

OAKTRAILS AT MEADOWRIDGE IV & V
HOMEOWNERS ASSOCIATION INC

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ARCHITECTURAL GUIDELINES
06AUG2020

1. Overview. The Oaktrails at Meadowridge IV & V Home Owners' Association Board of Directors and Architectural Control Committee (ACC) have established these Architectural Guidelines in an attempt to aid homeowners in the maintenance and improvement of their homes and property. These guidelines are established to ensure uniform and fair interpretation of the Declaration of Covenants, Conditions, and Restrictions (DCC&Rs), for our neighborhood. Also, these guidelines are intended to provide members of the Oaktrails Homeowners' Association information regarding the operating procedures of the ACC.

2. Architectural Control Committee. Per Section 5.01- of the Oaktrails at Meadowridge VI & V Home Owners' Association DCC&R's, the Architectural Control Committee shall be composed of three (3) or more persons appointed by the Board. The Board, however, at their discretion, may constitute itself as the ACC. The ACC has full power to regulate all exterior changes to the Lots or Dwellings in the development.

a. Roles and Responsibilities. The ACC Board shall be comprised of a Board Chairman and his or her Board Members:

(1) ACC Chairman. This member will act as the head of the ACC. He or She will be appointed by the Board of Directors and will be a voting member of the ACC.

(2) ACC Members. A minimum of two (2) additional members who will be appointed by the Board and are voting members.

b. Terms of Office. Each member of the ACC will serve at the discretion of the Board of Directors. Each incoming Board of Directors may retain the committee, replace specific members of the committee, replace the entire committee, or abolish the committee and constitute itself as the committee.

c. Meetings. The ACC will schedule meetings as needed to review applications for improvement. A majority of the committee must be present to convene a meeting at which voting will occur.

d. Voting. The chairman and ACC members each have one vote. If the application or complaint being reviewed concerns a property owned or occupied by one of the members of the ACC, that person's voting rights will be temporarily suspended to avoid any conflict of interest. If the chairman is a member of the Board of Directors, the chairman will refrain from voting unless his vote may be required to break a tie.

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e. Records. Electronic or hard copies of all applications, decisions, recommendations, appeals, and meeting agendas will be kept by the Chairman. All records shall be maintained and passed to subsequent committees for a minimum of seven years.

f. Removal. Any ACC member may be removed from the ACC, with or without cause, by a majority vote of the Board of Directors.

g. Compensation. No member shall receive compensation for any service rendered to the ACC.

3. Architectural Review Procedures. Plans and specifications for improvements must be approved in advance. No special consideration will be given in those instances when post-construction approval is requested.

a. General. An item can come before the Committee as follows:

(1) A property owner (or his/her representative) may make an application for improvement by submitting a "Request for Architectural Review" form to the residence of the Chairman or submit an electronic request via the website.

(2) Improvements may come to the attention of the ACC or Board of Directors in the form of a complaint through written communication from any member of the Association. Please note that verbal communications might not be addressed.

b. Applications. All applications, additional information, or requests for appeal shall be submitted electronically through the oaktrailshoa.org website or mailed or delivered to the residence of the ACC chairman, not to members of the ACC or Board of Directors. All applications must include the following information:

(1) Plans and specifications for any exterior change, addition, or improvement

(2) Plot plan showing the location of the improvement in relation to all lot boundary lines, the residence, the easements, and the building setback lines.

(3) A detailed material list and include the name, address, and business phone number of the contractor or installer, if applicable.

c. The ACC reserves the right to request any additional information it deems necessary to properly evaluate any application. If the ACC requests additional information, the application shall be considered incomplete until such information is submitted to the ACC and the thirty (30) day requirement for approval of the application, as described in the DCC&Rs, shall not begin until such information is received. If the ACC requests additional information and the information is not received within thirty (30) days from

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the date of the request, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

d. Complaints. Formal complaints will be reviewed by the ACC to determine if additional action is warranted. Determination will be made by a majority vote of the ACC based on the DDC&Rs and these guidelines and submitted to the Board of Directors for concurrence. The parties addressed in the complaint may be contacted to aid in this determination. The goal of the ACC, with respect to the resolution of complaints, is to develop solutions that are acceptable to both the homeowner and the Association. ACC recommendations for complaints requiring action by the homeowner will be reviewed by the Board of Directors.

e. ACC Decisions. ACC committee members shall consider each application for compliance with the DCC&R's and these Guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ACC.

(1) ACC decisions shall be conveyed in writing to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

(2) Per the DCC&R's, any application that is not approved or disapproved within thirty (30) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that:

(a) Any such approval shall extend only to the architectural guidelines and not to any of the use restrictions outlined in the DCC&Rs.

(b) In no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement, or any other item that would violate the DCC&R's.

f. Appeals of ACC Decisions. In the event the ACC disapproves an application, the applicant may submit a written appeal to the ACC Chairman for review by the Board of Directors. The Board of Directors shall review the appeal at its next meeting following the date upon which the request for appeal is received, and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final. During the appeal period, the decision of the ACC on the original application shall remain in effect. Further, an appeal of a decision of the ACC shall not be considered a new application resulting in approval of the original application. If a response to a request for reconsideration is not submitted by the ACC or the Board of Directors within thirty (30) days of the date of its receipt even if the ACC and Board of Directors do not respond to

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the appeal within thirty (30) days, that is not to be considered as an approval of the original application.

g. Precedents. The ACC will make every reasonable attempt to be fair and equitable, but will not necessarily be bound by past decisions. The ACC reserves the right to disapprove applications for improvements that require a variance from the established Guidelines if it believes that such changes are not in the best interest of the future of Oaktrails, even if a precedent was set by a prior decision.

(1) From time to time, the ACC and/or the Board of Directors will decide that, in retrospect, it is not in the best interests of the community. The ACC and the Board of Directors reserve the right to recognize such a situation, document it in the minutes of a meeting, and no longer permit its use as a precedent. The same right applies if the ACC makes an error in allowing a change or addition to these Guidelines.

h. Easement Encroachments. It is not the responsibility of either the ACC to police encroachment into utility easement areas. If possible, the ACC will advise the Owner of a possible encroachment and recommend that the Owner seek approval or waiver from the appropriate utility. However, the ACC will not be liable for any expense incurred by an Owner as a result of action by a utility if such encroachment occurs, even if the ACC approved the change or addition without comment.

i. Emergency and Disaster Reaction. Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs (those that are present for no longer than 6 months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be accepted without approval by the ACC.

(1) Temporary protective action in the event of certain weather conditions, such as hurricane warnings, will not require the approval of the ACC. All such installations must be completely removed and the property restored to its original condition immediately following the passing of the emergency. This rule specifically applies to but is not limited to, the boarding of windows and doors during a hurricane threat.

j. Quality of Repairs. Repairs are required to be of equal or better quality than original construction and of the same type. While there is no specific requirement for the Owner to apply to the ACC for such in-kind repairs, the quality of such work may come under the scope of the ACC's responsibilities if the repair is done in such a way as to detract from the appearance of the neighborhood.

4. Architectural Guidelines. The following Guidelines were established by the ACC with approval of the Board of Directors. They are intended to further ensure consistency in decisions and assist in expediting the decision process. The Guidelines are intended to

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augment the Oaktrails at Meadowridge Phase IV & V DCCR's) and not replace or override them. All are based on the specific rules established by the appropriate governing documents. These Guidelines may be amended by addition, deletion, or alteration at any time the ACC deems appropriate.

a. Painting. The existing exterior color of the main body or trim of a house, garage, or other improvements on a lot shall not be changed without the prior written approval of the ACC. No attempt will be made to control painting activities in cases where the Owner is repainting with the same color as originally used.

(1) Applications to paint an area that has not been previously painted or to change the color must include at least two (2) color samples or paint chips and a photograph of the house/roof color. If in the opinion of the ARCC, the new color is compatible with both the individual home and the neighborhood, the color change will be granted. Colors approved by Mercedes Homes during construction will typically be approved provided they are compatible with other architectural features of the home.

b. Landscaping. In general, the addition or movement of trees, shrubs, and other live items of landscaping are acceptable without a formal review by the ACC. Exceptions are landscaping that is or will act as, a non-compliant fence, items that obstruct access to vital community service (such as fire hydrant), items that obstruct visibility causing a hazard to vehicular or pedestrian traffic, items that create a hazardous condition or any item that generates a complaint from a resident of the community. These Guidelines apply both to items that create a non-acceptable condition upon installation and items that grow to become non-acceptable. Owners are encouraged to obtain ACC approval for major installations, such as trees in the front or side lots over four inches in diameter at the base of the trunk.

(1) Landscape Edging. The following materials may be approved landscape edging: wood timbers, interlocking bricks, or stone. Black professional plastic edging or green professional metal edging is acceptable when buried to such a level that no more than one (1) inch of the edging appears above the ground level. The use of edging materials to create elevated beds should be submitted to the ACC for approval. The homeowner is responsible for maintaining and landscape edging that is installed. If the landscape edging is deteriorating, then the homeowner will be asked to repair or remove the landscape edging.

(2) Tree Removal. Removal of individual trees is discouraged unless the tree is diseased, dead, severely damaged, or poses a hazard. Removal of multiple live trees, without suitable immediate replacements, other than for safety reasons, from any single property will not be approved.

(3) Landscape Maintenance. Yards shall be kept neatly mowed with a clean edge

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against sidewalks and driveways. Clippings shall not be blown or dumped into streets or on common areas.

c. Antennas and Satellite Dishes. As a result of the passage of the Federal Telecommunications Act, the Federal Communications Commission (the FCC) adopted a rule effective October 14, 1996, preempting certain restrictions in the governing documents concerning the installation, maintenance, and use of direct broadcast satellite dishes, television antennas, and multi-point distribution service dishes (dishes or antennas), and the following guidelines are adopted to comply with federal law and rules.

(1) Size and Type. Direct broadcast satellite dishes and multi-point distribution service dishes that are one meter or less in diameter may be installed. Dishes larger than one meter in diameter are prohibited. Antennas designed to receive television broadcast signals (UHF & VHF) may be installed in the attic. The installation of transmission antennas is prohibited. All antennas not covered by the FCC rule are prohibited.

(2) Location. If acceptable quality signals may be received by placing television antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, the outdoor installation may be prohibited. As long as an acceptable signal can be received, dishes and antennas shall be located in a place shielded from view from the street or other lots to the maximum extent possible without causing unreasonable delay or unreasonably increasing cost. Preferred locations include the backyard of the home, the rear eaves of the home under eight feet, and the interior fascia of the garages.

(3) Wiring. Cables from the dish to the receiver shall be routed neatly into the dwelling. Distribution panels (splitters) shall be concealed from public view.

d. Flagpoles. Freestanding flagpoles (those not mounted on the dwelling) in the front or side lot of any property are discouraged. A single flagstaff less than six feet in length may be mounted on the dwelling provided the top-most part of the staff does not extend to a point higher than the highest point of the roof over the part of the house to which it is attached (garage, entry, or main body). Display of offensive or inappropriate flags is prohibited.

e. Basketball Goals and Hoops. Basketball goals mounted on the structure of homes shall not be allowed. Permanent goals may be placed at the side of the driveway to the side of the lot only. Backboards should be of clear acrylic to minimize visual impact. The Poles shall be black. All netting and padding shall be kept in good repair. The ACC may reject a request for a permanent goal if the aesthetic impact on the adjacent lot is determined to be unacceptable.

(1) Portable basketball goals will be allowed but must be completely hidden from view when not in use. Portable goals shall not be left or used on any street, sidewalk, or stormwater drain due to Association liability in the event of injury or vehicular accident

(2) To the greatest extent possible, basketball goals, posts, backboards, nets, and

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hoops will be colors that are not offensive to the landscaping of the neighborhood. Bright, fluorescent, colors (particularly nets) will not be allowed.

f. Exterior Lighting. Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the ACC may be replaced with a new fixture provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or 150 watts, whichever is less.

(1) Security Lighting. Security lighting shall be permitted with the ACC's approval so long as the total wattage for all security lights does not exceed 300 watts on any rear corner of the dwelling. All security lighting shall be mounted on the backplane of the house. Motion sensing carriage lights of an appropriate wattage should be used on the front of the house if desired. Lights shall not be directed into neighboring dwellings. No pole-mounted security lights (including sodium vapor and mercury vapor) shall be permitted. No security light fixture shall be allowed above the eaves of the house or garage. Exceptions to mounting security lighting behind the backplane of the house and/or allowing security lighting above the eaves of the house or garage may be granted by the ACC if the design and location of the house and/or garage on a lot warrant an exception.

(2) Landscape Lighting. Exterior landscape lighting shall be permitted with the ACC's approval so long as the lighting is located within flowerbeds, shrubs, and/or trees. A homeowner may install a maximum of fifteen (15) low voltage landscape lights (150 watts max) within the flowerbeds, shrubs, and/or tree wells. Lights may not exceed one (1) foot in height. Wires, transformers, and other electrical equipment may not be visible at any time.

(a) All new lighting that is approved by the ACC shall be subject to a ninety (90) day trial period after installation to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of the ACC's written approval of the lighting. If, at the end of the ninety (90) day period, the ACC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise, the lighting shall be removed or modified per the decision of the ACC.

g. Outbuildings. The use and restrictions are covered in Article II, Section 2.21, page 17 of the DCC&Rs. The following Guidelines supplement the Use Restrictions.

(1) Construction of or installation of any accessory structure (tent, shack, garage, barn, or other outbuildings) is prohibited without approval of the ACC. With respect to sheds and outside storage units, the following guidelines will apply. Manufactured storage compartments, which are completely concealed from public view from any lot or common area, are acceptable. Metal storage sheds not completely concealed from public view are prohibited. Storage sheds or enclosures that are behind the dwelling but are not concealed from public view may be approved by the ACC provided the design is consistent with the architectural features of the dwelling. The maximum height of the shingled roof shall not

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exceed seven (7) feet. The standard, type, quality, and color of the materials used in the construction of the outbuilding shall be harmonious with those of the dwelling.

(2) Outbuildings should be located to minimize public view, but may not be located on a utility easement. Outbuildings must also conform to the building front and side setback restrictions. No outbuilding shall impede drainage from the lot or cause water to flow onto an adjacent lot.

(3) Approval by the ACC shall not be considered as approval from the City of Titusville. Building permits will still be required.

h. Holiday Decorations. Holiday decorations are permitted and will not require approval. Decorations may be installed no sooner than 30 days before the holiday and must be removed within 15 days after the holiday for which they are intended. The ACC reserves the right to require the removal of decorations that either generate complaints or are deemed offensive.

I. Regulations for all Roof Types. All roofs shall be maintained in good appearance and condition. Any missing or deteriorated shingles shall be promptly replaced. Any patches of dirt, mildew, algae or other discoloration, which when viewed collectively exceed 15% of the roof area, shall be promptly cleaned. All roof installations or replacements must comply with the Brevard County and the State of Florida building codes in effect at the time of roof installation/replacement completion. Any and all costs for permits and installation shall be borne by the Homeowner and his/her contractor.

J. Asphalt or Fiberglass Roof Shingles. The ACC must approve the type, color, and style of all shingle and roof covering materials. Shingle attributes must include an algae resistance warranty of 15 or more years, and a minimum weight/square of 270 Lbs. Architectural grade dimensional shingles or higher quality are stipulated. The ACC may reject any exterior elevation based on the roofline, shingle type or exterior elevation appearance that in its judgment is not in keeping with the character and standards of the subdivision and the bylaws of the Home Owners Association (HOA).

K. Metal Roofs. No corrugated (galvanized or otherwise) metal or other corrugated materials, such as that used on sheds and lean-to's, will be accepted as a roofing material for either the main body or the house, garage or porch areas. This corrugated restriction in no way prevents the use of panels designed with striations. Preventing of "oil canning" through the use of striated panels is highly recommended. A sample of faithful color representation for the intended roof color must be provided to the ACC for review, and should the ACC determine the printed or digital image submitted with the application is not sufficient clarity to make a reasonable determination, the homeowner will be required to resubmit a corrected sample.

(1) Approval of all metal roof applications will require the homeowner to provide the ACC with a copy of the City's Building Department official endorsements, which is issued for

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the project after final inspection is successfully completed, to corroborate actual compliance with these guidelines. The ACC established a minimum of 26 gauge steel panel or equivalent, and recommended a 24 gauge steel panel or greater, to survive a harsh hail storm damage. A thicker metal panel will resist punctures and form stronger seams between panels. Dents on metal roofs, such as those caused by hail damage are unsightly, and each homeowner must bear in mind the HOA will require all unsightly roofs, including those damaged by acts of GOD, to be repaired or replaced with reasonable promptness. These minimal requirements for roof thickness and quality are to ensure the property values throughout the subdivision are maintained relative to other homes in the subdivision.

(2) Fasteners shall be hidden in all manner of metal roof applications. Standing seam metal roofs, metal shingle roofs, and metal tile roof are explicitly permissible. No other type of metal roof is to be approved.

(3) No white, light to medium gray or bare metal is allowed. All roofs which do not consist of asphalt shingles shall be of medium to dark earthy tone colors, which very closely resemble the uniform roofing color established throughout the Subdivision by the Developer. Glossy or otherwise highly reflective finishes are not allowed. Gloss is a measure of the degree to which a surface functions as a mirror. The ISO and ASTM specular gloss scales include <10 (Flat) and >85 (High Gloss). Only materials with a value of 20 or fewer gloss units (GU) will be approved.

L. Fences. All fences shall not exceed 6 feet in height and may be installed around the perimeter of a Lot if they are constructed of either wood or PVC. The installation of chain-link fences is prohibited.

(1) All Fences shall have a stand-off distance of at least 2 ft from any sidewalk in the development.

M. Pavers. All Paver installation shall be approved by the ACC. Concrete paver driveway extensions shall not exceed 3 ft on either side of the driveway. Colors should be harmonious with the home. Approval by the ACC shall not be considered as approval from the City of Titusville. Building permits will still be required.



President

Signed under the direction of the Oaktrails at Meadowridge IV & V Homeowners Association Board Members on this day 06AUG2020.