

AVENTURA
HOMEOWNERS ASSOCIATION

ARCHITECTURAL STANDARDS AND GUIDELINES

ADOPTED BY THE AVENTURA HOMEOWNERS ASSOCIATION
ON <<INSERT DATE>> EFFECTIVE <<INSERT DATE>>

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

Table of Contents

<u>Subject</u>	<u>Page</u>
I. Introduction	1
II. CC&R Violation and Enforcement	2
III. General Guidelines	3
IV. Architectural Design and Material Standards	
A. Landscaping.....	6
B. Fencing and Gates.....	8
C. Patio Slabs, Other Concrete Slabs, Patio Covers, Gazebos.....	10
D. Pools, Spas, and Related Equipment.....	11
E. Other Structures	
1. Decks, Room Additions, and Balconies.....	12
2. Detached Garages	12
3. Storage Sheds, Utility Buildings	12
F. Other Modifications	
1. Security Bars	13
2. Exterior Lighting	13
3. Screen Doors	13
4. Solar Screens.....	13
5. Window Tinting.....	14
6. Play Equipment.....	14
7. Other Types of Play and Sport Equipment	14
8. Basketball Poles and Backboards.....	15
9. Skylights, Solar Energy Equipment	15
10. Awnings.....	15
11. Air Conditioning Units or Equipment	15

**AVENTURA HOMEOWNERS ASSOCIATION
ARCHITECTURAL STANDARDS AND GUIDELINES**

12.	Satellite Dish Receivers, Antennas	16
13.	Exterior Paint and Finish Colors	16
14.	Recreational Vehicles and Parking.....	16
15.	Signs	16
16.	Flagpoles	17
V.	Drainage.....	17
VI.	Enforcement Policy	17
VII.	Amendments to Standards and Guidelines.....	19
VIII.	Liability Statement.....	20
IX.	Architectural Submittal Checklist	20
	Architectural Review Application for Improvement	22
	Impacted Neighbor Statement.....	23

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

I. Introduction

As provided in the Declaration of Covenants and Restrictions for Aventura Homeowners Association (CC&Rs) and the Bylaws, an Architectural Review Committee (ARC) has been established with the right and duty to promulgate reasonable standards against which to examine any request made pursuant to Article X of the CC&Rs in order to ensure that the proposed plans conform harmoniously to the exterior design and existing materials of the buildings in the Aventura Homeowners Association.

The Board of Directors and Architectural Review Committee have developed the Aventura Homeowners Association Architectural Standards and Guidelines to preserve the architectural style established by the builders in the construction of the homes in the community, as provided in the CC&Rs, and to assist property owners in the architectural review process.

These guidelines are intended as a supplement to the requirements of Article X of the CC&Rs. They do not embody the CC&Rs in its entirety.

YOU ARE ADVISED TO READ THE CC&RS before developing and submitting your review package to the ARC.

Purpose

The ARC has been established to ensure the continuity in design, which will preserve and improve the Aventura Homeowners Association and aid in ensuring preservation of property values.

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

The ARC must review all plans for exterior improvements contemplated for lots in the Aventura Homeowners Association. "Improvements" would include, but not be limited to, construction, grading, excavation, additions, modifications, alterations, decoration, redecoration, or reconstruction (including paint colors) to residential dwellings, detached garages, utility buildings, fences, walls, patio slabs, patio covers, decks, balconies, gazebos, pools and spas, play and sports equipment, as well as landscape plantings, sidewalks, other concrete work, all masonry, and gates.

The ARC meets on a regular basis to review requests. Architectural Review Request forms must be completed and submitted to the Committee with improvement plans. All required documentation must be attached (i.e., plans, impacted neighbor statements, color samples, etc.).

A copy of the form is attached and additional forms can be obtained from the Association's management company, the Board of Directors, or the ARC.

II. CC&R Violation and Enforcement

Failure to submit complete plans to the ARC for review and approval prior to beginning construction, or failure to complete improvements according to approved plans and in compliance with governing codes, are violations of the CC&Rs. Construction or installation of improvements may not commence until the ARC has granted written approval of the improvement. The installation or construction of improvements, which have not been approved, is a violation of the CC&Rs and is subject to action by the Board

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

of Directors.

Assistance

The ARC staff will be happy to assist with the submittal process, interpretation of related CC&R provisions, and these Guidelines.

III. General Guidelines

- A. Any condition or material not specifically defined herein shall become a matter for the consideration and determination of the ARC.
- B. Approval by the ARC does not constitute waiver of any requirements by applicable governmental agencies.
- C. ARC approval does not constitute acceptance of any technical or engineering specifications or governmental requirements. The function of the ARC is to review each submittal for conformity to the intent and provisions of the CC&Rs.
- D. Approval of plans is not an authorization to proceed with improvements on any property other than the applicant's.
- E. An oversight by the ARC regarding the CC&Rs or the Standards and Guidelines does not constitute a waiver.
- F. Access through common property is prohibited. Access for equipment used in construction must be over or through the applicant's property. Building equipment and materials must be contained on

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

the applicant's property. Streets may not be obstructed with equipment or building materials.

- G. In the event construction requires use of adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with the plan submittal.
- H. All work must be performed in a manner consistent with the standards of the original residence construction and appearance. Any work performed that is of substandard quality to the established community of the Aventura Homeowners Association will be reworked to an acceptable appearance at the owner's expense.
- I. Pursuant to the Home Improvement Damage Deposit Policy, a \$500.00 deposit shall be made for the following improvements: pool/spa installation, wall installation and/or removal, major landscaping that requires materials to be deposited on the street, room additions, and any improvements that the Board of Directors believes will create debris that could carry into the street and/or common areas of the association.
- J. Submittal of color samples of any paint or stain is required when they deviate from the original colors of the residence.
- K. Impacted Neighbor Statement. The Impacted Neighborhood Statement is designed to provide the ARC input form to neighbors regarding any improvements that may have an effect on the use, enjoyment, or

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

value of their property, as well as to promote communication and avert potential problems. The ARC uses the form for advisory purposes only.

The Impacted Neighbor Statement must be completed and submitted with the Architectural Review Request for improvements that will affect your neighbors in any way. Improvement plans requiring an Impacted Neighbor Statement would include, but not be limited to, patio covers, decks, balconies, detached garages, utility buildings, basketball standards, improvements that exceed the height of the nearest property wall, requests for variances, dwelling additions, satellite antenna, and concrete work. The property management company or any member of the ARC will be happy to assist in determining the need for an Impacted Neighbor Statement.

Terms used in the statement are defined as follows:

"Facing" refers to the neighbors directly across the street. In the case of a corner lot, "facing" could refer to two or three neighbors across the street facing the side of the residence, as well as neighbors directly across the street facing the residence.

"Adjacent" refers to adjoining properties, and

"Rear" refers to properties adjoining the rear property line of the applicant's property.

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

The ARC may deem it necessary to request additional Impacted Neighbor Statements from other neighbors in the vicinity of the proposed improvements.

IV. ARCHITECTURAL DESIGN AND MATERIAL STANDARDS

Improvements must be designed in general conformance with the original architectural style of the residence and the community at large. The ARC will evaluate plans based on the overall benefit or detriment, which would result to the immediate vicinity and the Community generally.

This section further defines appropriate materials for use in modifications and other improvements, which are considered typical, and may be "pre-approved" by the ARC. Plans for items that meet the following criteria exactly need not be submitted to the ARC. However, any deviation from these items requires written ARC approval.

A. Landscaping

1. Approval - Article X provides for the approval of landscape plans.
2. Time Frame for Installation - The Board of Directors may adopt a resolution requiring the complete installation of courtyard and backyard landscape with an automatic irrigation system on all areas of a lot.

Article VI provides for maintenance of landscape and provisions for failure to install landscape and automatic irrigation or

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

failure to maintain landscape after installation.

Failure to install landscape and automatic irrigation and/or maintain installed landscape improvements is a violation of the CC&Rs and subject to penalty.

3. Landscaping is considered an integral part of the overall lot. As a design element, consideration must be given to the relationship to adjacent houses and surrounding area.
4. All landscaping, plantings, and installation of permanent irrigation systems by an owner must remain aesthetically consistent with the design and plan of the Community.
5. Courtyard and backyard landscaping that includes rear yard shrubs that when mature exceed 6', and front yard shrubs that exceed 3' in height when mature, require approval of the ARC.
6. Berms less than 3' above grade, decorative "logs" less than 12 inches in diameter, and boulders no larger than two feet in diameter are permitted without prior approval.
7. Professionally installed decorative concrete curbing, plastic or wood edging, and bender board installed with less than 6" of the material exposed above grade are permitted without prior approval.
8. The use of decorative rock and gravel is permitted and

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

encouraged. However, the complete landscape plan, including colors, must be submitted for approval. Weed control must be addressed on the plans.

9. Courtyard and backyard desert landscaping consisting of rock, gravel, and/or other hardscape material only is prohibited. The courtyard and backyard landscape plan must be submitted to the ARC for review and approval, and must include shrubs and/or trees and necessary irrigation. In addition, weed control must be addressed on the plans.

B. Fencing and Gates

1. All fence construction, extensions, and finish materials not installed as a part of the original construction of the residence require prior written approval of the ARC.
2. All property walls shall be water-sealed and well maintained.
3. All fence extensions must be of the same material and design as the existing fencing.
4. The following fence or gate materials are unacceptable to the ARC:
 - a. Aluminum or sheet metal.
 - b. Wire.

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

- c. Metal or nylon coated chain link.
 - d. Plastic or fiberglass panels.
 - e. Plastic webbing, reeds, or bamboo.
 - f. Glass block and panels.
 - g. Woven bender board.
 - h. Wood fencing.
 - i. Double property line fences.
5. Fences, hedges, and tennis court type fences constructed of woven-wire, vinyl-clad mesh exceeding 7' in height, but no higher than 10' measured from the highest adjacent lot, may be approved. The ARC must evaluate and approve the location on the lot and that the lot can accommodate the structure without annoyance to, or detrimental effect upon, adjoining lots. An Impacted Neighbor Statement is a requirement.
6. Landscape and improvement plans for corner lots must comply with the requirements of governing agencies. Walls and shrubbery on a corner lot must be installed and maintained in accordance with the governing agency's "clear site" ordinance.
7. Decorative arches, double gates, and security bars require

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

written approval of the ARC.

C. Patio Slabs, Other Concrete Slabs, Patio Covers, and Gazebos

1. All plans for patio slabs, patio covers, decks, balconies, and gazebos must be submitted to the ARC for review and approval.
2. Minimum setback requirements must meet those established by the governing agency.
3. Patio Covers: Preferred materials for patio covers are wood, stucco finish, aluma-wood, or vinyl to match the rest of the development. All natural wood surfaces must be finished with stain or paint. The following roofing materials are recommended; other materials must be approved:
 - a. Wood slats.
 - b. Concrete roof tiles to match the residence.
 - c. Surface colors or finish materials must match or harmonize with the existing colors and materials of the original residence.
 - d. Minimum size for wood or stucco support posts is 4" by 6".
4. Gazebos - Materials prohibited by the ARC are as follows:

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

- a. Metal structures.
- b. Fiberglass or plastic that does not match existing product.
- c. Plastic webbing, bamboo, reed, or woven bender board.
- d. Composition shingles.

Impacted Neighbor Statements must be submitted.

D. Pools, Spas, and Related Equipment

- 1. Submittal of a complete construction plan showing placement of pool or spa equipment on the property is required.
- 2. Pool/spa equipment must be screened from the view of adjacent properties and from street view.
- 3. Rear and side yard setbacks must meet the requirements of the governing agency.
- 4. Water falls and other features may not be built against a property line wall.

E. Other Structures

Detached garages, room additions, decks, balconies, or any other exterior alteration to any building require approval by the ARC. A

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

designer or licensed architect must draw such improvements. Such structures must be constructed with materials that conform to type, quality, and detailing established in the construction of the original residence. Impacted Neighbor Statements must be submitted; minimum setback requirements must be met.

1. Decks, Room Additions, and Balconies - Consideration of location, impact on adjacent neighbor's privacy, architectural compatibility, and landscape screening will be important considerations in reviewing plans for balconies.
2. Detached Garages - Complete plans, including utilities, site plan, and drainage plan, must be submitted. In addition, details on driveway extensions must be approved. The visual impact to extended concrete in front yards must be mitigated with landscape.
3. Storage Sheds and Utility Buildings – ARC approval required. Such sheds or utility buildings may not be visible from streets or common area. They must be constructed of ARC approved materials. Plans for permanent accessory structures must be drawn by a designer or licensed architect and built to match the residence in materials and architectural style. Such a structure may be visible from a street or common area, provided reasonable landscape materials are provided to mitigate the visual impact. Impacted Neighbor Statements

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

must be submitted. Minimum 3' set back requirements must be met.

F. Other Modifications

1. Security bars on windows and doors require approval of the ARC. The material should be painted to match the original color of the residence or to match the original window frames. Elaborate designs are discouraged and incompatible with the general architectural style of the Community.
2. Exterior lighting, including landscape accent lighting, must be approved by the ARC. Low wattage lights are recommended where the fixture will affect a neighbor. Holiday lighting that does not create an annoyance to neighbors is permitted without ARC approval but must be removed at the close of the holidays.
3. Screen door installations colored to match the residence door or window frames do not require approval of the ARC.
4. Solar screens do not require approval of the ARC if one of the following approved screen frame colors is used. The ARC must approve all other colors.
 - a. Silver gray

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

- b. Bronze
 - c. Dark bronze
 - d. Charcoal
 - e. Gold
5. Window tinting does not require the approval of the ARC if the color is light, medium, or dark smoke gray. The ARC must approve all other colors. Mirror or reflective finishes are prohibited.
6. **Play Equipment - Commercially constructed swing sets and jungle gyms, which will be installed in the rear yard, are not higher than any portion of the property's rear yard fence, and are adequately screened from street view by a gate or landscape material do not need approval of the ARC. Items not meeting the criteria must be submitted to the Committee for approval.**
7. **Other Types of Play or Sport Equipment - Play equipment not defined in item six above, including but not limited to, large swing sets, gymnastic, climbing apparatus structures, and playhouses, need prior approval of the ARC. A minimum set back of 10' from any property line wall is required. An Impacted Neighbor Statement will also be required.**

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

8. Basketball Poles and Backboards - The installation of basketball poles and backboards, or other similar sport equipment and related cement areas, must be approved by the ARC. General guidelines used by the ARC include support pole to be located a minimum 10' from any property line and landscape screen to be provided to screen equipment from view from neighboring lots and the street, as well as to provide a barrier to prevent the ball from encroaching on a neighbor's property or the street. An Impacted Neighbor Statement is required.

9. Skylights and solar energy equipment - The installation of any roof-mounted system to accommodate solar energy equipment, or any other equipment, must be approved by the ARC. An Impacted Neighbor Statement must be submitted. Specific concerns of the Committee will be the color of the materials used in relation to the roof color, visibility from streets, neighboring properties, and common area. The ARC may require Impacted Neighbor Statements from other owners in the general vicinity.

10. Awnings require prior approval of the ARC. The design, material, and color must be harmonious with existing architecture. Metal awnings are prohibited.

11. Air Conditioning Units or Equipment - Any exterior air

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

conditioning equipment other than the equipment installed as a part of the original residence must be approved by the ARC.

12. Satellite Dish/Receivers and Antennas – Satellite dishes and antennas one meter (39.37 inches) or less in diameter may be installed without the ARC's approval. Antennas used for amateur ("Ham") radio, CB radio, FM or AM radio service, satellite radio, or used as part of a hub to relay signals among antennas are not permitted.
13. Exterior Paint and Finish Colors - Any change in color from the original exterior colors of any residence or other improvement must be approved by the ARC.
14. Recreational Vehicles and Parking - All recreational vehicles parked on any lot must comply with the provisions of the CC&Rs (Article VI). Said vehicles may not be parked within the property except in the garage of any unit.

Motor vehicles that are inoperable may not be parked or stored on a lot or street but must be stored within a garage. Recreational vehicles may not be parked on a street.

15. Signs - The CC&Rs (Article VI) provide that no signs, posters, billboard, advertising, device, or other display—except for one standard "for sale" or "for rent" sign not exceeding 24" x 36"—

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

shall be displayed without being approved by the ARC.

16. Flagpoles – Flagpoles over twenty-five (25') feet in height are prohibited. Flagpoles under this height must be approved by the ARC. Homeowners are entitled to display the flag of the United States provided it is displayed in a manner consistent with the Federal Flag Code, does not exceed four feet in its vertical dimension or six feet in its horizontal dimension, or in a manner that poses a real and substantial danger to health and safety. The maximum number of flags of the United States that may be displayed on or around the exterior of a unit is one.

V. DRAINAGE

Each owner is responsible for providing proper drainage on his/her lot if the grade established by the developer during the original construction is altered during the construction of improvements. Approval of plans granted by the ARC will be based upon the assumption that the owner has provided for proper drainage. Therefore, the ARC will assume no responsibility.

VI. ENFORCEMENT POLICY

The CC&Rs require that any improvement must be approved prior to the installation (Article X). Any improvement that has been installed without approval is in direct violation of the CC&Rs. The association may use any

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

remedies provided in the CC&Rs to enforce those provisions.

The ARC will make very effort to approve improvements installed prior to the publication of the Architectural Standards and Guidelines that meet the criteria of the Architectural Standards and Guidelines.

Cooperation with the following process is necessary to ensure compliance with the provisions of the CC&Rs and to circumvent the possibility of applicable penalties for the existing violations.

- A. Improvement Without Permit - In the event the improvement was installed or constructed without a building permit, the owner must obtain a permit and submit it to the Committee with a submittal package as if no construction had taken place.

- B. Improvement With A Permit - In the event the improvement was installed or constructed after issuance of a building permit, the owner should submit the following:
 - 1. Architectural Review Request Form
 - 2. Impacted Neighbor Statement, if applicable
 - 3. Notice of Completion or final inspection
 - 4. Two photographs of the completed improvement taken from two separate angles. (Photographs of satellite dishes should be taken from the street view, adjacent, and rear properties.)

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

VII. Amendments to Architectural Standards and Guidelines

The Architectural Standards and Guidelines may be modified from time to time pursuant to the following criteria:

- A. Amendments must be approved by the Board of Directors.
- B. A property owner or other member of the association may submit recommended changes to the ARC for consideration.
- C. Recommendations shall be reviewed by the ARC and, if approved by two-thirds of the ARC members, the recommendations shall be forwarded to the Board of Directors for consideration.
- D. Upon approval and adoption by the Board of Directors, the change shall be incorporated into the Architectural Standards and Guidelines. Notice of such adopted amendment will be made in the association newsletter and copies of the amendment will be available to the membership upon request.
- E. All amendments shall become effective upon adoption by the Board of Directors, but shall not be retroactive.
- F. In the event of any conflict between an amended provision of the Architectural Standards and Guidelines and the CC&Rs, the provisions of the CC&Rs shall prevail.

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

VIII. Liability Statement

ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building ordinances, or other governmental agency regulations or restrictions. The ARC shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed approved, from the standpoint of structural safety and conformance with building or other codes. By approving such plans and specifications, neither the ARC, the Members thereof, the Association, nor the Declarant assumes any liability or responsibility for any defect in the structure constructed from such plans or specifications. As provided in the CC&Rs, neither the ARC, any Member thereof, the Association, the Board, nor the Declarant shall be liable to any member, owner, occupant, or other person or entity for any damage, loss, or prejudice suffered or claimed on account of (i) the approval or disapproval or any plans, drawings, or specifications, whether or not defective or (ii) the construction or performance of any work, whether or not pursuant to the approved plans, drawings or specifications.

IX. Architectural Submittal Checklist

AN INCOMPLETE SUBMITTAL PACKAGE WILL DELAY THE REVIEW PROCESS.

The following list is provided to assist a property owner in preparing the submittal package:

Original plus one copy of items A through E are required

AVENTURA HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

- A. Architectural Review Request Form—The form must be completed in its entirety.
- B. Impacted Neighbor Statement—The affected neighbors must sign this form, which will typically be "adjacent" and "rear." However, the "facing" neighbors must sign the form if the proposed improvements will be visible from a street.
- C. Plans—Plans include elevation drawings of the improvement, size and types of materials to be used, a site plan depicting the improvement on the lot and in conjunction with property lines, the residence, and any other existing pertinent improvements. Accurate dimensions (height, length, and width) must be shown. Exterior colors and finishes must be submitted.
- D. Landscape Plans—Landscape plans must be drawn to depict the lot, residence, property lines, existing walls, and fences. Landscape materials, such as sod, trees and shrub types and sizes must be called out, as well as their location. Irrigation and lighting must be shown. Samples of decorative rock or the size and/or color of the rock must be included. Proposed hardscape areas (driveways, parking areas, and sidewalks) must be shown.
- E. Material Samples—Color paint chips, type of rock to be used, pictures of gazebos, pools, patio covers, and spas should accompany the detailed drawings when available.