

## EXHIBIT "A"

### ARCHITECTURAL PLANNING CRITERIA

STONE BROOK FARM PROPERTY OWNERS' ASSOCIATION, INC.

It is the plan of the Developer of STONEY BROOK FARM to develop it into a highly restricted community of quality homes, aesthetically compatible with each other and with their natural surrounds. The ARC shall evaluate the proposed improvements with emphasis upon their harmonious incorporation into the community as a whole and with specified emphasis on external design, location of the improvement in relation to the surrounding structures and/or improvements, topography and conformity to the restrictive covenants imposed hereunder.

**1. Building Type and Dimensions.** No building shall be erected, altered, placed or permitted to remain on any Lot other than a detached single-family dwelling containing not less than two thousand five hundred (2,500) square feet of livable enclosed floor area, and not less than nineteen hundred (1,900) square feet on the ground floor in a two-story dwelling, exclusive of open or screen porches, terraces and garages. Any dwelling erected shall not exceed more than thirtyfive (35) feet in height from the highest point of elevation on said Lot and have a private and enclosed garage for not less than two (2) full sized cars. Single third car garages must be at least eight (8) feet in width.

Unless approved by the ARC as to the use, location and architectural design, no garage, tool or storage room, fixed game or play structure may be constructed separate and apart from the residential dwelling, nor can any such structure(s) be constructed prior to construction of the main residential dwelling.

**2. Procedure for Plan Submittal.** The following two-step procedure shall be followed by the Owners in submitting the necessary documentation to the ARC. Step I is established for the purpose of minimizing misunderstandings and expense to the Owners.

#### STEP 1:

- (a) The owner shall submit tentative conceptual plans and specifications, prepared in a professional manner to the ARC for approval prior to finalizing plans and specifications as called for in Step II.
- (b) The owner shall submit a tree survey locating each tree of two (2) inches or greater in diameter located on the Lot.
- (c) The owner shall submit elevation of the lot to determine the fill requirements or removal.

#### STEP 2

- (a) An accurately drawn and dimensional plot plan showing all building setbacks, easements, drives and walks.
- (b) Foundation plan, floor plan, exterior elevations of buildings as they will actually appear after all backfilling and landscaping is done from finished ground up.
- (c) Actual samples of all material such as roofing, siding, brick, etc., as well as all exterior color schemes must be submitted for approval.
- (d) Landscape plan showing the location of all existing and proposed landscaping and sprinkler system layout, prepared in a professional manner.
- (e) All plans must be drawn in a professional manner to a one-quarter inch scale.

The Board's decision on granting or denying Approved Builder status is final and is not subject to appeal to any other governing body empowered by Stoney Brook Farm Property Owners' Association, Inc. or its governing documents.

**3. Builder and Construction Approval.** All builders or contractors must be licensed and approved by the ARC. Any construction done in STONEY BROOK FARM by any builder or contractor even though the builder or contractor has been approved by the ARC which is done in a poor and unworkmanlike manner may be stopped by the ARC and further work on the job will cease until the work has been corrected to the satisfaction of the ARC. Each owner or their assigns by purchasing property in STONEY BROOK FARM hereby gives their permission to the ARC or its representatives to inspect the work done on their property at such reasonable time and manner so as to assure conformity with these guidelines and restrictions. A clean and orderly job must be maintained at all times, both inside and outside the home. Construction must proceed on a timely and continuing basis without interruption.

All homes and auxiliary buildings to be located in the Subdivision shall be constructed by an Approved Builder. To become an Approved Builder, a builder must complete and submit an Approved Builder application to the Board of Directors. If the Board votes to approve a builder, and after paying the Approved Builder Fee, the builder is allowed to construct homes in the subdivision.

To determine a builder's qualification to be granted Approved Builder status the Board shall consider the following:

- a. Builder's reputation for honesty.
- b. Builder's reputation for construction quality.
- c. Builder's perceived ability to construct homes consistent with desired standards for the Stoney Brook Farm subdivision.
- d. Builder's financial stability.
- e. Builder's reputation for compliance with deed restrictions.

The Approved Builder fee shall be \$5,000.00. This fee may be modified by the Board.

The Approved Builder fee is payable to the Stoney Brook Farm POA

Approved Builders With 7 Lots ("AB7"), defined as Builders who as of September 1, 2019 or later have owned or controlled seven (7) lots or more shall be exempt from the provisions of #3 below, and instead shall be deemed approved for building homes on its controlled sites under the following provisions:

a. "AB7" may ask for and be granted up to eight (8) pre-approved conceptual plans, presented in a professional manner to the ARC, for the purpose of having approved options available for their potential home buyers. Such pre-approvals shall also include pre-approval for all the material items of roofing, siding, brick, pavers, color schemes, coach lights house numbers and other relevant fixtures once such materials are provided to the ARC and approved.

Approvals by the ARC shall be timely and not unreasonably withheld.

b. Landscape, irrigation and exterior lighting plans are not required, but such final systems shall conform to the existing APC, and if nonconforming, shall be subject to the enforcement provisions of XII in the Declaration of Restrictive Covenants.

c. AB7 shall be granted the right to maintain a Model home and with it a sales office and open house setting, with additional parking at the option of the AB7 on the Model home designated Lot or adjacent Lot (if controlled by the AB7), but subject to conforming to the ARC rules prior to the Model home being sold to a third party home buyer.

d. Commencing with the Certificate of Occupancy of the Model Home and ending with the sale of the Model home or the discontinuance of the AB7 staffing the Model home, the association entrance gates shall be open during the operating hours of the Model home sales staff, and in no case before 10:00am or after 5:00 pm on Monday through Saturday, and outside of noon to 5:00 on Sunday.

e. The above privileges afforded to the AB7 Lots are not assignable but shall remain in force with no provisions to rescind or amend, notwithstanding XI of the Declaration of Covenants and Restrictions, until the Approved Builder's last lot is sold.

The Board's decision on granting or denying Approved Builder status is final, and is not subject to appeal to any other governing body empowered by the Stoney Brook Farm P.O.A. or its governing documents.

**4. Layout.** No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the layout for the building is approved by the ARC. No change in the grade or topography of the lot shall be made without written approval of the ARC.

The finish floor elevation of the house must be approved by the ARC. It is the purpose of this approval to assure that no trees are unnecessarily disturbed and that the home is placed on the lot in its most advantageous position.

**5. Exterior Color Plan.** The ARC shall have final approval of all exterior color plans and each owner must submit to the ARC a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The ARC shall consider the extent to which the color plan is consistent with the homes in the surrounding areas and the extent to which the color plan conforms with the natural color scheme of and for STONEY BROOK FARM. All new homes will choose from the included "SBF Exterior Paint Selections" document. Existing homes may duplicate their current color or choose from the documented SBF Exterior Paint Selections. No color will be duplicated on more than two homes beside or across from each other.

**6. Roofs.** There shall be no exposed flat roofs or roof pitches less than five feet in twelve feet except porches, patios and flared eaves. Roof surfaces shall be of barrel, rolled or "S" style, flat concrete or villa style concrete tiles, slate or approved simulated slate. Metal roofing material may be approved provided that the architectural design and character of the house is consistent with the use of metal roofing, in the sole determination of the ARC. Metal roofing style, gauge, design, and color must be approved by the ARC.

**7. Block.** There shall be no exposed block.

**8. Roof Overhang.** There shall be a minimum roof overhang of 12 inches, unless approved by the ARC.

**9. Vents and Solar panels.** Any plumbing vents or other protuberances through the roof shall be painted to blend into the roof color. Solar panels shall only be permitted if affixed to the roof.

**10. Driveway and Walkway Dimensions and Construction.** All dwellings shall have a brick or cement pavers driveway approved by the ARC, of at least sixteen (16) feet in width at the entrance to the garage. Side exterior walks that connect with the driveway or lead to the front yard must be constructed of pavers. Side exterior walks that lead to the rear yard may be constructed of concrete. In the event a dwelling is to be constructed on the side of a road upon which a sidewalk is to be constructed, a sidewalk conforming to the Stoney Brook Farm overall site plan must be constructed upon the lot prior to a Certificate of Occupancy being issued.

**11. Signs.** No signs placed by Lot Owners or persons other than the Association, window displays or advertising, exceeding six (6) square inches in area, on the main door to each home and on each mailbox, with the Lot number in a form approved by the association, will be maintained or permitted on any part of the Common Areas or any Lot.

**12. Games and Play Structures.** All basketball backboards and any other fixed games and play structures shall be located at the rear of the dwelling, or on the inside portion of corner lots within the setback lines. Except that no playground, play equipment, basketball goals etc. shall be located on any lot that is adjacent to a stormwater tract. Portable games and play structures are not allowed to be in the street and must remain on the Lot Owners' property. No platform, dog houses, pet enclosures, play houses or structures of a similar kind or nature shall be constructed on any part of the lot located in front of the rear line of the residence constructed thereon, and any such structures must have prior approval of the ARC.

**13. Fences and Walls.** The composition, location and height of any fence or wall to be constructed on any lot shall be subject to the approval of the ARC. The ARC shall require the composition of any fence or wall to be consistent with the material used in the surrounding homes and other fences, if any. Fences may not be constructed of wood or exceed forty-eight (48) inches in height above the ground. The fence may only be in the backyard and begin at the right and left rear corners of the home and be at least six feet from the side property line. A structure such as a Pool with foundation will be a minimum of 10 feet from the rear property line towards the home. If there is only a fence and no other structure in the backyard, the fence will be a minimum of 15 feet from the rear property line towards the home. The exterior of the fence will be planted with plants not less than seven (7) gallons in size (at least 36" tall when planted) and spaced not more than 36 inches apart. No gates will exit from the back side of the yard.

**14. Landscaping.** A basic landscaping plan for each lot must be submitted and approved by the ARC. All lots are required to have installed a standard automatic underground sprinkler system. This sprinkler system shall be of sufficient size and capacity to irrigate all sodded or landscaped areas and must be maintained in good working order on all lots. Wells may not be drilled or dug on any lot. The entire lot, together with that area between the street pavement and the right-of-way line, shall be sodded, irrigated and maintained. Sodding and/or landscaped areas shall be required in the entire yard surrounding the dwelling. The sod shall be of the St. Augustine grass (or Floratam) with no other types permitted. The exterior heating and air conditioning unit shall be hidden from view by landscaping material which at maturity will conceal the unit.

All exterior walls must be landscaped. Plants used to landscape exterior walls must be not less than seven (7) gallons in size (at least 36" tall when planted) and spaced not more than 36 inches apart. Smaller plants are permitted in other areas. Not less than four (4) hardwood trees (minimum 4 inch D.B.H., and not less than 18 feet tall) shall be added to each lot as part of the landscaping (credit may be given for existing hardwood trees). Two of the aforementioned hardwood trees must be in the front of the house and two shall be in the rear of the house.

An exterior lighting plan providing ample entry and yard lighting for the safety and welfare of property owners must accompany each landscaping plan and be approved by the ARC.

Any lot which does not have a dwelling on it must be mowed periodically and kept in a neat condition at all times. No weeds, underbrush or other unsightly growths shall be permitted to grow or remain upon any lot, and no refuse pile or unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon; and in the event that any Owner shall fail or refuse to keep their lot free of weeds, underbrush or refuse piles or other unsightly growth or objects, then the Association may enter upon said lot and remove the same at the expense of the Owners, and such entry shall not be deemed a trespass.

**15. Swimming Pools.** Any swimming pool to be constructed on any lot shall be subject to the approval of the ARC. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting and must be approved by the ARC. If one owner elects to purchase two adjoining lots and use one for recreation purposes, the lot used for recreation must be adequately screened by landscaping and/or walls or fences on both the front and side as required by the ARC. It shall be the intent of the ARC to screen any such use from the public view.

**16. Garbage, Recycling and Trash Containment.** No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage, recycling and other waste shall be kept in sanitary containers, and except during pick-up hours if required to be placed at the curb, all such containers shall be kept within the garage or within a designed concealment area for that purpose, approved by the ARC, which must limit completely the visibility of the containers from the street or an adjoining Lot. No owner or contractor shall be permitted to burn any type of trash or construction material on any Lot at any time.

**17. Removal of Trees.** In reviewing the building plans, the ARC shall take into account the natural landscaping, such as the trees and shrubs, and encourage the Owner to incorporate them in his landscape plan. No trees of more than two inches base diameter may be removed without approval of the ARC, which approval may be given when such removal is absolutely necessary for the construction of a dwelling or other

improvements. Any trees that have to be moved for the construction of a dwelling must be replanted on the same lot and properly cared for to insure their living. If the trees do not survive the transplanting, then they must be replaced by a tree of equal or greater size.

**18. Window Air-Conditioning Units.** No window or wall air-conditioning units shall be permitted.

**19. Mechanical Devices.** All exterior pumps, motors, compressors, tanks or similar mechanical devices shall be properly screened from view by such means as shall be approved by the ARC.

**20. Mailboxes.** All mailboxes and paper boxes must be approved by the ARC. Original mailboxes shall be purchased from the Developer.

**21. Utility Connections.** Building connections for utilities, including, but not limited to, water, electricity, telephone and cablevision shall be run underground from the proper connecting points to the building structure in such a manner to be acceptable to the governing utility authority.

**22. Fascia and Soffit.** All dwellings shall have exterior fascia boards of a minimum nominal six (6) inches wide. Using stock material with a faced dimension of five and one-half inch materials is acceptable. All Soffit material is to be stucco.

**23. Siding.** Wood siding is not permitted. All siding shall be of a cement based product.

**24. Flues.** Exterior metal flues must be enclosed, using design and materials consistent with those of the dwelling.

**25. Temporary Buildings.** No tents, trailers, vans, shacks, tanks or temporary or accessory buildings or structures shall be erected or permitted to remain on any lot without written consent of the ARC.

**26. Antennas.** Radio and television antennas are permitted, but are limited in height to no higher than the highest point of the home roof line. Such installations must be located behind the home's rear wall line, and between the home's side wall lines. TV satellite dishes are permitted but must be installed on either side walls or rear walls, behind the front wall line of the residence.

**27. Motor Vehicles and Boats.** Vehicles, Boats, Trucks and RV: Residents passenger vehicles, sedans and SUV's can be stored in the garage and on residence driveways, but cannot block sidewalk access. No other vehicle or equipment (including but not limited to any vehicles with company names or logos, trailers, boats, race cars, motorcycles, heavy equipment, trucks in excess of 1-ton and recreational vehicles) may be parked, maintained, repaired or stored on the Lot or driveways. In no case shall dumping of petroleum products, pesticides or hazardous materials into the gutters, streets, sidewalks or lakes or ponds be allowed. Approved Builders shall be permitted to operate commercial vehicles including trucks and trailers for the purpose of constructing or maintaining Lots or homes, but in no case blocking sidewalk access. Overnight parking of such trucks and onsite maintenance of such permitted builder vehicles is prohibited, however builders are permitted to leave a single construction trailer or site maintenance equipment overnight from Monday to Saturday while constructing the home. Additionally, approved builders may utilize construction dumpsters and port-o-lets during the entire period of construction.

**28. Artificial Vegetation.** No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of any lot.

**29. Automobile Storage Areas.** No automobile garage shall be enclosed or converted to any other use. No carports shall be permitted. All garages must have doors that are to be maintained in a useful condition and that are operated by an electric door opener.

**30. Clothes Drying Area.** Any hanging cloths for drying shall be located in the rear of the lot, concealed from neighbors' view, as well as not visible from the street view of the adjacent Lots.

**31. Boarding Up.** Design and materials for storm shutters must be approved by the ARC. Houses may not be "boarded up" and windows may not be covered by storm shutters unless a hurricane warning has been issued for Martin, St. Lucie, Indian River or Brevard Counties, in Florida. Within seven (7) days of the hurricane warning or watch upon Indian River County, Florida, being lifted, whichever is later, window protections must be removed or opened. Permanent boarding of any kind is prohibited in Stoney Brook Farm.

**32. Topography.** There shall be no change in the topography of the lot either for construction or landscaping without permission of the ARC.

**33. Construction.** Deliveries of construction material and construction personnel may not begin earlier than 7:00 am and must cease and construction personnel be off the property no later than 6:00pm. There shall be no construction activity on Sundays or New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve and Christmas Day