common areas, or placed on or about the Property.

F. **Removal of Non-Conforming or Unapproved Signs.** Any sign, flag, banner or advertising device in violation of the provisions in this section will be removed and discarded by a representative of the ACC or HOA Board of Directors without prior notice or obligation to the offending party.



### **Approved For Sale Signage Detail**

*For details on ordering or installing approved signs, contact the ACC Chairperson.*

## **PLAY EQUIPMENT**

1. **Overview** - Planning for the recreation of children and young adults is an essential part of life at Palma Sola Trace. A swimming pool and play area is located next to the Club House. Commercially available play equipment, however, is often less than desirable in appearance. As a result, the standards in this section were established to create a balance between the need for play equipment and the impact on streetscapes, adjoining lots and common areas.

Play equipment includes, but is not limited to, play pools, playhouses, play complexes, trampolines and similar items. The location, number, size, materials and colors for play equipment shall be reviewed on a case-by-case basis. A color photograph and size information should be submitted to the ACC prior to installation.

2. **Location of Play Equipment.** Play equipment must be located in the rear yard within the Maximum Buildable Area. Portable play equipment must be removed when not in use and may be stored in garage, lanais or porches.

3. **Trampolines.** Other than portable trampolines, which are moved inside when not in use, trampolines intended to remain outside will be evaluated on a case-by-case basis by the ACC.
4. **Skateboard Ramps.** Permanent skateboard ramps are not permitted on any lot within the community and, for safety reasons, are not permitted on roadways.

## **ANTENNAS and SATELLITE DISHES**

1. **Satellite Dishes and Antennas.** One satellite dish one meter or less in diameter or diagonal measurement or one antenna one meter or less in diameter or diagonal measurement for the reception of video programming signals only is permitted. If placement does not impose unreasonable delay or expense or preclude reception of an acceptable quality signal, the ACC may require any such improvements to be (a) located in a place shielded from view from the street to the maximum extent possible, (b) located in the rear yard between the left and right corners of the Structure, (c) located as close to the rear of the Structure as reasonably achievable; and (d) buffered by landscaping. The ACC may require any such improvements to be painted to maintain the aesthetic appearance of the Property. All attendant wiring must be internal to the Structure. Owners in violation of these provisions or any applicable safety requirements may be required to relocate and/or modify any such satellite dish or antenna at their sole expense.
2. **Other Transmission or Reception Antennas.** Except as provided above, no other exterior antennas, aerials, or similar apparatus shall be placed, allowed, or maintained upon any portion of a lot, including the Structure, without the prior written consent of the ACC. No radio station or shortwave operation of any kind shall operate from any lot.

## **MISCELLANEOUS PROVISIONS**

1. **Solar Collectors.** The location and design details for solar collectors shall be submitted for design review or modifications review. A solar collector shall not be installed on any lot unless it is an integral and harmonious part of the architectural design of a Structure. Solar collectors shall be located on a roof exposure shielded from view from the street and adjoining properties to the maximum extent possible. Solar collectors shall be flush mounted and installed parallel to the plane of the roof. Frames and attendant hardware shall be finished to match the roof color. Under no circumstances may solar collectors extend above the ridgeline of a roof.
2. **Portable Barbecues.** A portable barbeque is permitted with a propane tank of 5 gallons or less. When not in use, portable barbecues must be stored out of view.
3. **Window air conditioning Units.** No window air-conditioning units may be installed on any Structure.

4. **House Numbers.** One set of house numbers of no more than 6" in height may be mounted to the exterior wall of a Structure. House numbers may not be attached to fascia. House numbers shall be numeric in format and shall not include the initials or names of Owners. Back-lighted house numbers are prohibited. The Palma Sola Trace Villas HOA Board of Directors will determine where numbers are placed. Villa owners may not deviate from this placement. Henderson and Taylor Morrison models will be the deciding factor in where numbers are located.
5. **Roadside Obstacles.** No concrete cylinders, pyramids, half-rounds or similar items may be placed along roadways or within right-of-ways in front of a lot.
6. **RV, Trailer and Boat Storage.** Recreational vehicles, trailers and boats, travel trailers, campers, watercraft and similar vehicles must be stored entirely within an enclosed garage. Overnight parking or storage of any such items is not permitted along roadways, in driveways or on lots, except for temporary parking when preparing the RV, Trailer or Boat for use.  
**Guests** arriving for a visit may park a small RV trailer in a driveway or street for a maximum of 72 hours. Construction vehicles, trailers and equipment can be parked as permitted by prior approval of the ACC.
7. **Clothes Lines.** Semi-permanent clothes lines or similar apparatus for the exterior drying of clothes are not permitted. Removable clotheslines may only be erected during daylight hours and only in locations that best minimizes their visibility from the street and from other homes and must be removed when not in use. Additional information can be located by referring to [Chapter 163.04, Florida Statutes](#).
8. **Sheds.** No portable or detached sheds are permitted.
9. **On-Site Fuel Storage.** Above or below ground fuel storage tanks are not permitted on lots without prior approval of the ACC.

## **FLAGS AND FLAG POLES**

*(In accordance with Chapter 720.304, Florida Statutes)*

- A. Any homeowner may display one (1) portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable official flag in a respectful manner, not larger than 4½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules or requirements of the association. They may also display a holiday theme flag or team flag that is in good taste and removed when holiday is over and sports team is no longer playing.
- B. Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of any association, if the flagpole does not obstruct sightline at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or

requirements of the association, one official United States flag, not larger than 4½ feet by 6 feet, and may additionally display one official flag of the State of Florida, or the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setbacks and locational criteria contained in the governing documents.

**Temporary flagpole staffs** that do not extend higher than the roof of the house and are attached to the dwelling unit do not require approval by the Architectural Control Committee.

The following flags shall not require ACC approval, provided no more than two (2) are displayed on a pole as described in this section:

U.S. flag (not to exceed 54" x 72" in size)

State of Florida flag (not to exceed 54" x 72")

Official flags of the U.S. Armed Forces-U.S. Army, Navy, Air Force, Marines or Coast Guard (not to exceed 54" x 72" in size)

Holiday flags

School (team) sports flags

Welcome sign



US Flag on wall and in ground and authorized alarm system sign

***Palma Sola Trace Villas HOA Guideline:*** No flagpole is allowed on the lawn area due to mowing and edging requirement. Above illustrations, show the flag location on the garage wall or a temporary flag pole in the planting bed. Also shown is approved security alarm sign posted at garage entrance. Security signs may also be located at main entrance and lanai entrance.

## **ACCESS RAMP**

Any villa owner may construct an access ramp if a resident or occupant of the parcel has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions:

1. The ramp must be as unobtrusive as possible, be designed to blend in aesthetically as practicable and be reasonably sized to fit the intended use.
2. Plans for the ramp must be submitted in advance to the ACC. The association may make reasonable requests to modify the design to achieve architectural consistency with surrounding structures and surfaces.
3. The villa owner must submit to the ACC an affidavit from a physician attesting to the medical necessity or disability of the resident or occupant of the parcel requiring the access ramp.

*Note: Certification used from Florida Statute 320.0848 shall be sufficient to meet the affidavit requirement.*

## **HOLIDAY DECORATIONS AND LIGHTING**

Villa Owners may display a reasonable number of holiday decorations and lighting, beginning no more than 30 days prior to a publicly observed holiday or religious observance and remaining up for no more than 20 days thereafter. No ACC application shall be required unless decorations or lighting are:

1. Excessive in number, size or brightness
2. Draw excessive traffic
3. Unreasonably interfere with the use and enjoyment of the Common Area and/or adjacent lots
4. Cause a dangerous condition to exist.

The Homeowner must remove the decorations or lighting within 48 hours after receiving written Notice from the ACC or Villas Home Owners Association.

Any themes that utilize music must obtain permission from neighbors prior to installing sound equipment (except if sound is available via radio waves). Sound must cease at 9:00 PM.

## ENVIRONMENTAL STANDARDS

The ponds, lakes, habitats and conservation areas within Palma Sola Trace are highly valued amenities. Every effort must be made to preserve and protect the environment that contributes to the community's identity as a most desirable place to live. Accordingly, owners and renters are required to comply with the following standards:

1. **Conservation Tracts.** Conservation Tracts established within Palma Sola Trace may in no way be altered from their natural state without approval from the Master Association, the CDD, the ACC and the requisite governmental or quasi-governmental authorities with jurisdiction over such areas.
2. **Environment Control during construction.** Environmental fences, silt fences, straw bales, and other sediment control methods shall be employed by Applicants upon request by the ACC Chairperson and as required by governmental or quasi-governmental authorities.
3. **Hazardous Substances.** No petroleum substances or other potentially hazardous or toxic substances shall be dumped, whether intentionally or unintentionally, on any lot or in any conservation area, lake or drainage system within the Property. All violations of this provision must be immediately reported to the ACC Chairperson.
4. **Tree and Native Landscape Material.** The employees of building and trade contractors must protect existing trees and native landscape material targeted to remain during construction and to respect tree fence areas for the protection of root systems from heavy vehicles and equipment.
5. **Aeration Systems and Tree Wells.** When fill is required around trees, aeration systems or tree wells will be installed by Applicants as may be required by the ACC.
6. **Protective Tree Fences.** If required by the ACC, protective fences must be installed at the drip line or farther for more mature trees prior to any clearing, site work or construction activities. Protective fencing must be maintained throughout the building phase and shall conform to a standard design established by the ACC. No equipment, material, fill, trash or toxic substances may be placed within boundaries of protective fencing for trees.
7. **Concrete Washout & Vehicle Washing.** The washing of concrete trucks or other vehicles is not permitted on roadways or within the drip line of trees. All concrete washouts must be performed entirely on the lot where such materials were provided or in areas designated by the ACC Chairperson. If street cleaning work is required to restore the appearance of street surfaces in front of a lot, the cost of any such repairs will be the responsibility of the Applicant.
8. **Tree Maintenance.** Unless otherwise required to remain in a natural state, all trees will be maintained and cared for throughout construction. As provided in this Manual, no trees may be removed from lots without the written approval of the ACC.

9. **Penalty for Damage.** In the event native landscape material or trees targeted to remain are damaged, the Applicant or Owner may be required to pay a fine and/or to replace such vegetation or trees with comparable materials of such size and number, and in such locations, as the ACC may determine to mitigate the damage.

10. **Vehicle Maintenance.** Oil changes (within garage) and the removal of other vehicle and equipment fluids must be performed in accordance with environmental regulations and, under no circumstances, are any toxic fluids permitted to be discharged onto the ground.

*Note: Applicants are responsible for ensuring compliance with Environmental Standards by all building and trade contractors. Depending on the nature of a violation, Applicants and/or their building and trade contractors may be required to pay costs involved in any violation, to remedy a violation in a timely manner, to leave the community, temporarily or permanently, and/or to pay fines.*

11. **Trash.** No rubbish, trash, garbage or other waste material shall be kept or permitted on the Properties, except in containers located in appropriate areas, if any, and in all events, such containers shall not be visible from any of the Properties, except for the minimum time necessary for its collection. If applicable, trash shall be placed curbside no earlier than dusk the day prior to collection and empty receptacles shall be removed from curbside by 11:59 P.M. on the day of collection. Trash receptacles shall be kept within enclosed garages or other DRC approved enclosure. Said restriction shall not apply to construction sites. No odor shall be permitted to arise therefrom to render the Properties, or any portion thereof, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants. No clothing or household fabrics shall be hung, dried or aired in a manner which is visible from Common Areas or other lots, and no lumber, grass, shrub or tree clippings or plant waste, metals, bulk material or scrap or refuse or trash shall be kept, stored or allowed to accumulate on any portion of the Properties.

## **CONSTRUCTION SITE STANDARDS**

Construction Site Standards have been established to foster a positive working relationship among the employees of building contractors, trade contractors and suppliers entering or performing work within the villas community. All Applicants and their building contractors, trade contractors and suppliers are required to comply with Construction Site Standards, which include the following:

1. **Construction Access.** All construction vehicles [trucks, vans and cars] are required to enter from 75th Street West. Access from 71st Street W is prohibited.

2. **Employees Only.** Only construction personnel, employed by contractors, trade contractors and suppliers, are permitted access to construction area.

3. **Community Amenities and Common Areas.** Community amenities and common area are for the benefit of residents. Construction personnel are not permitted to use community amenities or common areas.

4. **Damage to Improvements.** Applicants assume full responsibility and liability for any reconstruction, maintenance or repair of property or improvements within the Properties arising from activities of any builder's employees or building contractors, trade contractors and suppliers.
5. **Speed Limits.** For the safety of residents, the speed limit within the community is 25 mph for all vehicles.
6. **Construction Parking.** Under certain circumstances, construction personnel may be required to park in designated areas. When parking is permitted along roadways, only one side of the street may be used. No parking is permitted in permanently landscaped or grassed areas.
7. **Removal of Construction Vehicles.** Construction vehicles [trucks, vans and cars] must be removed from the job sites at the end of day unless otherwise approved by the ACC Chairperson. Vehicles left within the Palma Sola Trace Community are subject to removal at the owner's expense and without prior notice.
8. **Job Site Conditions and Dumpsters.** All job sites shall be kept in a clean and orderly condition. Applicants are responsible for removal and placement of trash in dumpsters or "caged" areas on a daily basis in all areas that are open to public view.
9. **Street Cleaning.** Applicants will provide street cleaning and removal of construction materials, trash and debris from roadways, easements and swales on a routine basis or upon request of the ACC Chairperson.
10. **Pedestrian Paths & Driveways.** Driving across pedestrian paths is not permitted. Residential driveways may not be used for parking or to turn around vehicles.
11. **Storage of Fill & Materials.** No fill or materials may be stored or placed in right- of-ways, on vacant lots, or any other portions of Palma Sola Trace without approval of the Developer or ACC Chairperson. No spoils or dump sites are available within the community to receive export cuts. Applicants requiring import fill should check with the Developer to determine availability.
12. **Temporary Electric & Water.** Applicants are responsible for providing temporary electric and water service for homes under construction. Applicants and their building and trade contractors are not permitted to use the services of another Applicant or building and trade contractor without permission. The use of electricity or water from homeowners is strictly prohibited.
13. **Loud Music.** For the benefit of residents and other workers, the playing of loud music is prohibited. Construction personnel who continue to violate this provision, after adequate warning, will be asked to leave the site.

14. **Pets.** Pets of construction personnel are not permitted on job sites or inside vehicles parked within Palma Sola Trace.

15. **Signage** (contractor). No contractor or service provider signage is permitted within the villas community, except signs authorized by the ACC. Unapproved signage, located on lots or other portions of the villas community, will be removed and discarded without notice or obligation to the offending party.

16. **Portable Restrooms.** If a portable, restroom is required for an extensive project, the contractor will first request and receive approval from the ACC.

17. **Construction Trailers.** Construction trailers will not be permitted within the villas neighborhood without the prior written approval of the ACC Chairperson.

18. **Construction Deliveries and Work Hours.** Work hours for deliveries or construction shall be from 7:00a.m. to 6:00 p.m. Monday to Saturday. No construction deliveries or work is permitted on Sundays or on days when community-wide promotional events are scheduled. Any exceptions to construction delivery or work hours must be approved in advance by the ACC Chairperson.

19. **Fires.** Applicants and their building and trade contractors are not permitted to burn rubbish or trash on any portion of the property without approval of the ACC Chairperson and obtaining necessary permits from governmental authorities.

20. **Alcoholic Beverages.** No alcoholic beverages may be consumed by construction personnel within Palma Sola Trace. Failure to comply with this provision will result in immediate dismissal.

21. **Intentional Damage.** Building and trade contractors will respect the work of other trades. Workers causing intentional damage to materials or workmanship of others are subject to permanent dismissal from Palma Sola Trace.

22. **Security.** The security of construction improvements and materials is the responsibility of each Applicant. Construction vehicles are subject to search at any time, and construction personnel are required to cooperate fully with representatives of the construction company and / or the Architectural Control Committee.

*Note: Applicants are responsible for ensuring compliance with Construction Site Standards by all building and trade contractors. Depending on the nature of a violation, applicants and/or their building and trade contractors may be required to pay costs involved in any violation, to remedy a violation in a timely manner, to leave the community, temporarily or permanently, and/or to pay fines.*

## **ENFORCEMENT PROCEDURES**

*Enforcement: (From Villas HOA and Master HOA Declarations, Articles, and/or Bylaws)*

**Section 1. Compliance by Owners.** Every Owner shall comply with the restrictions and covenants set forth herein and any and all rules and regulations adopted by the Master and Villas HOA Boards. No delay in enforcing these covenants and restrictions as to any breach or violation thereof shall impair, damage or waive the right of the Association or other Owners to enforce the same, to obtain relief against or recovery for continuation or repetition of such breach or violation or of any similar breach or violation thereof at a later time or times.

### **Section 2. Enforcement.**

**A. By the Association and Owners.** The Association, or any Owner, shall have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Court costs and reasonable attorney's fees for any proceeding to enforce this Declaration, including any appeal there from, shall be borne by the Owner(s) against whom the suit has been filed.

The Association shall have the right to suspend voting rights and use of Common Areas for any Owner violating these covenants and restrictions for a period of time, which is the longer of sixty (60) days, or the term of continued violation. The Association shall have the right to enforce the provisions of this Declaration through eviction proceedings or other self-help procedures appropriate to the violation.

**B. By the CDD.** The District (City of Bradenton, Florida, an agency created pursuant to Chapter 373, Florida Statutes) shall also have the right to enforce the provisions of this Declaration which shall relate to operations, maintenance and management of the Master Surface Water Management System for the Community pursuant to the rules, requirements and permit promulgated by the District.

**C. Dispute Resolution.** Notwithstanding any provision of this declaration to the contrary relative to enforcement rights or remedies of the Association, (a) any election dispute between a Member and the Association must be submitted to mandatory binding arbitration with the Divisions of Florida Land Sales, Condominiums, and Mobile Homes and (b) before the filing of a claim in a court of competent jurisdiction, the following disputes between the Association and an Owner shall be filed with the Department of Business and Professional Regulation for mandatory mediation; (c) disputes regarding the use of or changes to a lot, a home or the common property and other covenant enforcement disputes, (ii) disputers regarding amendments to the Governing Documents, (iii) disputes regarding meetings of the Board and any committees appointed by the Board, (iv) disputes regarding Member meetings (not including election meetings) and (v) disputes regarding access to the official records of the Association.

**Section 3. Fines/Suspensions.** In addition to all other remedies, and to the maximum extent lawful, in the sole discretion of the Board of Directors of the Association, fines or suspensions may be imposed (excluding fines or suspensions imposed upon any Member for failure to pay any Assessments or charges when due which may be imposed without following the procedures in the Section 3) upon any Owner for

failure of an Owner or that Owner's tenants, licensees, invitees and guests to comply with any covenant, restriction, rule or regulation, provided the following procedures are adhered to:

A. **Notice.** The Association shall notify the Owner of the alleged infraction or infractions. Included in the notice shall be the date and time of an opportunity for a hearing before a committee appointed by the Board of Directors at which time the Owner shall present reasons why a fine(s) or suspension(s) should not be imposed. The committee appointed by the Board of Directors (Hearing Committee) shall consist of a least three (3) members who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee of the Association. At least fourteen (14) days' notice of such hearing shall be given.

B. **Hearing.** The alleged non-compliance shall be presented to the Hearing Committee after which the Hearing Committee shall hear reasons why a fine(s) or suspension(s) should not be imposed. The Owner shall have a right to be represented by counsel and to cross examine witnesses. If the Hearing Committee, by majority vote, does not approve a proposed fine(s) or suspension(s), it may not be imposed. A written decision of the Hearing Committee shall be submitted to the Owner not later than twenty-on (21) days after the hearing.

C. **Amounts.** The Board of Directors (if the Hearing Committee findings are made against the Owner) may impose a fine(s) against the lot or unity owned by the owner as follows:

1. For each violation, a fine not exceeding One Hundred Dollars (\$100.00).
2. For a violation or violations which are of a continuing nature after notice thereof (even if in the first instance), a fine not exceeding One Thousand Dollars (\$1,000.00).

D. **Payment and Collection of Fines.** Fines shall be payable within thirty (30) days after receipt of the notice from the Association ("Payment Date") to the Owner imposing the fine(s). In the event of non-payment, the fines shall bear interest at the rate of ten percent (10%) per annum from the Payment Date and the Association may proceed to collect the fine(s) and all accrued interest. In any action to recover a fine, the prevailing party is entitled to collect its reasonable attorney's fees and costs. Pursuant to Florida Statutes the HOA can now place a lien against a property for non-payment of fines.

E. **Application of Proceeds.** All funds received from fines shall be allocated as directed by the Board of Directors.

F. **Non-exclusive Remedy.** These fines shall not be construed to be exclusive, and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled; however, any penalty paid by the offending Owner shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from such Owner.

## **GRANDFATHER CLAUSE**

Any change made to a villa owner's property, which has been approved by the DRC – ACC – Master or Villas (HOA) Association and is properly documented prior to the adoption of the above guidelines, need not be modified in accordance with the guidelines specified herein. Also, any improvements made by the original builder are automatically grandfathered. These modifications will be considered acceptable under this clause.

## **DEFINITIONS**

The words, terms and phrases contained in this section are defined below and shall be interpreted as such throughout the Design Review Manual. Terms not defined herein or within the content of the manual shall have the meaning customarily assigned to them or such as the context may imply.

**ACC Design Review Manual** ("Manual") shall mean and refer to this manual which sets forth policies and procedures of the Villas HOA Architectural Control Committee, and establishes standards, guidelines and provisions for new construction and modifications to existing Structures.

**Accessory Structure** shall mean and refer to a detached structure including, but not limited to, swimming pools; spas; and detached gazebos, pavilions, cabanas and pergolas.

**Air-Conditioned Square Footage** shall mean and refer to the finished space of a Structure as measured at floor level from the outside of finished perimeter walls and from the center line of demising walls separating air conditioned and non-air conditioned space. Openings in floors are not included in calculations. The area of stair treads and landings proceeding to the floor below is included for the floor from which the stairs descends, not to exceed the area of the opening in the floor. To be included in calculations, finished areas must have a ceiling height of at least 7'-0" except: (a) under beams, ducts and other obstructions where the height may be 6'-4"; (b) under stairs where there is no specified height requirement; or (c) where the ceiling is sloped. If a room's ceiling is sloped, at least one-half of the finished square footage in that room must have a vertical ceiling height of at least 7'-0"; no portion of the finished area that has a height of less than 5'-0" may be included in calculations. Garages and unfinished areas are not included in calculations. Chimneys, windows and other finished areas that protrude beyond the exterior finished surface of the outside walls and do not have a floor on the same level are not included in calculations.

**Applicant** shall mean and refer to a legal owner of a lot who submits an application to the Architectural Control Committee.

**Application** shall mean and refer to a Design Review Application for Master Approval, Design Review Application for Individual Approval, Landscape Review Application, Modifications Application or Request for Change as the context may imply.

**Architectural Control Committee ("ACC") Administrator** shall mean and refer to the management company responsible to assist and review documents from the ACC committee when needed and store approved design applications and documents.

**Architectural Control Committee ("ACC") Chairperson** shall mean and refer to the individual appointed to accept Design Review Applications ; to conduct field inspections of construction; to maintain records of the Architectural Control Committee; to enforce design, environmental and construction site standards; and to counsel with Applicants with regard to specific standards and guidelines.

**Architectural Control Committee Design Review Manual ("Manual")** shall mean and refer to this manual which sets forth policies and procedures of the Architectural Control Committee, and establishes standards, guidelines and provisions for new construction and modifications to existing Structures.

**Commencement of Construction** shall mean and refer to the start of construction, that does not commence until (a) all plans for such construction have been approved by the Design Review Committee; (b) a building permit has been issued by the requisite building department; and (c) construction has physically commenced beyond site preparation.

**Community Development District ("CDD")** shall mean and refer to the Palma Sola Trace Community Development District, which is a special purpose government created under Chapter 190, Florida Statutes, and which may acquire, fund, construct, operate and maintain certain infrastructure and community services within or outside the Properties.

**Completion of Construction** shall mean and refer to the date a Structure is complete, including installation of all landscaping, as evidenced by the issuance of a final certificate of occupancy by the requisite building department.

**Construction Site Standards** shall mean and refer to standards pertaining to construction site activity and operations as provided in the Design Review Manual. Corner Lot shall mean and refer to any lot, which abuts two roadways.

**Declarant** shall mean and refer to Taylor Woodrow Homes - Central Florida Division L.L.C., a Florida Limited Liability company, or its successors and assigns, and as further defined in the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace.

**Declaration** shall mean and refer to the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace Master and Villas HOA, recorded in Official Record Book, public records of Manatee County, Florida, as amended and supplemented from time to time.

**Design Documents** shall mean and refer to site plans, architectural or design drawings, specifications, lot grading plans, surveys, engineering details, landscaping plans, color and material samples, and any other documents, drawings, photographs or literature which illustrates, describes, or otherwise interprets the plan of construction, change or modification for any lot or structure located thereon.

**Design Review Application** for Individual Approval shall mean and refer to the Design Review Application for Individual Approval and any attachments thereto, including Design Documents, for the review and individual approval of new construction by the Design Review Committee.

**Design Review Application** for ACC Approval shall mean and refer to the Design Review Application for ACC Approval and any attachments thereto, including Design Documents, for the review and master approval of new construction by the ACC.

**Design Review Committee** shall mean and refer to the committee established under the provisions of Article 14.1 of the Declaration.

**Design Standards** shall mean and refer to the standards of site planning, site development, architecture and landscaping as contained in the ACC Design Review Manual.

**Developer** shall mean and refer to Taylor Woodrow Homes - Central Florida Division L.L.C., a Florida Limited Liability Company, its successors and assigns, and as further defined in the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace.

**Environmental Standards** shall mean and refer to standards pertaining to protection of the environment as contained in the ACC Design Review Manual.

**Front Yard Zones** shall mean and refer to the portion of a lot between the front plane of a Structure and the Streetscape Zone and running the full width of a lot.

**Interior Lot** shall mean and refer to a lot other than a Corner Lot and situated between two other lots.

**Landscape Review Application** shall mean and refer to the Landscape Review Application and any Design Documents attached thereto for requesting approval by the Architectural Control Committee for landscaping and related improvements.

**Lot** shall mean and refer to any platted lot within the community which has been or is intended to be conveyed to an Owner and which contains or is intended to contain a single-family detached dwelling or half of an attached dwelling. A lot shall also mean and refer to a platted parcel within the community that is intended for the construction of multi-unit condominium buildings.

**Master Association** shall mean and refer to Palma Sola Trace Master Association, Inc., a Florida not-for-profit corporation, its successors or assigns, and as further defined in the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace.

**Maximum Buildable Area** (if necessary to replace a damaged Villa) shall mean and refer to the portion of a lot within the building setbacks and upon which the Structure and any Accessory Structures may be constructed, subject to provisions contained in the Design Review Manual.

**Modifications Review Application** shall mean and refer to a Modifications Review Application and any Design Documents attached thereto for the purpose of requesting approval by the Architectural Control Committee for modifications to a lot or structure. This Application applies to completed structures.

**Neighborhood** shall mean and refer to a portion of the property with similar interests, such as a common name, entry feature, lot size, product type or architectural theme as shown on the site plan for Palma Sola Trace.

**Neighborhood Association** shall mean and refer to any homeowners or condominium association formed within a particular neighborhood to govern the business affairs and any property within that neighborhood.

**Owner** shall mean and refer to the record title holder, whether one (1) or more persons or entities, of the fee simple title to any lot situated within or upon the Properties.

**Property or Properties** shall mean and refer to the real property as legally described and defined in the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace.

**Rear Yard Zones** shall mean and refer to the portion of a lot between the rear plane of a Structure and the rear property line and running the full width of a lot.

**Request for Change Application** shall mean and refer to the Request for Change Application and any attachments thereto, including Design Documents, to request approval for a change to a Design Review Application for ACC Approval, Design Review Application for Individual Approval, Landscape Review Application or modifications Review Application after initial approval by the Architectural Control Committee. This Application applies to a request for changes to work in progress.

**Side Yard Zones** shall mean and refer to the portion of a lot from the front to the back of a Structure on both sides over to the respective property lines.

**Streetscape Zone** shall mean and refer to a portion of the right-of-way adjoining a lot and running from the curb to the front yard property line across the full width of a lot. On Corner Lots, the Streetscape Zone also extends the full length of the street side yard to the rear property line.

**Structure** shall mean and refer to a residential dwelling, and shall include any attached structures such as a portico, garage, and porch.

**Surface Water Management System** shall mean and refer to the portion of the properties within Palma Sola Trace, including improvements thereon, which are designed and constructed or implemented to control water and as further defined in the Declaration of Covenants, Conditions, Restrictions and Easements for Palma Sola Trace.

**Variance** shall mean and refer to an exception to the standards contained in the ACC Design Review Manual as may be granted by the Architectural Control Committee.

**Palma Sola Trace** shall mean and refer to the master-planned community anticipated to be developed on the Property pursuant to the approvals granted by the City of Bradenton, Florida.

COLOR & TINTING INFORMATION (data pending)

Villa Type	Villa Color	Color Information
Henderson -		
Taylor Morrison -		

Information provided by Behr Paint Company on \_\_ September 2014. Weather conditions may affect the exact color matching.





Villa being repainted

## **Request for Architectural Approval Flow**

Architectural Design Review Applications will be prepared by the homeowner and submitted to the (ACC) Architectural Control Committee for approval **BEFORE** any work commences. Applications and Design Documents may be mailed or delivered using one of the following methods:

### **If Mailed**

Palma Sola Trace Villas HOA  
c/o C&S Condominium Management Services, Inc.  
4301 32<sup>nd</sup> Street West, Suite A-20  
Bradenton, FL 34205  
Telephone: (941) 758-9454  
Fax: (941) 753-3062

### **If e-mailed**

E-mail to: [ACC@PalmaSolaTrace.org](mailto:ACC@PalmaSolaTrace.org)

### **If Hand Delivered**

The ACC application and supporting documents may be given to an ACC member, Villas HOA Director or C&S.

The review committee will review the request and attachments and will approve the request, ask for additional information or decline the request. This process normally is completed no later than thirty (30) days after all paperwork is submitted.

If Approved the ACC Chairperson will provide an approval letter to the villa owner.

If Not approved, the ACC Chairperson will provide a letter with details for disapproval to the home owner.

Approved and Disapproved letters and packages are provided to the ACC Administrator for review and filing.

**PALMA SOLA TRACE HOA  
Architectural Control Committee Approval Letter**

Property Owner: \_\_\_\_\_

Primary Mailing Address: \_\_\_\_\_

Villas Address: Lot #\_\_\_\_, Street Address \_\_\_\_\_

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

Subject: Palma Sola Trace Villas HOA – Architectural Control Committee - Approval Letter

Dear Property Owner:

The Palma Sola Trace Architectural Control Committee (ACC) approves the building and/or improvements listed and identified on the attached signed ACC Application submitted. This approval is based upon meeting the criteria outlined in The Architectural Control Committee Standards and Guidelines Manual and Article V of the CC&R's with regard to conformity of selected building materials, continuity with existing structures, and natural landscape surroundings.

This approval letter does NOT expressly imply any written warranty with regard to architectural design, structural integrity, and conformity to building codes, environmental impact or clean water assessment. These are the sole responsibility of the owner and builder. Any expenses with regard to compliance or corrective action will be the responsibility of the home owner.

Respectfully,

Palma Sola Trace HOA  
Architectural Control Committee  
Chairperson



Palma Sola Trace Villas HOA  
Architectural Control Committee Standards and Guidelines  
Design Review Manual for Palma Sola Trace Villa Owners

Board of Director Approval

Name	Signature	Date
Dennis Beadle – President	Signed	18 September 2014
Dave Smith – Vice President	Signed	18 September 2014
Nancy Willeman – Treasurer	Signed	18 September 2014
Mary Jane Allgood – Secretary		
Ronald Ferranti – Director	Signed	18 September 2014

Board Approval  
The Board of Directors  
Palma Sola Trace Villas HOA  
has approved this Architectural Control Committee Standards and Guidelines.

# Request For Architectural Approval Palma Sola Trace HOA

This is a request form to be completed by the homeowner and submitted to the (ACC) Architectural Control Committee for approval **BEFORE** any work commences. Please complete it in its entirety and deliver to ACC or mail to C&S. The address is: Palma Sola Trace Villas HOA, c/o C&S Condominium Management Services, Inc., 4301 32<sup>nd</sup> Street West, Suite A-20, Bradenton, FL 34205. Telephone (941) 758-9454. Fax: (941) 758-3062. E-mail to : [ACC@PalmaSolaTrace.org](mailto:ACC@PalmaSolaTrace.org). Attention Architectural Control Committee.

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## This Section To Be Completed By The Homeowner

NAME: \_\_\_\_\_ LOT# \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE (HOME): \_\_\_\_\_ WORK: \_\_\_\_\_ CELL: \_\_\_\_\_

Request For Change

Landscape Revision

Modification Review

**DESCRIBE THE CHANGE/ADDITIONS/INSTALLATION:** (i.e. pool, screen enclosure, patio, landscaping, sidewalk/driveway pavers, etc.)

GIVE DESCRIPTION: \_\_\_\_\_

**LOCATION:** (ATTACH A COPY OF PLOT PLAN/SURVEY SHOWING THE LOCATION OF THE ADDITION OR INSTALLATION -

**(MUST BE PROVIDED)** - GIVE DESCRIPTION: \_\_\_\_\_

**SPECIFICATIONS:** (ATTACH A COPY OF THE PLANS OR A SUITABLE DRAWING OR PICTURE - **(MUST BE PROVIDED)**)

DIMENSIONS: \_\_\_\_\_

MATERIAL (S): \_\_\_\_\_

COLOR (S) (SAMPLE OR COLOR CHIP - **MUST BE PROVIDED**): \_\_\_\_\_

COMPANY/INDIVIDUAL TO PERFORM WORK: \_\_\_\_\_

ESTIMATED TIME OF COMPLETION: \_\_\_\_\_

OWNERS PRINTED NAME & SIGNATURE: \_\_\_\_\_, \_\_\_\_\_

**NOTE: The property owner hereby acknowledges that he/she shall be solely responsible for determining whether the improvements, alterations or additions described herein comply with all applicable laws, rules and regulations, code and ordinances: including, without limitation, zoning ordinances, subdivision regulations, and building codes. The ACC shall have no liability or obligation to determine whether such improvements, alterations and additions comply with any such laws, rules, codes or ordinances.**

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## This Section To Be Completed By The Architectural Control Committee

REQUEST: DATE APPROVED: \_\_\_\_\_ DATE DENIED: \_\_\_\_\_

CHAIRPERSON, ACC: \_\_\_\_\_

(ACC) COMMENTS OR CONDITIONS: \_\_\_\_\_

DATE RECEIVED BY ACC: \_\_\_\_\_ SENT TO HOA: \_\_\_\_\_ SENT TO HOMEOWNER: \_\_\_\_\_