

SUTTON OAKS OWNERS ASSOCIATION Architectural Criteria and Guidelines

Pursuant to the terms and conditions of the Declaration of Covenants, Conditions and Restrictions of Sutton Oaks, the Architectural Review Committee ("ARC") is required to approve the site plan, architectural plans, specifications and materials for all building, structures, grading, landscaping and other exterior improvements constructed or placed on any Lot/Homesite. The procedure for submission of site plans, , architectural plans, specifications and materials is set forth in Article V, Section 3, page 9 of the Declaration of Covenants, Conditions and Restrictions. The ARC is publishing these Criteria and Guidelines to assist all Owners of any Lot/Homesite with the submission procedures for ARC approval of exterior modifications, alterations, and/or improvements to the exterior of any Lot/Homesite. An Owner must submit an ARC Application Form (**Form**) for any purposed changes as listed herein below:

1.0 Patios and Walkways

- 1.1 Submission of a Form for a Patio is required
- 1.2 Submissions of a Form for a walkway is not required if the walkway is located in the rear yard, and
 - a. The walkway does not extend beyond the sidelines of the house and does not extend to within 10 feet of the side property line, and
 - b. The walkway does not exceed 4 inches above the ground at any point.
- 1.3 A Form must be submitted for patio covers, trellises, permanent seating, railing and other items not enumerated above.

2.0 Exterior Decorative Objects: Front Porch Flower Pots, lighting, Etc.:

- 2.1 A form must be submitted for all exterior decorative objects for the front yard as listed below:
- 2.2 Exterior decorative objects bird baths, wagon wheels, sculptures, fountains, pools, antennas, free standing poles of all types.
- 2.3 Except as notes below, a Form must be submitted for all exterior lights or lighting fixtures Not included as part of the original structures. A Form is not required if the lighting meets the following criteria:
 - a. Lighting does not exceed 12 inches height.
 - b. The number of lights does not exceed 10; and
 - c. All lights are low voltage (maximum 12 volts), non-glare type and are located to cause minimal visual impact on adjacent properties and streets.
- 2.4 A Form is not required to be submitted for a single flag pole attached to the front portion of a home.
- 2.5 Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flower pots (maximum of 4) that match exterior color, containing evergreens/flowers do not require submission of a Form.
- 2.6 Objects will be evaluated on criteria such as the site, proportion, color, and appropriateness to surrounding environment.

DATED MARCH __, 2009

3.0 Gardens

- 3.1 A Form must be submitted for garden plots unless all of the following conditions are met:
- a. The plot is located behind rear line of house.
 - b. The size of the plot is limited to 150 square feet or ¼ of the rear lot, whichever is smaller, and
 - c. The maximum height of plants is less than 4 feet.

4.0 Play Equipment, Play Houses and Tree Houses:

- 4.1 Except for lots adjacent to the lake, the Form is not required to be submitted for play equipment if the play equipment is located:
- a. Within the extended sidelines of the house and in the rear yard;
 - b. Within the screened/fenced area of the rear of the house, if the yard is fenced; and
 - c. Such that it will have minimum visual impact on adjacent properties.
- 4.2 Metal play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, Etc.) will generally be required to be painted to blend into the surrounding environment (earth tone colors comparable to dark green or brown).
- 4.3 A baseball backstop or similar item is not play equipment and must comply with the fence guidelines.
- 4.4 A Form must be submitted for all play houses and tree houses.
- 4.5 Play houses and tree houses must be located where they will have minimum visual impact on adjacent properties. In most cases, material used must match existing materials of the house and the tree/play house may not be large than 100 square feet.

5.0 Basketball Goals

- 5.1 A Form is not required to be submitted if all of the following requirements are met:
- a. Goal backboard is perpendicular to primary street.
 - b. Background is white, beige, clear, or light gray and the post is painted black, and
 - c. Written approval of any neighbor who may be impacted by plat is obtained and a copy of of this approval submitted to the Architectural Review Committee for filing.
- 5.2 If freestanding or portable, one rectangular guideline surrounding the hoop is permissible.

6.0 Private Pools

- 6.1 A Form is not required to be submitted for a children's portable wading pool (those that can be surface area does not exceed 36 square feet).
- 6.2 Above ground pools are prohibited.
- 6.3 A Form must be submitted for all in-ground pools.
- a. Appearances, height and detailing of all retaining walls must be consistent with the architectural character of the house. Some terracing may be acceptable.
 - b. Preferred privacy fencing for lots with pools or spas consist of a cedar shadow-box design with a minimum height of 6 feet.
 - c. Glaring light sources that can be seen from neighboring lots may not be used.
 - d. Landscaping enhancement for the pool area and screening with landscaping is required.
- 6.4 A Form must be submitted for exterior hot tubs and they must be screened from adjacent properties and streets.

DATED MARCH __, 2009

7.0 Fencing:

- 7.1 A Form must be submitted for all fencing.
- 7.2 Chain link fences are prohibited.
- 7.3 All Forms must include the following information:
 - a. Picture or drawing of the fence type.
 - b. Height. The maximum height may not exceed 6 feet.
 - c. The fence color must be natural.
 - d. Site Plan. A site plan denoting the location of the fence must accompany the Form. Fences shall not be located closer to any street than the rear edge of the house. however, on corner lots, the fence shall not be closer to any side street than the building Line of lot.
 - e. Crossbeam: Any crossbeam structures shall not be visible from any street (must face inside toward the yard).
- 7.4 A Form must be submitted for all dog runs. Dog runs must meet all fence guidelines. If other fencing exists on property, fencing for the dog run must be of same type.

8.0 Landscaping

- 8.1 A Form is not required for ornamental trees and shrubbery. However, a Form must be submitted For screen plants (row or cluster style) and property line planting.
- 8.2 Forms must include a description of the types and sizes of trees or shrubs to be planted and a site plan showing the relationship of planting to the house and adjacent dwellings.
- 8.3 Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant material native to the Southern United States. The amount of character of the landscaping must conform to the precedent set in the surrounding community.

9.0 Decks

- 9.1 A Form must be submitted for all decks.
- 9.2 The Form must include the following:
 - a. A site plan denoting location, dimensions, materials and color.
 - b. In most cases, the deck may not extend past the sides of the house.
 - c. Materials must be cedar, cypress or No. 2 grade or better pressure treated pine, and
 - d. Color must be natural or painted to match the exterior color of home.
- 9.3 Vertical supports for wood decks must be a minimum 6x6 inch wood posts or painted metal Poles, preferably boxed in as to appear to be 6x6 inch wood posts.
- 9.4 The following, without limitations, will be reviewed; location, site, conformity with the design of the house, relationship to neighboring dwelling and proposed use.
- 9.5 Owners are advised that a building permit may be required for a deck.

10.0 Exterior Building Alterations:

- 10.1 A Form must be submitted for all building alterations. Building alterations include, but are not limited to, storm doors and windows, reroofing, construction of driveways, garages, carports, porches and room additions and exterior painting (both existing and new colors) to the home.
- 10.2 The original architectural character of the theme of any home must be consistent for all

DATED MARCH __, 2009

components of the home. Once the character is established, whether it's traditional, contemporary, etc. no change may alter the character.

10.3 **Exterior Painting** requires the following information:

- a. Paint samples (3' X 5") or picture of paint color approved by this community.
- b. The address of the home where color has been approved.
- c. Area of home to be repainted.
- d. Photograph of your home and homes on either side (in most cases, adjacent homes cannot be the same color).
- e. Approved colors will be of a soft palette and muted colors that are consistent with neighboring homes.
- f. Deposit of \$250.00 required to be paid before repainting and reroofing. The deposit will be refunded at completion of the work if approved by the ARC and Board.

10.4 Storm windows and doors must be made of anodized bronze or anodized aluminum with bakes enamel finish compatible with the primary and trim colors. The Form must contain the following:

- a. Picture or drawing of all windows/doors on which storm windows/doors will be installed.
- b. Picture depicting style of storm window/door to be installed, and
- c. Color

10.5 If County authorities make any changes to the plans as approved by the ARC Board, the owner must submit such changes for approval prior to commencing construction.

10.6 Owners are advised that a building permit will be required for certain exterior building alterations.

10.7 A Form must be submitted for all doghouses. All doghouses must be located where they will have minimum visual impact on adjacent properties.

11.0 **Antennas and Satellite Dishes**

11.1 Satellite dishes of 24 inches or less in diameter are allowed provided they are shielded from view from the street or neighboring houses.

11.2 In the event that the dish cannot be shielded with shrubs, the dish must be painted to blend with the house or roof.

12.0 **Undue Hardship**

In cases of undue hardship, the ARC and/or the Association may grant an exception or variance from these criteria and guidelines, either permanently or for a limited duration of time, depending on the circumstances of each situation. Any Owner who wants an exception or variance from these criteria or guidelines shall make a written request for an exception or variance to the ARC. The ARC shall examine each request and, based on the individual circumstances of each request, the ARC shall either reject the request, approve the request or conditionally approve the request.

DATED MARCH __, 2009

**SUTTON OAKS OWNERS ASSOCIATION, INC.
ARCHITECTURAL REVIEW REQUEST FORM**

NAME OF HOMEOWNER (S): _____

ADDRESS OF PROPERTY: _____

DESCRIPTION OF IMPROVEMENT OR REQUEST: _____

OWNER(S) SIGNATURE(S): _____

All requests need to include the following (as necessary):

1. All plans, drawings, pictures, etc., along with color samples if appropriate.
2. Please include a site survey showing the location of the improvement or request.
3. Owner is responsible for obtaining all county/state/federal permits and approvals.
4. Owner assumes all liability, damages, additional cost, etc in reference to this request.
5. All requests must be approved by the ARC Committee and Board of Directors before any work can be started.

Please forward all requests to:

**ARC Committee,
Sutton Oaks Owners Association, Inc
P. O. Box 23634, Jacksonville, Florida 32241-3634**

The Committee shall have 10 working days to respond after the request is submitted, subject to an additional 15 day review period by the Board.

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To be filled in by ARC Committee:

Date Received _____ Date Action Taken _____

- () Approved () Approved with the following changes
() Disapproved () Disapproved for the following reasons

ARC Representative _____ Board of Directors _____

SUTTON OAKS OWNERS ASSOCIATION, INC.

RESOLUTION

ASSESSMENT COLLECTION POLICY

WHEREAS, THE SUTTON OAKS OWNERS ASSOCIATION, INC., Board of Directors desire to have an effective assessment collection policy, and,

Whereas, Article IV, Section 3 (d) of the Covenants, Conditions and Restrictions For Sutton Oaks establishes the right of the Board to assess each owner, and,

Whereas, Article IV, Section B of the Articles of Incorporation of Sutton Oaks Owners Association, Inc., empowers the Association to fix, levy and collect all charges and assessments pursuant to the terms of the Declaration.

Therefore, be it resolved that the Board of Directors adopt the following collection policy for the Association effective upon written notice to Association Members:

1. Assessments, as approved by the Board, are billed and payable on an annual basis. Payment is due on the first day of January annually.
2. The Association shall mail to its members at their last known address as reflected on the Association's records, a payment coupon and return envelope thirty (30) days in advance of the annual assessment due date.
3. If the assessment is not paid within twenty-five (25) days after the due date, a late penalty in the amount of \$5.00 shall be due and payable.
4. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the due date at the rate of fifteen (15%) percent per annum.
5. If an assessment remains unpaid forty-five (45) days after the due date, a notice of intent to file lien may be mailed to the delinquent member. A charge of \$5.00 will be assessed to the member's account.
6. If an assessment remains unpaid after sixty (60) days, the Association, upon approval from the Board of Directors, ~~through its managing agent,~~ may file a lien against the property. A charge of \$100.00 will be assessed to the delinquent member's account.
7. If an assessment remains unpaid forty-five (45) days after the filing of a lien, the Board of Directors may forward the account to the Association's attorney for collection and/or foreclosure of the lien.
8. Requests for payment agreements must be made in writing and approved by the Board of Directors. Association members in default of the approved payment agreements will revert to the collection schedule as outlined above without further notice.

The above Assessment Collection Policy Resolution was approved at the meeting of the Board of Directors held on 11-20-08, at which a quorum was present.

Janice Cox, Treasurer
Sutton Oaks Owners Association, Inc.