

Moss Park Reserve ARC Guidelines March 2015

Moss Park Reserve
Architectural Guidelines

Moss Park Reserve HOA

Architectural Guidelines

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Purpose

The Land, including the lakes, wetlands and uplands which comprise the Moss Park Reserve master planned community is a resource which demands and deserves special attention. Physical development has been undertaken with utmost sensitivity. Years of careful study, exacting analysis, planning and design, including exhaustive public review, have been completed to ensure the most feasible integration of improvements into the delicate natural environment. And long range planning continues in order to preserve the quality of development and maintain compatibility with and sustainability of the environment.

Continued development is guided by a group of legally binding covenants and design guidelines which protect the aesthetic integrity for both current and future residents. Additions and modifications to residential property must be in compliance with these guidelines, thus assuring a continued application of good design standards, the maintenance of property values and the preservation of the natural environment.

The guidelines and standards which follow have been developed to help you work with your professional team, architects, engineers and builders. It is not the intent of these guidelines to judge what is beautiful or not, but to coordinate and encourage high standards of design and construction that respect nature and promote integrity and diversity.

Objectives

These Architectural Guidelines are a guide for both members of the Architectural Review Committee (ARC) and property owners in the Moss Park Reserve. It is hoped that the guidelines will increase each property owner's awareness of the ways in which the integrity of the Reserve is preserved and the responsibilities that property owners must assume in this process. These guidelines have been thoughtfully and carefully prepared to provide a thorough basis of assistance.

A broad range of important subjects are addressed regarding property improvements and exterior alterations; but the guidelines established herein are not intended to be all inclusive or to preclude the Architectural Review Committee's need to evaluate unique situations when they occur. As significant circumstances change in the marketplace, construction technology and craftsmanship or design expertise become evident, the Architectural Review Committee continually considers and may adopt changes and additions to improve these guidelines and standards.

Specific objectives of this manual are:

To provide uniform guidelines to be used by the Architectural Review Committee in reviewing applications for improvements in view of the standards authorized by the covenants, conditions and restrictions.

1. To assist property owners in preparing a complete application for review by the Architectural Review Committee.
2. To increase property owners' awareness and understanding of the covenants, conditions and restrictions.
3. To maintain and improve the quality of the build and natural environments in the Moss Park Reserve.
4. To illustrate basic design principles that will aid property owners in the developing improvements which are consistent with the design expectation of the community.

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All Residents benefit from the planning and design that have been an important part of the development of the Moss Park Reserve. The intent of the design standards is to assure property owners that the expectation of design quality will be maintained. This, in turn, protects property values and enhances the environment in the Moss Park Reserve.

I. Site Planning

A. New Construction – Scheduling Requirements

1. Construction of a residence must commence within twenty four (24) months of the closing date of the purchase of the lot.
2. New homes should be completed within eighteen (18) months of the initial groundbreaking with the ARC being apprised of any delay in the process that might affect this timeline, including “Acts of God.” (See section IV, Design Review and Plan Submittal Process.)

B. Building Envelope & Square Footage

All homes built on residential lots within Moss Park Reserve are intended to be single family dwellings. The building envelope is the area of each residential lot within which all portions of the primary structure must be built. The building envelope shall be established by the Declarant at the time a residential lot is sold to an owner and shall be on file with the ARC. The building envelope for each residential lot is based, among other things, on the natural features of the lot, views, relationship to adjacent building envelopes, and topography. Governmental regulations regarding setback lines must be strictly observed. In the event of a conflict between a setback line and a building envelope line, the more restrictive line shall prevail.

C. Building Setbacks (Minimum Setback in Feet) and Minimum Square Footage under Heat/Air Conditioning

	Estate Lots	Lakefront	Interior
Front Yard	20'	20'	20'
Side Yard	10'	10'	10'
Rear Yard	50'	50'	25'
Square Footage	4,500	5,500	3,500

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Note: Multi-story walls (those above fourteen feet (14') shall beset back one foot (1') horizontally for each foot of vertical height above fourteen feet (14') in addition to the minimum required building setback.

Pools	Estate Lots	Lakefront	Interior
Pool Curbat Side Yard	15'	25'	25'
Pool Curbat Rear Property	20'	30'	35'

Decks, Patios, Drives and Walks	Estate Lots	Lakefront	Interior
Decks and Patios At Side Yard	10'	20'	20'
Decks and Patios At Rear Yard	15'	25'	30'
Drives and Walkways at Side Yard	5'	10'	10'

Lakefront lots are defined as lots 4-17; Estate lots are defined as lots 1-3 and 18-21. All others are considered Interior lots.

Setbacks will be defined by the building footprint as established by the developer. All changes to the established footprint must be approved by the ARC.

1. Accessory buildings and landscape structures may be permitted in the setback and must be approved by the ARC.
2. Pools shall not be constructed between any principal structure and an adjacent street without prior consent of the ARC. Within the buildable area of any site, pools may be constructed on the street sides only if in compliance with Orange County ordinances.
3. Mechanical equipment may extend into side yard setbacks five feet. (5')

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D. Easements

1. A ten-foot (10') easement has been reserved at the front of the lot immediately adjacent to all common streets, roads, and community property boundaries.
2. Each lot is served with underground electricity, TV cable, telephone, water and sewer. Estate and lake lots additionally have access to Propane gas lines. The location of these utilities, within the right-of-way, should be confirmed in the field when the topographical survey of the lot is done.
3. All utilities or company pull boxes and transformers etc. have been set within the easement right-of-way. Future grading around these structures shall insure proper drainage. Planting shall be done in a manner which reduces the visual impact of these structures.
4. The owner of any lot involving new construction is responsible for installing all driveway cuts and the segment of the community sidewalk running in front of his/her property within the easement. These must match and integrate with the existing and ultimately contiguous sidewalk in terms of material, color, forming and appropriate dimensions.

E. Combining Lots

Two commonly owned contiguous lots may be combined into a single home site with the consent of the Board of Directors. Any requested reconfiguration of the building envelope shall be shown on a sketch plan submitted by the owner early in the design phase. The Board of Directors must approve the proposed reconfiguration prior to submittal of the sketch plan. A relocated building envelope may, at the ARC's discretion, span the common line. However, it is possible that such a location could negatively impact views from nearby lots, or have negative drainage impacts and thereby be unacceptable. For purposes of these Architectural Guidelines, combined lots shall be considered as one lot.

F. Grading and Drainage

1. Manipulation of the ground surface within the individual lots must not create a functional or aesthetic adverse impact to the overall drainage within the lot or on the adjacent land. It is the responsibility of the owner to provide a drainage plan and statement of design intent for review and approval by the ARC before final approval can be granted.
2. Carefully planned drainage of private lots is required in order to keep the streets as dry as possible, and to allow as much water back into the groundwater system as possible. It is also a safeguard against interior lot flooding during five (5), ten (10) and fifty (50) year storms.
3. Moss Park has incorporated a master drainage system throughout the entire property which is designed to accept individual lot drainage water at designated points.
4. Lots must drain by positive drainage flow consistent with the master surface water management plan.
5. All rain water collected on any lot shall not flow onto adjacent lots. All berms shall be designed as gently rolling, free from ground sculpture. Swales shall be designed in accordance with Moss Park Surface Water Management System criteria.
6. All topographical change must occur within the lot boundaries and meet adjacent land at existing grade.

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G. Parking

Garages must be side facing or courtyard style

1. Additional parking spaces should be considered on the lot to accommodate guest parking. On street parking will not be permitted overnight, long term or on an ongoing basis.
2. No extended time of exterior storage of recreational or business vehicles, trailers, boats or other recreational equipment will be permitted on any lot.

H. Walls and Fences

1. The use of fences and walls is discouraged except as visual enhancements to landscaping and should be limited to areas requiring privacy or safety (i.e. swimming pools, garden courtyards, pet areas) or for concealment of service areas (trash containers, mechanical equipment etc.)
2. No fence or wall taller than six feet (6') above finished grade shall be permitted (with exception of tennis court fencing. See Section II, L-3, Tennis Courts.)
3. No visible fence may be placed from the front of the property line to thirty feet (30') past the closest front façade of the house and must terminate into the sides of the structure on both sides of the house. A fence may reside on the property line. Perimeter fences along property lines are not permitted unless it is agreed in writing with the adjacent property owners and approved by the ARC. (Refer to Count Code.)
4. "Invisible fences" for the purpose of containing pets (especially dogs) may be extended around the front of the property, so long as the front edge is no closer than three (3) feet to the front property line. Pursuant to the Moss Park Reserve Initial Use Restrictions and Rules, all dogs shall be kept on a leash when not on the pet owner's lot and no pet shall be allowed to roam unattended either within the community at large or on the pet owner's specific lot without a constraining visible or invisible fence.
5. Acceptable wall and fence materials shall match the quality standards, type and styles established within the community. All plans are subject to the ARC's approval of the overall design prior to installation. No PVC fencing shall be permitted. No chain link fencing shall be permitted except around tennis courts. (See Section II, L-3 Tennis Courts) Fence material and design should relate to the architecture in material, color and form. Fence and wall colors must be approved by the ARC. The color white shall not be permitted, unless specifically approved by the ARC.

I. Driveways and Sidewalks

The layout and choice of materials for the driveway and entry walk can help to create positive first impressions. Within the building envelope, the surface materials of both shall be brick and/or unit pavers throughout the community. The entry walkway should be wide enough to provide for an easy flow of pedestrian traffic as well as an entry statement to the front door. The driveway and entry walk patterns/colors and dimensions shall be delineated and called out on either the landscape or hardscape plan for review and approval by the ARC. The street-side common sidewalks shall be poured concrete to match existing contiguous sections. (See I, D-4. Easements.)

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J. Service Yards

Service yard areas for storage of trash cans, location of A/C compressors, pump equipment, pool equipment, etc. must be screened from streetscape view with a wall or landscaping six inches (6") higher than equipment up to a maximum of five feet (5') above grade. The wall screening should be an integral part of the structure or landscape design and may not contradict the drainage plan for the lot. The ARC must approve the materials, color selection, location and construction. All approved fuel tanks, water tanks, or similar storage items shall either be installed or constructed underground or be shielded from streetscape view by walls or landscaping. No fuel tanks are allowed except in connection with fireplaces, appliances, pools and spas and only if such fuel tanks are adequately screened. The service yard must occur within the building envelope, with the exception of parcel 7.

II. Architecture

A. Building Height

Unless otherwise approved by the ARC, the maximum height for any residential unit shall be thirty-five feet (35'). Height shall be measured from the average approved finished grade on the front street side of the residence to the highest point of the roof.

B. Materials and Components

1. The most important objective for the selection of materials is appearance and longevity. The materials used should have a quality appearance and suggest permanence. They should reinforce the architectural statement and character of the residence.
2. Recommended exterior finish materials:
 - a. Stucco
 - b. Stone
 - c. Brick
 - d. Wood
 - e. Tile
 - f. Copper
 - g. Cast or Wrought Iron gates, grilles, ornaments etc.
 - h. Leaded, stained or beveled glass
 - i. Others approved by ARC

C. Doors and Entries

All exterior doors must be made of exterior grade wood or insulated metal. Panel and French type doors are encouraged. **The front entry must have a minimum height of seven feet (7') and a minimum width of five feet four inches (5' 4") and include two single doors.** ~~The front entry must have a minimum height of seven feet (7').~~ The use of a transom is recommended. It is encouraged that all doors be set back a minimum of two inches (2") from the outside face of the wall.

D. Windows, Trim, Fascia and Soffit

1. The windows on all buildings must be constructed using frames made of; or appearing to be, wood. Vinyl or metal exterior cladding is allowed subject to approval by the ARC. Metal cladding must have an anodized or factory applied color that must be submitted to the ARC for approval.
2. It is encouraged that windows have muntins. Exceptions to this rule may be considered by the ARC only when deemed to be in keeping with the architectural design. Where muntins are used, they must give the appearance of a true muntin bar. No "snap in" muntin bars will be allowed. Muntins must be expressed in relief on the exterior face of the window unit.

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3. No window openings will be allowed that give the appearance of being flush with the surrounding facade. It is required that first story windows be recessed a minimum of two inches (2") from the exterior face of the wall. Windows should have an accent band or stucco score in order to emphasize shadow lines and create visual interest.
4. Recommended window types include: casement, single or double hung, bay windows and pivoting. Jalousie windows will not be allowed. The general header height of the windows shall be a minimum of seven feet (7') above the finished floor on the first level.
5. Shutters are permitted as decoration to windows whenever these shutters are appropriate to the dwelling design. Hurricane shutters are permitted, with design and material subject to ARC approval prior to installation. When used, shutters shall be of a size and proportion appropriate to the window opening.
6. "Canvas" Awnings: Awnings above windows, doors or other openings are not allowed.
7. Glazing: No reflective glass will be allowed in the exterior facades. Energy saving glass is recommended.
8. Trim, soffit and fascia should match in color and be compatible in overall appearance with windows. Soffit and fascia should be metal clad and must have an anodized or factory applied color that must be submitted to the ARC for approval. The Moss Park Reserve color standard is bronze, white or cream as is appropriate with the overall design of the house.

E. Roofs

1. Hip and gable roofs are encouraged by the ARC at Moss Park Reserve. Mansard and gambrel roofs may be allowed if appropriate to the dwelling design. The main roof of each residence shall be pitched at not less than five inches (5" vertical) in twelve inches (12" horizontal). Roofs over loggias, cloisters, breezeways, verandahs and porches may be considered at a lower pitch as long as they comprise less than twenty percent (20%) of the total roof area and are consistent with the architectural character of the residence. Any other deviation must be approved by the ARC.
2. Metal flashing, gutters, downspouts and any other exposed sheet metal (except copper) must be painted to match the building facades where installed. Gutters must be properly integrated into the roof design and downspouts should be located away from outside building corners. Colors and profiles of gutters and downspouts must be approved by the ARC.
3. Overhang depths shall be a minimum of eighteen inches (18") from the face of the wall unless otherwise approved by the ARC.
4. The following materials will be acceptable roof finishes; any other must be approved by the ARC:
 - a. Clay tile (color to be approved)
 - b. Cement tile (color to be approved)
 - c. Slate (color to be approved)
5. Skylights, solar collectors, or any other mechanical equipment must be integrated as part of the roof design. Roof mounted mechanical equipment shall not be visible from the street scape. Placement of any exterior mounted surveillance or similar equipment (e.g. antennas) is subject to ARC approval prior to installation.

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F. Color

1. The most delicate complement to the architectural expression is color. All exterior painted and material colors should be in keeping with the quality and design of the community while integrating appropriately with existing homes and current residential trends. A preapproved palette of suggested colors is available through the ARC. The ARC should update this palette periodically to maintain choices that contribute to the upscale status and visual desirability of our community. Colors approved and used at the time of the home's original construction should, as long as possible, remain among the pre-approved palette's options.
2. All exterior color selections (including walls, doors and trim choices), both before initial construction and subsequent repainting, are subject to a field inspection of paint samples and the specific approval of the ARC prior to painting of the whole structure. Colors and/or finish (e.g. degree of gloss) deemed inappropriate will be subject to repainting at the owner's expense, regardless of the scope of work already completed.
3. Color schemes should differ significantly from immediately adjacent homes.
4. The color of the roof is expected to enhance the overall appearance of the building. Both initial and weathered color characteristics of such surfaces shall be considered in palette selection and presentation.

G. Chimneys

Chimneys shall be designed to coordinate with the general theme of the residence. No exposed prefab metal chimneys shall be approved. (See also Section II, A. Building Height)

H. Garages and Garage Doors

All residential dwellings shall include an attached garage within the buildable area of the home site. Garages shall accommodate a minimum of two (2) cars (minimum 10' x 20' per car) but not more than four (4) cars and a space for one (1) golf cart (minimum of 8' x 12') unless otherwise approved by the ARC. The minimum back-up space for each garage shall be twenty seven feet (27') from the face of the outside garage wall.

I. Utility Equipment

All exterior controls, electric boxes, panels, meters and similar equipment shall be placed in a position where they have a minimal view from the street, or are hidden by landscaping or wing walls. The location and materials of these items shall be submitted for ARC review and approval. Boxes shall be painted to match adjacent wall surfaces.

J. Screened Enclosures

Screened enclosures shall be considered an important aesthetic and architectural issue. Screened areas are permitted only within the buildable area of the lot as defined and dominated by architectural elements that are consistent with the style and structure of the main building. Free standing screened enclosures may be considered. So far as is possible, the screening must be blended in with the architecture in such a way as to ensure its appropriateness to, and

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architectural compatibility with, the overall design of the dwelling and the quality of the architectural detail used elsewhere throughout the structure. Minimal design screened enclosures of frail elements or visually cheap appearance, as typically found in predesigned and/or prefabricated screen packages, will not be acceptable. The screen, framing components, and color must be approved by the ARC. A bronze color is typically encouraged.

K. Docks and Boathouses

1. No docks or boathouses shall be constructed on lakefront residential property without prior written approval of the ARC.
2. All docks and boathouses shall be in compliance with the requirements of Orange County Regulations, the State of Florida Department of Environmental Protection Regulations, and other authorities having jurisdiction. Permits must be obtained by contacting the applicable authorities.
3. Only one (1) dock or boathouse shall be permitted for each lot or combination of lots developed as a single home site on Lake Hart.
4. All docks and boathouses shall not exceed over forty feet (40') into the water as measured from the normal high water line of the lake involved unless unusual shallow water or other environmental considerations dictate.
5. The total area of the boathouse or dock (or a combination thereof), that covers water, shall not exceed five hundred (500) square feet, but the ARC may approve a variance if circumstances dictate.
6. No boathouses shall exceed twelve feet (12') in height at the highest point as measured from the mean high water elevation of the lake involved. No railings shall be constructed above such twelve foot (12') elevation. All docks shall project into the water approximately perpendicular to shoreline.
7. No dock shall be less than one foot (1') or exceed two feet (2') in height as measured from the high water elevation of the lake involved.
8. The boathouse should match the general quality and building style, color and materials of the residence. No boathouse or dock shall contain bathrooms or cooking facilities.
9. All boathouse roofs shall be pitched at not less than five inches (5" vertical) in twelve inches (12" horizontal) and not more than eight inches (8" vertical) in twelve (12" horizontal). No flat roofs are permitted.
10. No boathouse roof shall be used as a deck.
11. No boathouse shall be enclosed by insect screen or other material.

L. Accessory Buildings and Structures

All out-buildings or accessory structures (other than boathouses or docks) shall be located within the building envelope (see Subsection I.A) unless approved in writing by the ARC. The location and design of all out-buildings, accessory structures, sports and play equipment (e.g. play scapes, permanent basketball goals) may be subject to review and approval by the ARC.

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1. Pools and Pool Cabanas

- a) Pool and/or spa areas shall be designed to provide for privacy of the lot owner and neighbors.
- b) There shall be a minimum eight feet (8') wide planting area between all patios, decks, and property lines.
- c) Pools must be enclosed by a fence, wall and/or screen enclosure and comply with all State, County, and City safety and construction ordinances.

2. Playground equipment and Basketball Goals

The design and locations of permanently installed playground equipment and basketball goals are subject to ARC approval.

4. Mailboxes

Mailboxes will be installed by the HOA at the Owner's expense and should match the style, material and color of existing boxes as closely as possible. Moss Park Reserve's color is black body including boot with a gold flag and gold numbers. Permission may be sought from the ARC to install a larger sized mailbox so long as it resembles existing boxes in all other ways. (Creative Mailbox Designs is the original vendor, 1-800-804-4809 or 1-813-818-7100. Primary office is in Tampa, FL. Field office is in Longwood, FL)

5. Entry Features

Location and design of entry features are to be approved by ARC. (See Section I, H, Walls and Fences)

III. Landscape

A. General

1. "New Build"

Landscaping is an essential element of the residence and plans must be approved by the ARC as part of the construction review and approval process. (See Section V, H.) Moss Park Reserve requires that the original or "new build" landscape design be completed by a Landscape Architect registered in the State of Florida who will provide expertise for the site of the residence and the proposed site improvements. Each Owner will be expected to invest a minimum of five percent (5%) of the total cost of construction of the home in landscape plantings and hardscape unless a lower budget is approved by the ARC. Sod and irrigation are not to be included in this sum. A unit cost breakdown shall be submitted to the ARC prior to final landscape approval.

2. Existing Landscapes

Repair, replacement or maintenance of existing lawn or plant materials with like or similar materials does not require ARC approval. Any major additions or modifications to the original design, requires ARC review and approval prior to installation.

3. Landscape plans subject to ARC approval must be completed at a scale no smaller than 1"=20' and should show all natural areas, proposed planting beds, sodded lawn, and all tree locations (existing, removed and proposed). The plans must also include a plant list with common and botanical names, plant sizes, and material spacing. Shrub masses should be located so that neighbors' view of the water is not inhibited. Natural areas may be enhanced with the addition of understory materials to create an island of landscaping in the yard.

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B. Landscaping Materials

1. The ARC encourages the use of plant material on the Moss Park Reserve approved list (see Section III, E. Acceptable Plant Palette). The use of plant material not included on the list is prohibited without the specific approval of the ARC.
2. The following trees and shrubs are not acceptable for landscaping with Moss Park Reserve:
 - a. Chinese Tallow (*Sapium Sebiferum*)
 - b. Brazilian Pepper (*Schinus Spp.*)
 - c. Punk Trees (*Malaleuca Spp.*)
 - d. Mimosa (*Albizzia Spp.*)
 - e. Australian Pine (*Casuarine Spp.*)
 - f. Chinaberry (*Melia Azedarach*)
 - g. French Mulberry (*Monis Alba*)
 - h. Eucalyptis Species (*Eucalyptus Species*)
 - i. Arbor Vitae (*Thuja Orientals*)
3. Existing trees should be preserved as much as possible on those lots containing large specimen varieties of Live Oak (*Quercus virginiaua*) or Cypress (*Taxodium distichum*). (See Section V, H. Conservation of Landscaping Materials.)

C. Street Trees

Each lot shall have, as a community street tree, one (1) tree for each forty feet (40') or fraction thereof, of street frontage, to be planted within eight to fifteen feet (8' -15') from street edge.

Exception: Lots with existing trees of six inch (6") caliper or greater within this zone (excluding pines).

The street trees shall be of the following species and size:

Street Trees (6" caliper, 18'-20 heights x 10'-12' spread minimum
Live Oak (*Querens Virginiana*) 5' minimum clear trunk with no "v" trunks.

The height, spread and caliper stated above are the minimum sizes permitted.

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D. Planting

1. A plant palette has been established for the lots within Moss Park Reserve. These lists are to be used as guidelines in the plant material selection and were derived from the plants' capacity to survive in the environment and compatibility with other plants at Moss Park Reserve. All plant materials must be Florida No. 1 or better.
2. The intent of the landscape development on each lot is to provide a sense of community identity. The planting scheme should attempt to have as natural an effect as possible at the time of installation. Tiering planting is recommended to provide the sense of depth.
3. Plant composition should employ a compatible variety of plant types in order to build a pleasant transition from property to property. Non-living material (e.g., rock) may not replace a predominance of living material (e.g., lawn grasses).
4. No shrubs shall be planted in the right-of-way without approval of the ARC.
5. Grass specifications: In order that visual continuity between the lots is maintained, it is encouraged that the grass shall be of a St Augustine variety (Floritam, Bitter Blue, Seville, and Palmetto). Bermuda (except common Bermuda) or Zoysia varieties may be permitted with ARC approval.
6. Upon completion, the Landscape Architect must verify, in writing, to the ARC that the landscaping was completed per plan and specs as submitted and approved by the ARC.

E. Acceptable Plant Palette

1. Acceptable Shade Trees
 - a. Laurel Oak (*Quercus Laurifolia*)
 - b. Live Oak (*Quercus virginiana*)
 - c. Sycamore (*Plantanus occidentalis*)
 - d. Southern Magnolia (*Magnolia grandiflora*)
 - e. Sweetgum (*Liquidamber straciflua*)
 - f. Red Maple (*Acer rubrum*)
 - g. Slash Pine (*Pinus elliotti*)
 - h. Longleaf Pine (*Pinus taeda*)
 - i. Elms (no Chinese)
2. Acceptable Accent Flowering Trees
 - a. Dogwood (*Corrals florida*)
 - b. Ligustrum (*Ligustrum japonicum*)
 - c. Crape-Myrtle (*Lagerstroemia indica*)
 - d. East Palatka Holly (*Ilex opaca*, "East Palatka")

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- e. Savannah Holly (*Ilex opaca*, "Savannah")
 - f. Hollywood Juniper (*Juniperus torulosa*)
 - g. Loquat (*Eriobotrya japonica*)
 - h. Jacaranda (*Jacaranda mimosifolia*)
 - i. Petlophorum (*Peltophorum pterocarpum*)
 - j. Tabebuia varieties
3. Acceptable Palms
- a. Canary Island Date Palm (*Phoenix carariensis*)
 - b. East Senegal Date Palm (*Phoenix reclinata*)
 - c. Pygmy Date Palm (*Phoenix roebelenii*)
 - d. Pindo Palm (*Butia capitata*)
 - e. Lady Palm (*Rhapis excelsa*)
 - f. Cabbage Palm (*Sabal palmetto*)
 - g. European Fan Palm (*Chorizanthe humilis*)
 - h. Sago Palm (*Cycas revolute*)
 - i. Everglades Palm (*Pandanus wrightii*)
 - j. Queen Palm (*Phoenix dactylifera*)
4. Acceptable Shrubs
- a. Cast Iron Plant (*Aspidistra elatior*)
 - b. Spider Lily (*Crinum Asisticum*)
 - c. Camellia (*Camellia japonica*)
 - d. Sasanqua (*Camellia sasanqua*)
 - e. Pittosporum ((*Pittosporum* species)
 - f. Sandankwa (*Viburnum* species)
 - g. Plumbago (*Plumbago capensis*)
 - h. Indian Hawthorn (*Raphiolepis indica*)
 - i. Azaleas ((*Rhododendron* species)
 - j. Coontie (*Zamia floridana*)
 - k. Ligustrum (*Ligustrum* species)

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- l. Juniper (Juniperus species)
 - m. Dwarf Homed Holly (!lex comuta rotunda)
 - n. Dwarf Yaupon (ilex vomitoria nana)
 - o. Japanese Yew (Podocarpus macrophylla)
 - p. Pampas Grais (Coradeia selloana)
 - q. Gardenia (Gardenia species)
 - r. Sinensis (Ligustrum sinensis)
 - s. Nandina (Nandina domestica)
 - t. Hamelia Patens "Firebush"
5. Acceptable Ground Covers
- a. Mondo Grass (Opohioponjaponicum)
 - b. Border Grass (Lirioope muscari)
 - c. Giant Grass (Liriope "Evergreen Giant")
 - d. Dwarf Shore Juniper (Juniperus conferta compacta)
 - e. Parson's Jnniper (Juniperus parsonii)
 - f. Afiiican Lily of the Nile (Agapanthus afiicanus)
 - g. Boston Fern (Nephrolepsis exaltata)
 - h. Holly Fern (Cyrtomium fulcatum)
 - i. Ivies (Hedera caraniensis)
 - j. Daylilies (Hemerocallis species)
 - k. Periwinkle (Vinca major)
 - l. Society Garlic (Tulbaghia fragans)
 - m. Wedelia (Wedelia triolbata)
 - n. Trachelospermum jasminoides varieties
 - o. Lakefront Native Aquatic Vegetation
6. Acceptable Trees
- a. Bald Cypress (Taxodium distichum)
 - b. Common Willow (Salix caroliniana)

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- c. Dahoon Holly (*Ilex cassine*)
- d. Hornbeam (*Carpinus caroliniana*)
- e. Lobolly Bay (*Gordonia lasianthus*)
- f. Pond Cypress (*Taxodium ascendens*)
- g. Red Ash (*Fraxinus pennsylvanica*)
- h. Sugar Berry (*Celtis laeugata*)
- i. Swamp Tupelo (*Nyssa biflora*)
- j. Sweet Bay (*Magnolia virginiana*)
- k. Sweet Gum (*Liquidambar styraciflua*)
- l. Water Ash (*Fraxinus caroliniana*)
- m. Water Locust (*Gleditsia aquatica*)

7. Acceptable Shrubs

- a. Buttonbush (*Cephalanthus occidentalis*)
- b. Pond Apple (*Alumna glara*)
- c. St. Johns Wart (*Hypericum fasciculatum*)
- d. Swamp Dogwood (*Comus stricta*)
- e. Water Willow (*Justicia ovata*)
- f. Wax Myrtle (*Myrica cerifera*)

8. Acceptable Grasses/Forbes

- a. Alligator Weed (*Aitemanthera philoxeroides*)
- g. Arrow Arum (*Pettandra virginica*)
- h. Arrowhead (*Sagittaria tracyi*)
- i. Bulrush (*Scirpus* spp.)
- j. Maidencane (*Panicum hemitomon*)
- k. Narrowleaf Sawgrass (*Caldium mariscoides*)
- l. Pickerelweed (*Pontederia landocclata*)
- m. Swamp Fern (*Biechnum serrulatum*)

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F. Irrigation

1. All landscape and grassed open areas on residential lots shall be irrigated at a minimum of one hundred percent (100%) coverage by an underground irrigation system provided. However, natural areas left undisturbed do not require irrigation coverage.
2. Coverage is required from the back of the curb at the street to the property line or adjacent conservation easements. The underground irrigation system shall be automatic, shall utilize a separate water meter, and shall draw water only from private wells, utilities or governmental entities furnishing water to the properties, except for systems owned or operated by the Association or the developer. The irrigation system shall be designed so as to blend into the landscape when not in operation. All valves, controllers and backflow preventers shall be hidden from streetscape view, screened with landscaping.
3. Irrigation heads should be placed to prevent spraying onto walks, driveways, and the walls of the residence. The system should be designed with an automatic time dock so that watering may be completed during early morning hours. This feature is especially critical when local governments require restrictions during seasons of inadequate rainfall.

G. Hardscape

Hardscape shall be included on either the landscape or the site plan and includes driveways, walkways, pool patio decks, fencing and any approved garden structures. Plans should provide material and color call outs and dimensions for all paving sections. Details and cut sheets are needed to delineate these elements as a construction document. (Note: landscape lighting can be included on this plan.) The landscape plan and the site plan must be fully coordinated.

H. Lighting and Holiday Decorations

Exterior lighting is often the only way to perceive a landscape at night. It not only serves as a strong design element but can provide direction and safety. Overall principles for lot lighting will embody the following:

1. All lighting plans and visible exterior light fixtures shall be submitted to the ARC for approval prior to installation. All landscape lighting shall be a soft and diffused character used to illuminate landscape planting and/or building surfaces. All lighting, where applicable, shall comply with the Moss Park Reserve Architectural Guidelines.
2. Flood lights shall be shielded and concealed as much as possible to prevent direct visibility of the light source, harsh glare or view of the fixture in daylight.
3. Where below grade fixtures are used to up-light trees, standards shall conform to all those listed throughout this Subsection H, Lighting.
4. No colored lamps (e.g. red, green, blue or amber) will be allowed except on a seasonal basis. Outdoor holiday decorations of any type must be in keeping with the upscale nature of the community and, therefore, may be subject to the ARC's review and approval. They should not be visible from the streetscape prior to the month in which the holiday occurs, with the exception of Christmas/Hanukkah/Kwanzaa decor that may be displayed as early as six (6) weeks prior to December 25th. All holiday decorations should be completely removed within fourteen days following the specific holiday they observe. Note: Appropriate seasonal yard decor (e.g., non-carved pumpkins or autumn wreaths in the fall) are not construed to be "holiday decorations" and are not subject to the above time restrictions.

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5. Lighting shall generally not be conspicuous. When light from light fixtures is directly visible, the lamp shall be low wattage to prevent sharp contrasts from surrounding areas at night.
6. Light levels shall not vary greatly between separate illuminated areas, and areas illuminated and not illuminated. Light pollution from atmospheric spill, excessive lighting sources, or other errors in design judgment or installation shall be subject to correction if deemed intrusive by the ARC upon final installation.
7. All exterior wall or ceiling mounted decorative fixtures shall be of high quality and in conformance with the architectural style of the dwelling.
8. The Owner might desire additional security lighting. All security lighting must be approved by the ARC and conform to the standards as set forth in this section (item #2) regarding visibility, glare and view.
9. Walk lights placed in grass or adjacent to walk ways in shrubs or ground cover areas must use below grade wiring and junction boxes to minimize the daytime visibility of that hardware.
10. The ARC recommends field-testing of all fixtures at night, prior to final installation.

IV. Design Review and Plan Submittal Process

A. General

In order to assure every resident of Moss Park Reserve that the proper standards of development will be encouraged and maintained for everyone's benefit, the ARC has been established to review and approve all plans and specifications for proposed residential improvements. (See Section VI.)

The goal of the ARC is to process each submittal fairly, consistently, in a timely manner, and most importantly, in accordance with the requirements of these Architectural Guidelines and the Declaration of Covenants, Conditions, Restrictions of Moss Park Reserve (CCR).

An additional goal of the ARC is to review and act on all formal submissions within **Thirty (30)** days of receipt; however, the amount of time it takes the ARC to complete the review will vary with the complexity of the design and submission completion. Submissions that are not complete cannot be considered for ARC review and will be tabled until the missing information is made available.

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In order to assist the design team, the Owner, architect or builder may request a client review to discuss with the ARC the design review comments resulting from ARC review of the client's submission. It is the intent of the ARC to most strongly discourage any variances from technical compliance with the Architectural Guidelines. If the design as submitted requires a variance of any sort, a request for the variance must be clearly stated in a cover letter along with the rationale for the variance.

The Design Review and Plan Submittal Process begin with the completion and submission of the Architectural Review Committee (ARC) Application Form to the ARC.

B. Non-Conformance Provision

In certain circumstances, the ARC will consider non-conforming designs due to existing conditions as outlined below:

1. Where reconstruction of an existing home is required due to natural or other disaster and the reconstruction accounts for less than 50 percent of the existing floor space.
2. Where an addition to an existing home is undertaken and materials, features or other design elements are used to blend with the existing architecture.

The above exceptions will apply only in the instance that the original structure was in full compliance with ARC rules and regulations at the time of completion.

C. Preliminary Design Submittal (ARC Approval Required prior to any Construction)

1. ARC Application Form plus two (2) sets of the following items, one of which may be returned to the homeowner upon request following the ARC's approval of this phase:
 - a) Property Survey (copy of certified survey permissible) of existing lot prior to Construction showing all trees three inch (3") caliper or greater.
 - b) Preliminary Site Plan showing:
 - i. Building placement
 - ii. Proposed grading and drainage contours
 - iii. Patios/fences (schematic)
 - iv. Fountains (schematic)
 - v. All easements, walks and drives
 - vi. Site coverage and building square footage

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- vii. Pools (schematics)
 - viii. Existing Trees
 - ix. Future additions
 - x. Required and actual building setbacks
- c) Preliminary Floor Plans including Door and Window locations
- d) Preliminary building elevations identified as front (street), rear (noting lakeside considerations, as applicable) and left and right sides.
- e) Proposed exterior materials (samples and colors not required until Final submittal)
- f) One (1) set of photographs showing:
- i. Structures built (if any) on all sides of the parcel in question, including those across the street unless this was submitted at Conceptual Design Stage.
- g) Preliminary plans must note any variances requested to the front yard, side yard, or rear yard setback requirements, as well as any exceptions to height requirements.
- E. **Final Design Submittal** (May be submitted during construction process. ARC approval required for any items not submitted and approved in previous submittal phases.)

The ARC requires the following for review and approval purposes:

1. ARC Application Form
2. One (1) Material board (includes samples of all materials including paint)
3. Two (2) sets of Construction Drawings in hard line plus one (1) electronic drawing shall be submitted in PDF format, on a digital disc. (Additional drawings may be submitted via email.)

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4. Final Site Plan showing:
 - a. Proposed new grades
 - b. All easements
 - c. Pool, patio and other applicable setback lines
 - d. Final drainage plan
 - e. Slab elevations
 - f. All service yards, mechanical equipment, trash areas, pool fences
 - g. All utility service locations
 - h. Walls, gates, patios, walks, drives, decks, pools or fountains with material designated, as well as dimensions
 - i. Existing trees
 - j. Required and actual building setback
5. Final Floor Plans showing:
 - a. Rooms designated by name and dimensions
 - b. Appliances noted gas or electric
 - c. Door and window locations
 - d. Square footage including living, mechanical and storage
 - e. Square footage of covered patio
 - f. Square footage of garage
6. Exterior Elevations showing:
 - a. All exterior elevations
 - b. Exterior materials and finishes (including light fixtures, etc.)
 - c. Chimney and chimney cap height (dimensions need to be indicated and all materials specified)
 - d. Special architectural elements (i.e., skylights, solar panels, ornaments, etc.)
 - e. Gutters and downspouts
 - f. Color rendering

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7. Roof Plan showing:

Plan with overhang line [MUST be a minimum of eighteen inches (18") from face of the wall, unless previously approved on a Concept/Preliminary submission with design calling for a special overhang line]

8. Landscape Plan

Must be in compliance with Section III of these Guidelines and include:

- a. Final site plan indicating fencing, retaining walls and site lighting plan
- b. Hardscape
- c. Proposed trees, shrubs, lawn, berming, and ground cover area
- d. Plantings identified by name (botanical and common), size, and quantity
- e. Budget (a minimum of five percent (5%) of the total construction and hardscape cost in landscape planting is expected. Total cost of construction will be estimated based on current market conditions. Sod and irrigation are not to be included in this sum)
- f. Unit cost breakdown
- g. Irrigation notes

9. Material Finish Specification:

- a. Windows
- b. Full specifications and samples/brochures/color illustrations of all exterior materials must be included in the submittal for approval.

FINAL COLOR APPLICATION IS SUBJECT TO FIELD INSPECTION BY ARC MEMBERS.

The Final Submittal Documents, as approved, represent the lot Owner's commitment to construction intent. If the Owner, or his design team, wishes to change approved plans, proposed revisions must be submitted to the ARC for further review and approval. No revisions can be implemented prior to this approval.

F. Professional Consultants' Requirements and Responsibilities

1. The Owner must use licensed professional consultants (Architect, Landscape Architect, and Land Surveyor) for new construction.
2. It is the Owner's responsibility to make sure that his licensed professionals obtain approval from the ARC for any revisions to the proposed structure.
3. The Owner is responsible for making his contractors construct his residence in conformance with approved plans and revisions.
4. It shall be the Owner's obligation to comply with all covenants and restrictions imposed upon the lot review. Unless specifically identified as an exception to the covenants or restrictions, no item contain within an approved plan which conflicts with those covenants or restrictions shall be deemed approved.

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V. Construction and Builder Regulations

A. General

In order to ensure that the natural landscaping of each parcel and lot is not unnecessarily damaged or destroyed during construction, the following regulations shall apply during the construction period. These regulations shall be made a part of all construction contracts/documents for each residential lot or other improvements on the parcel or lot, and all Builders, Owners, and other persons shall be bound by these regulations. Any violation by a Builder shall be deemed a violation by the Owner of the parcel or lot.

B. Preconstruction Agreements

Prior to commencing construction, the Builder will sign off on a copy of these Architectural Guidelines indicating the Builder has both read and agreed to abide by this document. The Builder may request a meeting with a representative of the ARC to review construction procedures and coordinate his activities at Moss Park Reserve but the Owner assumes ultimate responsibility for all construction procedures and activities related to his/her home.

C. Occupational Safety and Health Act (OSHA) Compliance

All applicable OSHA regulations and guidelines must be strictly observed at all times.

D. Construction Trailers, Portables and Field Offices

Any Owner or Builder who desires to bring a construction trailer, portable toilets or field office onto the properties shall first apply for and obtain written approval from the ARC. The ARC will work closely with the Owner or Builder to determine the best way to bring such construction trailer, field office and the like onto the parcel or lot and the best possible location therefore. All temporary structures shall be located only in a location approved by the ARC and shall be removed upon completion of construction. Any permits necessary shall be obtained by the Owner prior to such temporary structures being brought onto the properties.

E. Debris and Trash Removal

All Owners shall be responsible for requiring their Builders(s) to keep the job site clean and free of non-construction debris on a daily basis. A four-foot (4') tall, silt fence, approved by the ARC, is required to be erected along three (3) sides of the construction site prior to construction commencement. The silt fence must be maintained in good repair until the site is stabilized. The fence will remain in place throughout the grading process and can be pulled immediately prior to sodding. Construction trash and debris shall be confined in a dumpster which must be emptied and/or removed from each construction site once it is filled to capacity and trash is visible from the streetscape. Lightweight material, packaging, and other items, shall be covered or weighted down to prevent wind from blowing the same off of the construction site. Owners and Builders are prohibited from dumping, burying, or burning trash anywhere on the parcel or lot, at Moss Park Reserve or on the properties, except in areas, if any, expressly designated by the ARC. During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore, or affecting other parcels, lots and any common areas. Any clean-up costs incurred by the ARC or the Association in enforcing these requirements will be payable by the Owner upon demand. Dirt, mud or debris resulting from activity on each construction site shall be promptly removed from public or private roads, common areas, and driveways or other portions of Moss Park Reserve.

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F. Sanitary Facilities

Each Owner and Builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall only be located either on the construction site itself or in an area approved by the ARC. All sanitary facilities shall be located so as to have minimum visual impact.

G. Vehicles and Parking Areas

Construction crews shall not park on, or otherwise use, other parcels, lots or any common areas, club facilities, ponds or the like. Private and construction vehicles and machinery shall be parked only in areas designated by the ARC so as not to damage the natural landscape. All vehicles shall be parked so as not to inhibit traffic.

H. Conservation of Landscaping Materials

No trees having a trunk diameter of three (3) inches or greater as measured one (1) foot above the ground level shall be removed without the express permission of the ARC, and Orange County. Owners and Builders shall specify in their plan submission what steps they will take to protect such trees, including without limitation, treatment and, if necessary, removal of any trees or vegetation infected by insect or fungal attack, so as to prevent such infection from spreading to other trees or vegetation on or outside the parcel.

Owners and Builders are advised that the parcels, lots and common areas contain valuable native trees and other natural landscaping elements that should be absolutely protected during construction. There are other protected areas, including wetlands, regulated by conservation easements and tree preservation zones as set forth in the Orange County tree ordinance which must be complied with and which, among other things, regulate the use of such protected areas.

Trees and other landscaping elements that must not be removed from a parcel or lot shall be marked and protected by the Owner or Builders by flagging, fencing, or barriers. The ARC shall have the right to flag major trees which are to be fenced off for protection. Any trees or branches removed during construction must be promptly cleared and removed immediately from the construction site.

I. Excavation Materials

Excess excavation materials must be removed by the Owner from Moss Park Reserve

J. Blasting

If any blasting is to occur, the ARC must be informed far enough in advance to allow it to make such investigation as it deems appropriate to confirm that all appropriate measures, including protective actions, have been taken prior to the blasting. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the ARC. All applicable governmental regulations should be reviewed and complied with prior to, and during, all blasting activity.

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K. Restoration or Repair of Other Property Damage

Any activities which are likely to give rise to damage and scarring of other property, including, **but not limited to, common areas, other parcels, lots, roads, driveways, and/or other improvements**, will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the Owner of the parcel or lot for whom the person causing such injury is working. Upon completion of construction, each Owner and Builder shall clean the construction site and repair all property which was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the ARC, and repairing streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing.

L. Miscellaneous and General Practices

All Owners shall be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, subcontractors and their employees within the properties of Moss Park Reserve. The following are prohibited in Moss Park Reserve:

1. Changing oil in, or repairing, any vehicle or equipment on the site itself or other than at the location on the parcel or lot designated for that purpose by the ARC.
2. Allowing concrete suppliers and contractors to clean their equipment at locations other than those designated for that purpose by the ARC.
3. Removing any plant material, topsoil, or similar items from any property of others within Moss Park Reserve, including construction sites.
4. Hunting, shooting, or carrying any type of firearms/bows on the properties.
5. Using disposal methods other than those approved by the ARC.
6. Careless disposition of cigarettes and other flammable material. (At least one 10-pound ABC-rated dry chemical fire extinguisher shall be kept in a conspicuous place on the construction site at all times.)
7. Careless treatment or removal of any tree or plant materials not previously approved by the ARC.
8. Bringing pets, particularly dogs, onto the properties by contractors, subcontractors or their employees. (No pets will be allowed to roam at will throughout Moss Park Reserve. In the event of any violation hereof, the ARC or the Association shall have the right to contact the Orange County authorities to impound the pets, or to refuse to permit such Builder or subcontractor to continue work on the properties, or to take such other actions as may be permitted by law, these Architectural Guidelines, or the Declaration.
9. Possession and/or consumption of alcoholic beverages on the properties by any person engaged in construction activities while performing such construction activities. (No construction personnel shall enter the properties in an intoxicated state).
10. Horns, whistles or similar devices, except for warning beepers on heavy equipment. (All equipment shall be properly outfitted with functioning mufflers.)
11. Loud, offensive or discourteous language. (The playing of loud radios or similar devices on site is not permitted.)
12. Unnatural standing water. (In an effort to minimize the breeding of mosquitoes, no standing water, including water in cans, jars and any other items of a similar nature, shall be left on any parcel or lot at the end of the work day. During construction the parcel or lot must be so contoured so as to prevent standing water.)

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M. Construction Area Plan

Prior to the commencement of any construction activity on a parcel or lot, the Owner and Builder shall provide a detailed plan as to the manner in which the natural landscape will be protected, and the areas to which all construction activity will be confined, including: size and location for construction material storage, limits of excavation, drive areas, parking, chemical toilet location, temporary structures, if any, dumpsters, storage of debris, fire extinguisher, utility trenching, and construction sign. This plan should identify the methods for protection, such as fencing, flagging, roping, barricading, or other means, to be installed prior to commencement of construction.

N. Construction Process

The only approved construction access during the time a residence or other improvements are being built will be over the approved driveway for the parcel or lot unless the ARC approves an alternative access point. No access for anyone outside the designated site is permitted under any circumstances.

O. Dust and Noise

The Builder and contractor shall be responsible for controlling dust and noise emanating from the construction site.

P. Signage

Temporary construction signs shall be limited to one (1) sign per site not to exceed six (6) square feet of total surface area. The sign shall be free standing and the design and location of such a sign shall first be approved by the ARC.

Q. Daily Operations

Daily working hours for each construction site shall be 7:00am. to 6:00 p.m. on Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday, excluding legal holidays. Working at any other times, including Sundays, shall require the specific written permission of the ARC.

R. Disposal of Waste

Disposal of any toxic chemicals on any site, any parcel, any lot or the properties is prohibited.

S. Plumbing and Dewatering

Any water discharged from either pumping or dewatering must be done in a manner to avoid inconvenience or damage to adjoining property. Water must not be pumped directly into ponds or lakes. The exact position of discharge must be considered and included in the plans submitted to the ARC.

T. Easement Awareness

The Owner/Architect/Builder must ensure they are aware of all easements, including irrigation lines, which may pass under some parcels and lots, as set forth in the Declaration.

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U. Temporary Signs and Fencing

Each parcel and lot, where construction is taking place, shall be marked with signs indicating that it is a construction site and access by unauthorized personnel is prohibited. All hazardous areas should be fenced off to prevent unauthorized access, particularly that of children. Buildings under construction, excavations and construction machinery shall be secured during non-working hours.

V. Construction Schedule

In considering overall approval of the final plan, the ARC, shall, among other things, consider the Owner's and Builder's agreement to the construction schedule set forth herein above. (See Section I, A. New Construction Scheduling Requirements.)

W. Construction Damage Deposit

Prior to commencement of any construction the Builder will place on deposit with the Community Association the construction damage deposit as described in the Approved Builder Agreement, or alternatively, provide a construction damage deposit satisfactory to the Association, of **\$10,000** and, additionally, provide the appropriate insurance certification to the **Association's satisfaction**.

VI. Architectural Review Committee (ARC)

A. General

The mission of the Architectural Review Committee (ARC) is to protect and enhance the property values for all Moss Park Reserve Residents by ensuring that additions and modifications to residential property are in compliance with Moss Park Reserve's governing documents, maintaining high design and construction standards in ways that preserve the upscale nature of Moss Park Reserve while protecting the natural beauty of the community.

B. Architectural Review Committee Membership

The ARC shall consist of at least three (3) members but no more than seven (7) members, as provided in the Declaration. It is recommended that the ARC be composed of an uneven number of members as much as is practicable.

All ARC members are expected to be, and remain, current on Association obligations, including but not limited to, the timely payment of maintenance fees.

C. Appointment of ARC Members

The Board of Directors of the Association shall have the sole right and discretion to appoint and remove all members of the ARC ; members shall be appointed for an annual term (typically one year) commencing on the date the appointment is made and terminating three months after the annual Board of Directors elections.

The Board of Directors shall monitor the activities of the ARC and serve as the final deciding body in the event of a tie vote or conflict among ARC members.

D. Resignation of ARC Members

Any member of the ARC may at any time resign from the ARC upon written notice delivered to the Board of Directors of the Association.

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E. Duties

As set forth more specifically in the Declaration, it shall be the duty of the ARC:

1. To consider and act upon such proposals or plans from time to time submitted to it pursuant to these Architectural Guidelines;
2. To perform such other duties from time to time delegated to it by the Association's Board of Directors;
3. To amend these Architectural Guidelines when, and in the manner, deemed appropriate or necessary by the ARC with the goal of maintaining high standards for the community;
4. To provide support and serve as a resource to the MPR residents as they endeavor to complete enhancements to their property;
5. To provide regular (quarterly) updates to the MPR BOD.

It is suggested that any request submitted by an active member of ARC which would typically be subject to ARC review and approval, instead be reviewed and approved by the Association's Board of Directors.

F. Meetings

The ARC shall meet from time to time as necessary to properly perform its duties hereunder. The vote or written consent of a majority of the members of the ARC shall constitute an act by the ARC unless the unanimous decision of its members is otherwise required by the Declaration or these Architectural Guidelines. The ARC shall keep and maintain a record of all actions from time to time taken by the ARC at such meetings or otherwise.

G. Compensation

Unless authorized by the Association, the members of the ARC shall not receive any compensation for services rendered. All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with the performance of any ARC function or duty. Professional consultants retained by the ARC shall be paid such compensation as the ARC determines.

H. Amendment of Architectural Guidelines

The Board of Directors of the Association may, from time to time and in its sole discretion, adopt, amend, and repeal by unanimous vote these Architectural Guidelines or any rules and regulations to be incorporated into these Architectural Guidelines which rules and regulations, among other things, interpret, supplement, or implement the provisions of these Architectural Guidelines. All such rules and regulations or amendments, as they may from time to time be adopted, amended or repealed, shall be appended to and made a part of these Architectural Guidelines and shall thereupon have the same force and effect as if the same were set forth in and a part of the Declaration. While each Owner is responsible for obtaining a copy of the most recently revised Architectural Guidelines from the ARC prior to submitting a request for Pre-Design Meeting, an updated copy of the Architectural Guidelines should be given to each new homeowner when they purchase property in the community. In the event the home is rented, the owner shall be responsible for provided the tenants with a copy of the Architectural Guidelines. Appropriate compliance is expected of the tenants.

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I. Exculpation for Approval or Disapproval of Plans

The Declarant, and all members of the ARC and any and all officers, directors, employees, agents and Members of the Association, shall not, either jointly or severally, be liable or accountable in damages or otherwise to any Owner or other person whatsoever by reason or on account of any decision, approval or disapproval of the plans, specifications or other materials required to be submitted for review and approval pursuant to the provisions of these Architectural Guidelines and the Declaration, or for any mistake in judgment, negligence, misfeasance or nonfeasance related to or in connection with any such decision, approval or disapproval. Each person who shall submit plans, specification or other materials to the ARC for consent or approval, by the submission thereof, and each Owner by acquiring title to any parcel or let or any interest therein, shall be deemed to have agreed that he or it shall not be entitled to and shall not bring any action, proceeding or suit against the Declarant, the ARC, the Association nor any member (as defined in the Declaration), officer, director, employee or agent of any of them for the purpose of recovering any such damages or other relief on account of any such decision, approval or disapproval. Additionally, plans, specifications and other materials submitted to and approved by the ARC, shall be reviewed and approved only as to their compliance with the provisions of these Architectural Guidelines and the Declaration and their accountability of design, style, materials, appearance and location in light of the standards for review and approval specified the Declaration and these Architectural Guidelines, and shall not be reviewed or approved for their compliance with any applicable Governmental regulations, including, without limitation, any applicable building or zoning laws, ordinances, rules and regulations. By the approval of any such plans, specifications or materials, neither the Declarant, the ARC, the Association, nor any member, officer, director, employee or agent of any of them, shall have, assume or incur any liability or responsibility whatsoever for any violation of governmental regulations or any defect in the design or construction of any building, structure or other improvement, constructed, erected, placed or installed pursuant to or in accordance with any such plans, specifications or other materials approved pursuant to these Architectural Guidelines and the Declaration.

J. Enforcement

The Board of Directors of the Association on behalf of the Association shall have the authority and standing to enforce in courts of competent jurisdiction the decisions of the ARC established in the Declaration or these Architectural Guidelines.