

ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES and REQUIREMENTS

(Revised June 2022)

WHEN DO WE NEED ARCHITECTURAL COMMITTEE REVIEW?

No building, structure or other improvement shall be erected or altered, nor shall any grading, excavation, landscaping, change of exterior color, or other work which in any way materially alters the exterior appearance of any structure, Lot, Living Unit, or Neighborhood Common Area be performed without the prior written approval of the ARC. In obtaining said written approval, an owner or any other person applying shall comply with the applicable requirements and procedures.

ARC PROCEDURES:

The ARC shall have the power, subject to and limited by the guidelines of the approved regulatory permits of Southwest Florida Water Management District, the County, the US Army Corps of Engineers and the PDMU, the Heritage Harbour Master Governing Documents, and the DRI, to:

- 1) Propose the adoption, modification or amendment by the Board of Directors, of written ARC Guidelines which shall set forth such things as design requirements, landscape materials, construction standards and colors and materials which the ARC finds acceptable. Said Guidelines shall be consistent with provisions of this Declaration and shall not be effective until adopted by a least a majority of the whole Board of Directors at a meeting duly called and noticed. Notice of any adoption, modification or amendment of ARC Guidelines, including a verbatim copy of the proposed modification or amendment thereof will be available to each association member.
- 2) Require submission to the ARC of complete plans and specifications for any building, structure or other improvement; or any grading, excavation, landscaping, change of exterior color, or other work which in any way materially alters the exterior appearance of any structure, Lot or Neighborhood Common Area. The ARC may also require submission of samples of building materials or colors proposed for use on any Lot, and may require such additional information as may reasonably be necessary for the ARC to fully evaluate the proposed work.
- 3) Approve or disapprove the erection or alteration of any building, structure or other improvement; or any grading, excavation, landscaping, change or exterior color, or other work which in any way materially alters the exterior appearance of any structure, Lot or Neighborhood Common Area. All decisions of the ARC shall be forwarded in writing to the Board. Any person aggrieved by a decision of the ARC shall have the right to make a written

appeal to the ARC within thirty (30) days after notification of the initial decision. Should the owner wish to appeal this decision, the owner has the right to appeal to the Board of Directors within 30 days. The Board must review the ARC decision and the owner's appeal within 30 days. The final decision by the Board shall be expeditious and not delayed. The Board of directors reserves the right to send the matter back to the ARC for final disposition.

- 4) Adopt procedures and a schedule of reasonable fees for processing requests for ARC review. Fees, if any, shall be payable to the Community Association, in cash or check, at the time the request is submitted to the ARC. (Such fees may include, without limitation, the reasonable costs incurred in having any application reviewed by appropriate professionals including architects and engineers,
- 5) Adopt procedures for inspecting approved changes during and after construction, to ensure conformity with approved plans

ARC CODE OF CONDUCT:

- 1) ARC should strive for the common good of HOA while foregoing personal agendas.
- 2) Conduct itself above reproach and avoid appearance of impropriety,
- 3) Interact with respect with residents, HOA board and community management.
- 4) Individual members should not participate in discussion of an application or vote upon its approval if there is a personal conflict.

ENFORCEMENT:

Any decisions of the ARC shall be enforced by the Neighborhood Association involved, as well as by the Stoneybrook Home Owners Association.

REQUIREMENTS OF ARC:

Air Conditioners/Mechanical Equipment:

- 1) Window air conditioning or heating units are not permitted.
- 2) Wall air conditioning or heating units will be considered on a case-by-case basis.

Antennas (Ham Radio, TV, Communication):

- 1) No outside television, radio, or other electronic towers, aerials, antennae, satellite dishes or device of any type for the reception or transmission of radio or television broadcasts or other means of communication shall hereafter be erected, constructed, placed or permitted to remain on any Lot or Tract or upon any improvements thereon, unless expressly approved in writing by the Architectural Review Committee, except that this prohibition shall not apply to those antennae specifically covered by 47 C.F.R. Part 1, Subpart S, Section 1.4000, as amended, promulgated under the Federal Telecommunications Act of 1996, as amended from time to time.

- 2) Satellite dishes must be approved by ARC before being installed. They are required to be attached to the home in the side or rear yard. If installed on the side of the home, the placement must be at least more than half of the distance to the back of the house, not visible from the street or neighboring properties, and integrated with the residence and surrounding landscape, to the extent that reception of an acceptable signal would not be unlawfully impaired by such rules. Antennae shall be installed in compliance with all federal, state and local laws and regulations, including zoning, land-use and building regulations.

Arbors and Pergolas

- 1) Free Standing Arbors and Pergolas are not allowed.
- 2) All structures require detailed construction drawings, applicable approved Manatee County permit/s and adjacent neighbors' approval of construction.

Artificial Landscaping: (See Landscaping) Not Allowed

Awnings:

- 1) Installation of any awning, whether fixed or retractable, requires the approval of the ARC.
- 2) All awnings must be either striped or solid and match the color of the house. Must be approved by ARC.
- 3) Fixed and retractable awnings may only be installed inside the homeowner's lanai cage or on the rear exterior walls of the house.
- 4) No awning may be installed on the front of the house or exterior side of the house.
- 5) The frame of any retractable awning installed on an exterior wall must be made of sturdy material.

Basketball Hoops/Courts:

- 1) Permanently installed basketball hoops, including those affixed to the house, are not allowed.
- 2) Any portable basketball hoop must be removed and placed indoors during severe weather.
- 3) The colors should be as neutral and unobtrusive as possible.
- 4) The basketball hoop must be placed on the driveway as close to the house as possible but in no event closer to the street than 15 feet.

Beds, planting (See Landscaping):

Birdhouses, Bird Feeders, Birdbaths:

- 1) Birdhouses and Bird Feeders: Must be in rear yard and not visible from the street.
- 2) Birdbaths.
 - a. Require ARC approval. They will be considered on a case-by-case basis.
 - b. A color picture of the birdbath must accompany the homeowner's request. Information on the dimensions and material must be supplied.
 - c. A picture of the proposed location, which clearly shows the color of the house and the surrounding landscape, must also be submitted.

Clothes Drying Area:

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

Compost Bins:

Not Allowed

Decorations, Holiday:

Lights and other decorations customary for holidays are welcome. They must be temporary in nature. Holiday decorations may be displayed 30 days before the holiday and 30 days after the holiday and/or in accordance to Heritage Harbour Master Association or Stoneybrook Association decorating time period.

Decorative Items: (See Porch (Front) or Portico Furniture)

- 1) Decorative items, including decorative and planting pots, may be placed in planting beds.
- 2) The total number of decorative items on a property should not exceed 8. Any additional items beyond 8 require ARC approval.
- 3) The maximum height of decorative items is thirty inches (30").
 - a. Fountains, statues, English garden globes, and birdbaths require ARC approval. English Garden Globes are not permitted in the front yard. They will be considered on a case-by-case basis. A color picture of the fountain, statue, or birdbath must accompany the homeowner's request. Information on the dimensions and material must be supplied. A picture of the proposed location, which clearly shows the color of the house and the surrounding landscape, must also be submitted.
 - b. Wall ornaments outside the entryway of the home and visible from the street require ARC approval.

- c. Shepherds' Hooks over 36" tall are prohibited.
- d. Window Boxes are prohibited.
- e. Benches may have a maximum height of thirty (30) inches and are permitted in the planting beds adjacent to the front of the home, no more than ten (10) feet from the front of the house. They must be an earth tone color. Benches are also permitted in the recessed entryway of the home or on the entrance walkway.

Dog Fences: (See Fences)

Door/Window Treatments (See Window & Window Treatments; Window Screens and See Garages)

Driveway/Sidewalks:

Driveways and parking areas must be poured concrete or poured concrete with concrete paver blocks, or another surface area approved by ARC. There will be no Grandfather of walkways, non-homeowner's areas, such as villas/carriage/coach homes. Sub association approval must be obtained along with the ARC approval.

- 1) Any public walkways that have been painted must be stripped.
- 2) Grandfathered driveways must adhere to the current ARC guidelines when re- staining /painting.
- 3) The only approved colors for staining of driveways and/or walkways are concrete sand (Scott #706) and gull gray (Sherwin-Williams #HC132), or equivalent. These should be xylene-based products. You may also use an acrylic urethane product.
- 4) Change request must be accompanied by a proposal from your contractor specifically stating that each of the six steps set forth in the job specification information (below) will be performed as written and that the products listed above, (or equivalent will be used). (*Separate form needs to be signed and on file by owner. One approval form for the xylene-based product and another for the acrylic urethane product.)
- 5) Recommended Procedure: A sample of the proposed material must be submitted along with the color of the house and roof, a detailed material specification sheet, as well as a drawing showing the area to be modified.

a. *Job Specification* for Stoneybrook @ HH (Xylene-based Product)

- i. Acid etch
- ii. Pressure wash
- iii. Patch cracks using U.G.L concrete patch or equivalent

- iv. Apply thinned coat of xylene-based concrete stain (one quart of xylene per gallon of stain.)
 - v. Let dry for (8) eight hours.
 - vi. Apply second coat of xylene-based concrete stain full strength, (not thinned), to full opacity.
- b. *Job Specification* for Stoneybrook @ HH (**Acrylic-latex Product**)
- i. Pressure wash off all dirt, debris, mildew, etc.
 - ii. Thoroughly remove any grease or oil with a degreasing agent.
 - iii. Prime the surface with one coat of latex surface conditioner white, thinned by 25% water.
 - iv. Allow (2) two hours dry time
 - v. Apply Scott #750 Aquadeck (or similar product) at full strength. Allow (12) twelve hours to dry.
 - vi. Apply second coat if desired.
- c. Important note: Aqua deck #750 is a non-toxic product. However, in cool temperatures or high humidity it requires an extended period to cure properly. We recommend 72 hours before driving on a surface coated the #750 Aqua deck.

Edging, Plant Beds:

- 1) Shrub and flower bed edging must be properly installed and maintained and approved by the ARC.
- 2) It is required that edging must be natural in appearance, such as wood edging, paver edging or seamless concrete edging.
- 3) Edging may not rise more than six (6) inches above ground level. Unless given ARC approval.

External Walls: (See Walls)

Fences:

Must be approved by the ARC.

- 1) Only invisible fences are allowed and must be underground.
- 2) Invisible fences may be installed only in the side and rear yards of a home and must be within the side and rear property lines.
- 3) Invisible fences on the side of a home must be set back at least twenty-five feet (25') from the front of the home.
- 4) On corner lots, invisible fencing may not extend past the secondary street side of the house.

Fire Hydrant Accessibility:

In accordance with the Florida Fire Prevention Code, 2006 edition, 1.18.3.3.1, landscape clearance for the fire hydrants are to be (7.5') seven and one half feet in front and to the sides of a fire hydrant, and (4) four feet clearance to the rear of the hydrant.

Flags and Flagpoles:

A flagpole may be permitted if its design and location is first approved by the ARC.

- 1) An approved flagpole shall not be used to mount an antenna. This provision is intended to protect residents from unreasonable interference with television reception, electronic devices, and the operation of home appliances, which is sometimes caused by the operation of ham radios, CB base stations or other high-powered broadcasting equipment. Installation requires that an ARC form be submitted before installation.
- 2) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement.
- 3) The homeowner may further display in a respectful manner from the flagpole, regardless of any covenants, restrictions, bylaws, rules or requirements of the association, one official United States Flag, not larger than 4 ½ feet by 6 feet, and may additionally display one official flag, of the state of Florida or the United States Army, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag.

- 4) The flagpole and display are subject to building codes, zoning, setbacks, and other applicable governmental regulations, including, but not limited to, lighting ordinances in the county or municipality in which the flagpole is erected and all setback and location criteria contained in the governing documents.
- 5) Brackets may be attached to the house or garage to hold a pole for a flag which is no larger than 4- 1/2 feet by 6 feet. The American flag will be flown in accordance with U.S. Code.

Fountains: (See Decorative Items)

Garages: (See Parking, Screens, Door/Window Treatments)

- 1) Windows on garage walls that face the street must have window treatments.
- 2) Owners may install retractable screen doors on entry doors. The screen door housing must match the color of the door frame.
- 3) Owners may install retractable screen doors on overhead garage doors. The screen housing must match the color of the door frame.
- 4) Conversions of garages to living space or other uses are only approved if properly permitted by County and exterior of garage is left unaltered and ARC approved.
- 5) Any decorative changes to a garage door need ARC approval.

Garbage:

All garbage and trash containers must be placed in the garage or areas not readily visible from any street, adequate landscaping must be used as screening.

Generators:

Permanently installed generators are allowed but must have ARC approval before installation. Generators are to be used for emergency purposes only when commercial electrical power is not available.

- 1) Submission of information must include the manufacturer's specifications for the unit, wiring, mounting, and sound level production.
- 2) All installations of generators must comply with state and county regulations. A county permit is required.

- 3) The installation must be a least 5 feet from any door or window opening, and at least 10 feet from your neighbor, and sound levels produced by the generator may not be greater than 72db(A) @ 23 feet while operating at a full load on a concrete pad.
- 4) The generator must be screened from public and neighbor view by the use of a wall or approved landscape materials, for example, medium shrubs as described in the Planting Palette.
- 5) Adequate clearance must be provided for maintenance purposes, with an opening no wider than 2 feet to permit maintenance access.
- 6) Installation of a wall around the unit would require adequate air circulation per the manufacturer's specifications. The wall or shrubbery screen may be no more than six inches (6") higher than the equipment. If a wall enclosure is used, the wall must be constructed of concrete block covered with stucco and painted to match the exterior of the home.
- 7) The generator must be installed professionally. It must be plumbed by a licensed plumber and electrically connected by a licensed electrician.

Grandfathered Designs:

All restrictions include a "grandfather" clause. Such a clause means that an installation may continue to exist if legitimately installed or begun prior to the implementation of a later restriction.

- 1) Items or actions are "grandfathered" only until a home is sold then all future changes to the property must adhere to the most recently approved ARC guidelines.
- 2) Items which required ARC approval prior to installation at the time they were installed but did not receive approval cannot be "grandfathered".

Gutters:

May be added at any time with approval from ARC.

- 1) The color must be white, bronze, or house body color. Gutter downspouts may remain their original color or be painted to blend with the body and trim colors behind them.
- 2) Gutter downspouts may not extend beyond the landscaping beds alongside the body of the house, unless buried.

Hedges:

Installation of hedges requires ARC approval. A 'hedge' as used herein is defined as a boundary formed by a dense row of shrubs or low trees.

- 1) Decorative hedges or hedges used as screens for mechanical devices, etc. are considered to be part of planting beds. Please see Appendix A Planting Palette.
- 2) "Privacy Hedges" are any linear hedge placement that is planted outside the foundation planting beds (e.g., away from the home), and is intended to screen views of the home from other areas. Privacy hedges require ARC approval.
 - a. Privacy hedges are allowed only at the rear of homes where the rear of the home is immediately adjacent to another home, or on the sides of homes. Hedges on the sides of homes must have at least a twenty five foot (25') setback from the front corner of that side of the home and cannot extend past the rear of the home, inclusive of any cage.
 - b. Privacy hedges on the secondary street side of corner lots may extend to the back property line with ARC approval.
 - c. Privacy hedges must be fully contained within the homeowner's property, and are allowed only where there is sufficient space to accommodate the width of the fully-grown hedge, other landscaping and a walkway.
 - d. Privacy hedges may not be planted in easements or swales.
 - e. The maximum height of a privacy hedge must be approved by the ARC based on existing circumstances and be is to be in compliance with County regulations and DOT requirements.
 - f. Privacy hedges in place as of December 2015 are "grandfathered" in perpetuity. Removal and replacement of any "grandfathered" hedge by the homeowner require ARC approval.

Hot Tubs, Pools and Spas: (See Swimming Pools, Spas, Hot Tubs)

House Numbers:

House numbers must be visible at all times.

Hurricane Shutters: (See Shutters, Hurricane)

Landscape/Plant Bed Changes:

- 1) Any changes that include removal or addition of any plantings that are currently installed must be approved through the ARC Committee prior to making the changes.
- 2) Any new plantings, except annual plants and/or unless they are replacements of in-kind plants, **must** be approved by the Architectural Review Committee.
- 3) Owners should review Resident Planting Palette for approved plantings. Request for other plants not on the Resident Planting Palette will be considered by the ARC on a case-by-case basis.
- 4) No artificial plants are allowed.

It is advisable to use Florida Friendly plants. Be sure to reference the Stoneybrook plant palette.

Lanai/Lanai Extensions:

- 1) Enclosures should be designed as an integral element of the dwelling.
- 2) The roof of any cage must not exceed the height of the house.
- 3) All enclosures must be screen, and framing bronze in color.
- 4) Enclosures are not to exceed the exterior width of the house.
- 5) Properties that currently have white colored enclosures are “grandfathered” only until the home is sold or the installation is removed, then all future changes must adhere to the revised guidelines.

Lighting:

- 1) All exterior lighting of structures or landscaping shall be in accordance with plans approved by the ARC. This includes low intensity landscape lighting, flood lights and motion detector lights. Outside lighting should be positioned and operated such that it does not cause problems with neighboring properties and/or common areas. Any exterior light that is determined to be a nuisance to neighbors will be considered a violation. The owner will be required to adjust or remove the light.
- 2) Colored and blinking lights are not allowed except customary holiday decorations, which do not unreasonably disturb other owners or occupants of the community.

Mulch: (See Rocks - Decorative)

- 1) Approved mulches include cypress, pine bark, pine straw, treated eucalyptus and treated melaleuca. Eucalyptus and melaleuca are environmentally friendly "green choice" mulches but are considered to be invasive species. Mulch made from these trees must be properly treated to prevent the mulch from rooting.
- 2) Inorganic mulch materials, such as rock, stone and gravel, or synthetic mulch material must be approved by the ARC on a case by case basis.
- 3) Properties currently (**July 2020 Guidelines**) having rock, stone and gravel, or synthetic mulch are grandfathered. However, when property is sold to new resident, all future changes to the property must adhere to the new guidelines above.

New Construction:

All additions to the exterior of the home must be preapproved by the ARC. ARC forms are available at the Recreation Center. Please include in your request package all applicable Manatee County permit approvals and detailed construction drawings.

Outdoor Equipment:

Propane tanks must be buried. Swimming pool equipment, spa equipment and sprinkler pumps and other such outdoor equipment must not be readily visible from any street. Adequate landscaping must be used as screening.

Painting:

- 1) Exterior colors will be approved as long as they are chosen from the paint palette. (Appendix B) The palette also includes choices for trim and accents. Garage doors must be painted the same color as the body of the house. Gutters and soffits may be painted white, bronze of the same as the body of the house. The ARC has the sole authority to approve or disapprove color choices.
- 2) All exterior painting of a property must be approved by the ARC. When submitting painting for approval please reference the page # of your choice and list the chosen trim and accent colors. Note: Should you choose to purchase paint from a supplier other than Sherwin Williams, a paint chip from S/W can be used to match the colors. Please use the Sherwin Williams information for ARC approval,
- 3) Grandfathered properties that have changed from the original color palette at the time Stoneybrook was built, but later approved by ARC prior to this document, do not automatically get re-approval of their current color.

Patios, Lanai, and Patio Extensions: (See Lanai/Lanai Extensions)

Pergolas: (See Awnings and Pergolas)

Play Sets: (See Swing Sets/Child Playground Equipment):

Pools (Swimming), Spas, Hot Tubs: (See Swimming Pools, Spas, Hot Tubs)

Porch (Front) or Portico Furniture: (See Decorative Item)

- 1) May contain furniture designed for outdoor use.
- 2) Flowerpots intended for outdoor use are also permitted.
- 3) All front enclosures must be bronze in color. Unless installed prior to July 2020.

Preservation Areas:

- 1) It shall be the responsibility of each Owner, at the time of construction of a building, residence or structure, to comply with the construction plans for the surface water management system serving The Lands pursuant to Chapter 40D-4, Florida Administrative Code, approved and on file with SWFWMD.
- 2) No Owner may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, buffer areas or upland conservation areas described in the SWFWMD permit and/or recorded plat for the applicable portion of The Lands, unless prior approval is received from the SWFWMD, pursuant to Chapter 40D-4.14, Florida Administrative.

Rain Barrels:

ARC approval is required and only with adherence to the following restrictions:

- 1) Barrels must be concealed with landscaping.
- 2) Location is limited to sides and rear of yard.
- 3) Only corrosion-resistant materials are allowed.
- 4) A “mosquito-proof” cover is required, and the barrel is to be connected to the guttering downspout.
- 5) Gutter-free rain barrels are not allowed.

Rocks (Decorative):

- 1) Decorative rocks must be approved by the ARC and will be approved on a case by case basis.
- 2) Decorative rocks may be used as trim for driveways, sidewalks, and planting beds. Only one type of rock may be used throughout, and the width of the trim strip shall be 2 feet or less.
- 3) Decorative rock may also be used for drainage purposes: between shrubs and the perimeter of the house and pool cage, around pool equipment such as pumps and pool heaters, and at discharge areas for roof gutters or other areas subject to drainage problems or erosion.

Roof Replacement:

- 1) Roofs which are replaced or repaired with the same style and same color of current roof are allowed.
- 2) Replacement roofing color, roofing material and style requires ARC approval. For all replacement roofs, vents, exposed flashing, cement seams, etc. must be painted to blend in with the color of the roof.

Roof Vents/ Solar Collectors: (See Solar Collectors/Roof Vents)**Screen Doors / Entry Enclosures: (See Door/Window Treatments and Window Treatments)****Screens: Security/Hurricane Screens. (See Window Screens)**

- 1) Permanently installed security/hurricane window screens are allowed but require ARC approval.
- 2) The appearance of window screens should be compatible with the style and color of the home on which they are installed and its neighborhood.
- 3) Screens should be mounted within the door or window "well" wherever possible.
- 4) The frame color should be selected to match the color of the window frame or home trim.
- 5) Installation requires obtaining the appropriate building permits, and the screens should be installed by a licensed installer. HOMEOWNERS ARE SOLELY RESPONSIBLE FOR VERIFYING PERFORMANCE CLAIMS FOR SUCH PRODUCTS AND THEIR COMPLIANCE WITH CURRENT FLORIDA CODES.

Screens/ Window: (See Window Screens)

Sheds, Storage:

- 1) All storage sheds must be placed inside the lanai. ARC approval is required.
- 2) Existing storage sheds not in a screened cage but approved by the ARC prior to the adoption of this proposal are "grandfathered" until such time as the house is sold, then all future changes must adhere to date of the new guidelines. (July 2020) Sheds not previously approved and not in a screened cage must be removed.

Shutters (Decorative):

- 1) Shutter color chosen must be compatible with the color for the body of the home or a trim color with ARC approval.

Shutters (Hurricane): (See Window & Window Treatments)

Any hurricane or other protective devices visible from the outside of a home or unit shall be of a type as approved by the ARC, and in accordance with the guidelines as promulgated by the ARC.

Sidewalks

Sidewalks require ARC approval and must conform with current driveway/sidewalk materials.

Solar Collectors / Roof Vents:

Solar collectors, roof vents and other installations on the roofs of structures shall be permitted only at locations approved in writing by the ARC.

Review the following information before signing any contracts or purchasing materials.

- 1) Solar panels are permitted as a matter of law; however, the Association has the right to place certain conditions on the installation and to require that a modification request form be submitted prior to installation of the panel/s.
- 2) Equipment Specifications. An illustrated brochure clearly depicting the unit and the materials to be used in the installation must accompany the application. A construction drawing for the proposed installation must be provided. The drawing must show the location and number of collectors, as well as the method of attachment to the roof structure and the location of any other exterior system components. Aluminum trim, if used and visible, must be anodized or otherwise color treated. A system approval issued by an authorized rating organization (such as SRCC or FSEC) must also be provided.

- 3) Location of Panels. In accordance with Section 163.04 of Florida Statutes, the Association reserves the right to select the side of the roof for the solar panels, (south, or within 45 degrees east or west of south). In addition, the Association reserves the right to choose the specific position on the side of the roof that was selected. These conditions are intended to minimize the visual impact and to reduce the amount of piping on the roof.
- 4) Piping. Piping normally is limited to the same side of the roof that the panels are on. The ARC may approve other routings for the piping that are designed to minimize the visual impact of the piping while maintaining the efficiency of the system. Piping and pipe mounting hardware on the roof must be painted to blend in with the color of the roof. Piping and pipe-mounting hardware on the side of the home must be painted to blend in with the color of the home.
- 5) Screening Requirements. Upon site inspection it may be required, (when reasonably possible and space permitting), that the homeowner plant palm trees or other landscape material designed not to screen the equipment but to soften the visual impact.

Swimming Pools, Spas, Hot Tubs:

All Pools, Spas and Hot Tubs require ARC approval.

- 1) All residential pools, Spas, and Hot tubs must meet the pool safety feature requirements set forth in the Florida Statutes and Manatee County Codes.
- 2) All pools shall be in ground.
- 3) Pools, Spas and Hot tubs may not be visible from the front street.
- 4) They must be enclosed in a cage or screened area.
- 5) Enclosures shall be consistent in design, color, and material with the Architectural theme, and must conform and not exceed the height of the roofline.
 - a. Privacy screening for spas and hot tubs must be mounted within the caged area. It must be approved by the ARC.
- 6) All electrical utilities, pumps and piping need to be screened from view with approved landscaping from the Stoneybrook Planting Palette.
- 7) It is against EPA regulations to drain a pool, spa or hot tub into a lake.

- 8) Please make sure all the following items are included with your request for approval from the ARC.
- a. Surveyed site plan indicating the location of the structure and any supporting devices (pumps, heaters, piping, etc.)
 - b. Drawing and/or photograph of spa or hot tub and supporting devices, including dimensions and spec. sheet, if available.
 - c. Access sheet signed by the owner of the adjacent property if any materials, equipment, etc. are to be moved over that owner's property during the installation or landscaping of the spa or hot tub or supporting devices.

Stepping Stones:

ARC approval is required.

- 1) Stepping stones may only be installed in planting bed areas.
- 2) All stepping stones must be installed in compliance with the guidelines below:
 - a. Stepping stones are not permitted in any areas of sod on the front of the house and may not be installed as a solid pathway.
 - b. Only natural stone or concrete stepping stones are permitted, and the step stones should have a natural or concrete color.
 - c. Installed stepping stones should be properly spaced, level, and stable, and maintained to provide a safe walking space.

Swing Sets / Childs Playground Equipment: (See Play Sets)

- 1) Require ARC approval whether inside or outside of the lanai.
- 2) Portable play equipment and playhouses must be stored when not in use.
- 3) Swing sets and children's playground equipment may only be placed in the rear of a home and must not extend past the side perimeter or height of the house.

Temporary Factory-Built or Existing Structures: (See Arbors/Pergolas)

No structure of any kind shall be erected without the prior written permission of the ARC.

Tents:

Tents for celebrations or for children's overnight activities may stay up for a twenty four-hour period. Examples include but not limited to; Inflatable bounce house, ball pit, castle, etc. Note: Manatee County requires a permit for any tent larger than (10) ten ft by (10) ten ft

Trampoline:

Prohibited.

Trash Containers / Yard Waste (Also see Garbage)

Trees (see Landscaping and SB Resident Planting Palette)

1) Canopy Trees

Street Canopy trees are required under the ARC guidelines. This required landscaping is to be maintained and pruned in a manner that preserves the natural shape and growth characteristics of the species.

- a) Street Canopy trees are a part of the development process of our community. Trees must be trimmed 8' above sidewalk and 14' above roadways. No "Hat-racking" or "Lolli popping" is allowed. No more than 25% of tree foliage may be removed.
- b) Street trees may not be removed by a homeowner unless ARC approval is given. Replacement must conform to the **Approved Tree List**. ARC approval will require replacement trees from the approved list (Appendix A Planting Palette) with certain exceptions on a case-by-case basis. Replacement trees must be planted with-in 60 days of tree removal.
- c) All approvals must be submitted to the ARC and the property manager's office for recording in the documents of the Association.

2) Trees, Accent and Ornamental.

- a) Changing or adding accent or ornamental trees in the homeowner's landscape require ARC approval.
- b) Replacing an accent or ornamental tree requires ARC approval.
- c) Replacement with a tree not on the approved planting palette or planting the replacement tree in a different location requires ARC approval.

3) Trees, Citrus.

- a) Citrus trees are only permitted in the rear yard.
- b) Citrus trees are limited to one (1) tree per lot.
- c) ARC approval is required, and the property owner or tenant must agree to the following:

- i. It is required that all dropped fruit, blossoms, etc. are not allowed to accumulate more than three (3) days. It is important to note that failure to do so will likely attract fruit rats and other nuisance animals. These pests may cause a health hazard and at least an unfair inconvenience to your neighbors.
- ii. Non-compliance will result in a warning and possible fine by the Board of Directors. Continued violations may result in the owner being required to remove the tree regardless of when it was planted

Trellises:

- 1) ARC approval is required for all trellises.
- 2) Free-standing trellises are not allowed.
- 3) Trellises are only allowed in landscape beds, and all trellises, including those with ground supports, must be securely installed.
- 4) Trellis design must be compatible with the architectural style of the house. A trellis may be made of wrought iron or naturally weather-resistant woods such as cedar or redwood. The trellis may be painted using either the house body or trim color or stained with a color compatible with the house colors.
- 5) Information to submit for ARC review:
 - a. Mark the location of the proposed trellis on a landscape plan.
 - b. Provide a photograph or sketch of the trellis, its overall dimensions and the cross-support piece width and thickness, and the trellis color.
 - c. Any existing trellises in the same area of the proposed trellis should also be noted on the landscape plan as an “existing trellis” and its color listed.
 - d. Consider the mature size of the plant when choosing a trellis. A mature Bougainvillea requires a larger, sturdier trellis than a smaller plant such as a Mandevilla. When installing, leave a proper depth between the trellis and house to allow for air circulation and mature growth.

Underground Utilities:

Consult with Manatee County on rules and regulations.

Vines:

- 1) As of July 2020, vines are prohibited
- 2) Installed prior to July 2020
 - a) Vines must be kept (1) one foot below soffit. They must be pruned so to allow clearance of at least one (1) foot from any window or door. In addition, they may not protrude more than four (4) inches from the wall. House numbers must be always visible.
 - b) Vines may not be grown on; more than two (2) walls unless previously approved by the ARC.
 - c) Vines must be evergreen and cold tolerant. Those that are not may be unsightly for several months of the year.
 - d) Climbing vines dramatically change the appearance of a home; therefore, homeowners that choose to grow climbing vines on their home must adhere strictly to the current guidelines.
 - e) NOTE: Homeowners should exercise caution when growing vines on the wall of a home. They provide a perfect environment for bugs and greatly increase the chances of them entering a house. In addition, over time the increased moisture on the walls may damage the stucco.

Walkways: (See Driveways, Sidewalks, Stepping Stones)

Walls:

1) Villas (External) Require ARC Approval.

- a) Walls must be constructed with masonry block and shall be no taller than (8) eight feet, measured from the interior floor surface, with decorative stucco bonding.
- b) Detailed construction drawings with the request along with any required approved permits. The wall must be capable of withstanding a CAT3 Hurricane.
- c) Placement of walls is at the discretion of the ARC.
- d) Any construction must be approval by the local villa HOA prior to submission to the ARC.

2) Other

- a) Any proposed wall must have ARC approval.
- b) Include detailed construction drawings with the request along with any required approved permits. The wall must be capable of withstanding a CAT3 Hurricane.

Water Heaters (Tankless and Externally Mounted):

Require ARC approval. Externally mounted tankless water heaters must be installed in accordance with all State and County regulations and must be screened using appropriate landscaping. Externally mounted tankless water heaters must be painted the same color as the body color of the home except for those parts exposed to high heat or required for product identification.

Window Screens: (See Screens/Window)

- 1) The appearance of window screens should be compatible with the style and color of the home on which they are installed and its neighborhood.
- 2) Screens should be mounted within the door or window "well" wherever possible.
- 3) The frame color should be selected to match the color of the window frame or home trim
- 4) Homeowners may install retractable screen doors including overhead garage doors. The screen door housing must match the color of the door frame. Prior approval from ARC is required.

Windows and Window Treatments (Also see Door/Window Treatments & Screen Doors, & Garages)

- 1) Suggested list of traditional window treatments includes blinds, curtains, shades (Not Paper), and shutters.
- 2) Tinting. Windows may have protective film or neutral density tinting provided that its reflectiveness does not exceed 23 percent.
- 3) For security and aesthetic purposes, it is required that windows on exterior garage walls facing the street have window treatments.

Reference Information to be attached:

-Appendix A- Planting Palette

-Appendix B- Painting Palette

-Appendix C- ARC Guidelines for Canopy and Understory Trees

Appendix A: Planting Palette

Canopy Trees

- Black Gum Tupelo
- Hickory
- Live Oak, Highrise Oak, Cathedral Oak
- Loblolly Bay
- Longleaf Pine
- Red Maple
- Slash Pine
- Southern Magnolia including Little Gem
- Southern Red Cedar
- Sweet Bay Magnolia
- Sweetgum (Rotundiloba-seedless)
- Sycamore
- Winged Elm

Requirements: 2½ in. caliper, 25-50 gallon, minimum height 10 ft.

Understory Trees

- Cherry Laurel
- Crepe Myrtle
- Eugenia (natives only)
- Golden/Yellow Trumpet
- Holly- Eagleston
- Japanese Blueberry
- Japanese Privet (Ligustrum Japonica)
- Loquat
- Podocarpus (tree form only)
- Queen's Crepe Myrtle
- Red Bay
- Shady Lady Black Olive
- Walter's Viburnum (tree form only)

Requirements: 1 ½ in. caliper, 25-30 gallons, minimum height 6 ft.

Palms

- Bismark Palm
- Canary Island Date Palm
- Chinese Fan Palm
- Needle Palm
- Ribbon Palm
- Sabal-Cabbage Palm
- Foxtail Palm

Requirements: Two palms are required to replace one tree. Palms must have a minimum overall height of 15 ft. at the time of planting,

Appendix B: Painting Palette

All exterior colors must be chosen from the Paint Palette

The Paint Palette Book is available at the Rec Center upon request.

Appendix C- ARC Guidelines for Canopy and Understory Trees

Maintenance and pruning of required canopy or understory trees is allowed in order to remove diseased or dead wood, remove hazardous limbs, remove or trim limbs that would obstruct vehicular movement, utility lines, or pedestrian traffic, remove double leaders or crossing limbs, or maintain or correct the size of the tree. Trimming to provide proper clearance from overhead utility lines shall be allowed; however, it shall not be allowed to significantly alter the natural form of the tree. Pruning that grossly alters the natural characteristic form of that species is not permitted, (e.g. topiary sculptures or "lollipop" shapes).

Prune Trees Correctly: "Hat-racking" or "Lolli popping" and "over lifting" (too many bottom branches removed) and "gutting" or lion's-tailing pruning styles are considered arboricultural malpractice. Hat-racking is stubbing a branch, a willy-nilly cutting of branches, far from a bud or a new leader. For a plant to "heal" or compartmentalize the pruning wound, the cut needs to be made at a point where the plant tissue can grow over or engulf the injury. There should be one dominant leader (one main trunk), depending on the species. Some pruning standard practices are: Not more than ¼th of the foliage on a mature tree should be removed within a growing season. Thinning should result in an even distribution of branches on individual limbs and throughout the crown. Ignoring this concept leads to over-lifting and lion's-tailing. Lion's tailing puts the weight load on the ends of the branches, making branches more prone to breakouts in high winds.

Manatee County Chapter 7 Land Developmental Code, Page 7-2

Please see illustrations for reference

