

MAHOGANY COVE AT THE BROOKS

ARC Criteria and Guidelines

Approved October 21, 2019

In accordance with the original design intent of the developer, the following criteria are used in all reviews for additions and/or modifications to the homes within the Association.

To ensure that the overall look and feel of Mahogany Cove (the Community), as it was developed and is maintained, modifications and/or additions to any home must be architecturally and visually consistent with the original design and existing architectural and landscape features of the community. Architectural elements and design features inherent to specific home models shall not be used on other designs and must be present on all additions as to blend with the original home's design.

Modifications or replacement of architectural elements including landscaping must be accomplished so as to respect the original look and design as close as possible. Modifications and/or additions must be executed in a seamless manner giving the impression that it was part of the original design.

Some general elements are:

- **General Requirements:** Mahogany Cove at the Brooks Homeowners Association Review Committee (ARC), its Board of Directors (Board) and Architectural Review Committee (ARC), shall have authority for architectural control and reconstruction pursuant to the Declaration of Covenants, Conditions and Restrictions for the Association and all other governing documents, resolutions, policies, and guidelines, now or hereafter existing and as amended from time to time. Such authority shall, without limitation, include the right to review and approve plans and specifications for the location, size, type, and appearance of any landscaping and structure or other improvement on any lot and exterior of any dwelling unit within the community and to enforce standards for the external appearance of any structure or improvement located on a lot and dwelling unit. Pursuant to such architectural control covenants and the rights reasonably inferred, the Association may, in its discretion, approve, approve with conditions, or deny requests from owners and may or may not grant options for the type and use of material, the size of any structure or improvement on the lot or dwelling unit, or any other matter which the Association believes, in its discretion, is in accordance with the common architectural theme of the community. The Association may enter into written agreements with any owner to implement these provisions.

- **Shadow Wood Community Association (SWCA) Approval:** All approvals required by the Association for architectural control shall be conditioned upon and contingent to approval by SWCA, as such approval may be required in accordance with its governing documents and design criteria. In the event the Association shall have given its approval, but SWCA shall subsequently deny such approval or grant approval subject to conditions, the approval of the Association shall be deemed withdrawn. If SWCA approval is required, the homeowner must contact SWCA directly.
- **Building Requirements:** All construction of structures or equipment shall follow the setbacks, height restrictions, architectural and construction standards and architectural themes applicable to the property in the Association, as well as other codes, conditions, limitations and provisions of governmental authorities having jurisdiction.
- **Exterior Design and Elevations:** It is the intent of the Association that the common architectural theme selected by the developer consisting of a uniform exterior design and elevation for the dwelling units and all accessory structures remain unchanged. The element of this common architectural theme includes but are not limited to, exterior building style and accessory structures colors, materials, landscaping and signage. Alterations may not be made to the common architectural theme or the design and elevation of structures without the approval of the Association, whose approval may be withheld.
- **Architectural Control:** No improvements, including without limitation, grading, clearing, exterior painting, landscaping (other than maintenance or replacement of existing landscaping), paving or constructions shall commence without the prior approval of the Association. To minimize disruption to the community during prime season all major construction requiring large trucks and a large quantity of work vehicles shall not be performed from November 1 through May 1 of the following year.
- **Roofs:** The roofs throughout the community are designated to be of a uniform style and color. The roofs shall be constructed of flat, S-tile, or barrel concrete tile. The Association has pre-approved a limited number of Boral brand tiles in colors and profiles that are consistent with original community specifications. Homeowners selecting a pre-approved roof tile may indicate the roof tile name when submitting the Architectural Review Committee – Request for Modification (ARC-RM) packet. Homeowners desiring a tile style and/or color that has not been pre-approved must submit a sample for consideration with their ARC-RM packet. Only samples that are consistent with the pre-approved colors and profiles will be considered. No roof color shall be changed by the application of paint or any other coating without prior written approval of the Association.
- **Landscaping:** It is the intent of the Association that the landscaping design provide a common architectural theme and shall remain unchanged except as the Association, through its Board, may deem appropriate. Any changes to the landscaping that can be viewed from the street shall utilize elements that are presently used within the community for the type of material to be used. All changes greater than the replacement of old or dying material shall be submitted for approval by the Association, whose approval may be withheld.

- **Storm Shutters:** Various types of storm shutters may be used to provide protection to a home within the community using the following guidelines:
 - Roll-down, bolt on metal sheet or Accordion shutters may be used on the front, sides, and rear of the home. Those used at the rear of the home can be installed for protection during the period of June 1 thru November 30. Those used on the front or sides of the home shall be installed for protection once a named storm is within five days from landfall within SW Florida and are to be removed within five days after the storm has passed. Metal panels shall be white. Covers, rails and supports that are mounted to the home must be painted to match the color of the home on the front and side of the home.
 - Lexan (clear) panels may be used on all sides of the home. Clear Polycarbonate panels (Lexan) are permitted only on the sides and rear of the home during June 1 - November 30. Those used on the front of the home shall be installed for protection once a named storm is within five days from landfall within SW Florida and are to be removed within five days after the storm has passed.
 - Armor screen panels may be used on all sides of the home. Those used at the rear of the home can be installed for protection during the period of June 1 - November 30. Those used on the sides and front of the home shall be installed for protection once a named storm is within five days from landfall within SW Florida and are to be removed within five days after the storm has passed. All armor screens shall be of a color to closely match the color of the home.
- **Driveways and Walkways:** Driveways and walkways for each dwelling unit in the Association shall be constructed only of the uniform material selected by the original developer. No driveway or walkway shall be changed by the application of paint or any other coating or replaced by an alternative material without the approval of the Association whose approval may be withheld. No loose gravel or stone or grass driveways shall be permitted.
- **Screen Enclosures:** Screen enclosure structures must have a bronze powder coat and the screen shall be black. Screen enclosures must be constructed in a like manner to other enclosures within the community to ensure a uniform look from the street and lake. The use of concrete / stucco arches and columns is not permitted, maintaining the uniform look of the Community.
- **Solar Panels:** Solar panels may be installed on the roof of a home within the Association but will require approval of the Association. All submittals of the installation of solar panels shall specify where the solar panels will be located and how the piping and or wiring shall be run. Specific attention shall be given to:
 - All piping and equipment must be placed in an inconspicuous location.
 - Pipe colors shall match the color of the mounting surface.
 - Any equipment installed for the operation must be properly screened from the view of the street and neighbors.

- **Satellite Dishes:** The installations of most satellite dishes are governed by the Federal Communications Commission and therefore dishes less than one meter in diameter are permitted in Mahogany Cove. All dish installations are to be reviewed by the ARC to ensure that the installation is as inconspicuous as possible with a preference for, but not limited to, the rear half of the home. The ARC will work with the homeowner to best achieve the Association's objectives without creating any unreasonable delays, increase in cost or compromise the reception of an acceptable quality signal.
- **Garages, Mailboxes and Storage Areas:**
 - Carports shall not be permitted or erected.
 - The mailbox shall be maintained in conformity with the standard type, color and appearance of mailboxes presently in use.
 - Storage areas shall be permitted only within an enclosed portion of the garage or dwelling unit. No accessory buildings such as dog houses, sheds and the like shall be permitted.

Specific Elements are:

- **Paint Schemes:** The approved exterior paint color schemes for the homes are the only colors permitted.
- **Windows:** Replacement windows should be the same size as the original windows. Replacement windows must be approved by the ARC and the Board.
- **Coach Lights:** The design of replacement coach lights must be approved by the ARC and the Board.
- **Front Doors:** Front doors must fit into existing door openings, have glass panel(s) and may have wood stained or trim color casings. Replacement doors must be approved by the ARC and the Board.
- **Edging:** Stone edging borders in the front of homes must be either the river rock or white pebble rock currently used.
- **Sculptures:** Free standing sculptures, fountains or decorative items shall not be used at the front of homes that can be seen from the street. Items hung on the existing walls at the entrance areas of the home may be allowed after ARC review.
- **Hanging Items:** Hanging decorative or functional items including but not limited to wind chimes, bird feeders, hanging plants and owls shall not be visible from the street.
- **Permanent Structures:** No permanent structure such as, but not limited to, a basketball hoop shall be installed on any lot.
- **Flags:** Sports flags may be displayed only on the day of team games.
- **Lighting:** Landscape and outdoor home lighting plans shall be submitted for review by the ARC
 - Colored lights shall only be used during the holiday season from the last week of November through the first week of January.

- **Pool and Lanai Floor Projects:** Pool and lanai floor finishing changes must be approved by the ARC and the Board before construction is performed. This includes the installation of pool and lanai pavers. Since this work will create a large amount of dust, work accommodations must be considered:
 - All cutting of tile shall be performed inside the screen enclosure.
 - Plastic sheets shall be attached to the screen enclosure up to ten feet.
 - At conclusion of the project, the area shall be cleared of all debris, stains on the roadway and roadway gutters cleaned and any plant material that was damaged shall be replaced.

The following procedure defines the steps required to be performed for all ARC requests:

- Application forms for architectural and/or landscape alterations for Mahogany Cove may be obtained from mahoganycove.com. If SWCA approval is required, the homeowner must contact SWCA directly to obtain AMRC forms and guidelines for modification requests.
- Each completed application should provide a statement of proposed changes including dimensions and a copy of the foundation survey. If such a survey is not available, a plat, site plan or reasonable facsimile which shows the location of the proposed alteration or addition, the existing building and the property lines may be acceptable.
- A description and/or sample of all finish materials to be used for the exterior surface of proposed improvements must be provided.
- The inclusion of photographs would be helpful. All applications submitted will be reviewed by the ARC for completeness. If the application is complete, the review process may begin. If not, the application will be returned to the homeowner for additional information.
- The ARC has sixty days to review an application. The individual merits of each application will always be considered by the ARC. The use of these guidelines should assist the homeowner in gaining timely approval. In some instances, the ARC may make recommendations as to how the improvement plan might be modified to achieve approval. Approved applications and recommendations will then be submitted to the Board for its approval.
- The decision of the ARC and the Board shall be sent in writing to the applicant's address. The ARC recommends that whenever possible major improvements should be completed in the six-month period between May first and November first.
- Once started, all projects are to be completed within the approved time.