

**ARCHITECTURAL REVIEW PROCEDURES,
ARCHITECTURAL STANDARDS
AND
HURRICANE PROTECTION SPECIFICATIONS
FOR MUIRFIED HEATH HOMEOWNERS ASSOCIATION, INC.**

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I. PURPOSE

One of the most effective methods of assuring the protection of the community lifestyle environment and individual property values is through the establishment of high Architectural Standards. In order to accomplish this objective, the Architectural Review Committee (ARC) reviews Applications and Architectural Documents for all new improvements as well as any alteration, modification, or change to existing property, including landscaping. Each application is evaluated on its own merits with reasonable flexibility for design function and creativity, while preserving the harmony of external design, also known as the unified building scheme, protecting the consistency of external appearance in Muirfield Heath.

Additionally, new law, House Bill 293, adds to the Architectural Control statute, Florida Statute 720.3035, and became effective on May 28, 2024. This new law obligates all Homeowners Associations within the State of Florida to adopt Hurricane Protection Specifications applicable to every lot within the Association. The purpose of this document is compliance with Florida Statute 720.3035 as it exists today.

AUTHORITY & RESPONSIBILITIES:

The authority for the ARC is set forth in the Declaration of Restrictions for Single Family Homes in Muirfield Heath of the Meadows Unit 4 (the "Declaration"), and which encumber every parcel in the Muirfield Heath community. The ARC is responsible for carrying out its duties to determine which exterior modifications are permissible in Muirfield Heath in accordance with the Declaration and this document of Architectural Review Procedures, Architectural Standards And Hurricane Protection Specifications For Muirfield Heath Homeowners Association, Inc. ("Standards"), on behalf of all members of the Muirfield Heath Homeowners Association, Inc., ("Association") for the benefit of the community as a whole.

Exterior modifications, alterations or additions, include but are not limited to: painting, roofing, paving, pavering, significant changes to landscaping, fencing, walls, screen enclosures, and additions to and deletions from the existing structure. The intent of the overall community scheme is to ensure a standard of construction, which will preserve and maintain the appearance of the community as a whole. Criteria for the approval of such plans is based upon compliance with the Declaration, harmony of exterior design, location, and finish grade elevation with existing structures and topography; quality of workmanship and materials; and

aesthetic considerations. The Articles of Incorporation provides that the Association has the right to promulgate rules and regulations pertaining to the use of the Common Areas and Lots, including, but not limited to, the right and obligation to promulgate and enforce architectural guidelines.

Responsibilities:

On behalf of the Association, the ARC is empowered to perform the following services:

1. To establish Architectural Standards and exterior design themes for the community, in preservation of the harmony of external design and appearance of the community.
2. To establish Architectural Review criteria and procedures for the protection of property values and preservation of the unified building scheme.
3. To review all Architectural Review Applications for compliance with Architectural Standards and the Declaration, to apply the Architectural Standards fairly and uniformly.
4. To assure compatible architectural designs with neighboring parcels within the Association and consistency of external design to preserve the character of the community.
5. To require high standards of design and quality construction.
6. To establish fees for the review of Applications as may be necessary.
7. To assure that all properties are properly maintained.
8. To monitor violations of Architectural Review criteria and notify the Board of Directors of the Association for appropriate action.
9. To propose to the Board of Directors amendments to Architectural Review criteria and Architectural Standards as may be necessary from time to time.
10. To contact applicants whose plans and specifications have been disapproved, in writing, as required by *Florida Statute 720.3035*, and to provide reasonable assistance and recommendations for adjustment to bring Applications into compliance with Architectural Standards and the Declaration.



11. To maintain copies of Applications, Architectural documents, and related records in accordance with *Florida Statute 720.303(4)*.
12. To hold open, noticed committee meetings, to inform members of the Association regarding activities of the ARC and changes in criteria as they may occur.

MEMBERS:

The ARC shall include three (3) members, including as many as two members of the Board of Directors. All members of the ARC shall be selected in accordance with the Declaration with preference given to candidates with experience in architecture, construction, and landscaping.

MAJORITY VOTE:

The vote of a majority of the members of the ARC shall constitute a decision for approval or denial of an Application. In all cases, the Board of Directors of the Association has final say, and the power, but not the obligation, to intercede in an ARC review or to hear an appeal of an ARC denial.

The ARC members do not have the authority to disregard these Standards or the requirements of the Declaration, so any ARC approval directly contradictory to these standards or the Declaration is *void ab initio*. Any member of the ARC voting in such a manner shall be removed from the committee and replaced by the Board of Directors. No decision of the ARC shall be based on personal animus, or personal interest. Rather, all decisions of the ARC shall be based on these written Standards, the Declaration, the harmony of external design with the unified building scheme of the community, the opinions of any experts consulted, and the expertise of the ARC members.

MEETINGS:

The ARC shall meet as necessary to review Applications but no later than 30 days after the Application is received.

FEES: The ARC may establish fees, to ensure compliance with the construction plans, as submitted to the ARC.

1. An initial design and review fee may be required for the two-step review process, the application review phase for the preliminary design concept, and the construction review phase prior to building permit application if the ARC must obtain any expert review or incur any other such expense. If the application is rejected after the construction review phase, an additional review fee may be charged for each resubmission. If the proposed improvements are redesigned, a new application may be required. Additions/renovations to existing improvements may be charged a separate fee.

2. A compliance deposit may be required. The ARC may conduct an inspection of the property and improvements prior upon notice of completion. If the work is deemed to be in compliance with the approved plans, the compliance deposit shall be returned within thirty (30) days. In addition, all repairs to any sidewalks or common elements damaged during construction must be made prior to the return of the deposit. Any work that does not comply with the approved plans shall result in the retainage of the compliance deposit until the corrections are made.
3. Final Inspection. The Architectural Review Committee shall make a final inspection of each residence and project to determine whether the parcel owner has complied with all standards, criteria, policies, and procedures in the final finished project. Only then will approval for release the Compliance Deposit in full or in part be granted.

II. SITE DEVELOPMENT STANDARDS

- A. **Existing Vegetation; Preservation:** It is the intent of the ARC to have each property owner preserve any non-exotic existing trees that are four inches (4") and greater in diameter, that are located five feet (5'0") and beyond from the edge of the foundation and driveway.
- B. **Erosion Control:** Every attempt should be made to preserve existing trees, shrubs and ground covers during construction activities to minimize site disturbance resulting in bare soil conditions. Remove no more vegetation than necessary. Temporary swales and other sediment control methods may be required to reduce run-off and control erosion during construction.
- C. **Existing Utilities:** The contractor and the parcel owner are responsible for knowing the locations and types of all utilities and must protect existing utilities during construction. Parcel owner and/or contractor shall be responsible for any damage to existing utilities.
- D. **Inspection by the ARC:** Periodic inspections may be made by the ARC while a construction project is in progress to determine compliance with the approved architectural documents. The ARC is empowered to enforce its policy as set forth in these Standards, by an action, including an action in a Court of Law, to ensure compliance. One set of current construction plans must be kept on the job site during working hours.
- E. **Miscellaneous Provisions:**
 1. A maximum of one trash dumpster per parcel performing construction work will be permitted, and such dumpster should be located within the parcel lines, off the private street right-of-way.

2. Any on-site Port-a-John should be located twenty feet (20'0") back from the right-of-way line, with the access door facing the opposite direction from the street.
3. Any construction activity or related parking shall not block traffic flow along the street.
4. Any spillage of concrete, dirt or other construction material or debris onto the paved street shall be removed from the surface during the same day.
5. Any damage to streets, curbs, walks or common areas during the course of construction on any parcel shall be repaired to original conditions by the parcel owner.

III. ARCHITECTURAL STANDARDS

A. Specific Architectural Standards:

1. All structures shall comply in strict accordance with all requirements of the County of Sarasota. All dwellings shall be single story with an attached two car garage, unless a three car garage has been previously approved.
2. Exterior material(s) of all structures shall be limited to painted stucco masonry products. No aluminum or vinyl siding shall be permitted. All dwelling houses shall be constructed on a frame of cement block construction.
3. The composition of all roofs shall be a terracotta clay barrel tile. Asphalt shingles, metal roofs, and cedar shakes are not allowed, except that a metal barrel tile roof system giving the appearance of terracotta clay barrel tile may be permitted by the ARC if the appearance of same is visibly indistinguishable from the authentic terracotta clay barrel tile used throughout the community. No built-up roofing or single-ply membrane roofing shall be permitted.
4. Driveways shall be concrete as approved by the ARC. No asphalt. Any proposed decorative treatment of driveways shall be incorporated into the improvement plans submitted to the ARC for approval.
5. No window air-conditioning units shall be permitted in any building. Compressor and fan units for central air-conditioning systems which are located outside of a building shall be screened by wall, fence, or landscaping so as to be hidden from view.

6. Satellite dishes and solar panels may be regulated in accordance with applicable laws.
7. No detached accessory structures shall be constructed. Any screen enclosures, patios or other auxiliary construction shall be attached to the dwelling house and constructed of the same materials and colors, and shall be of the same general architectural style as the dwelling.
8. Exterior lighting must be either canister or solar lighting incorporated into the overall landscaping or building architecture and be designed to minimize the casting of light into other parcels. Strip lighting not disruptive to neighboring property shall be permitted only on improvements at the rear of the dwelling, including on any rear deck, but strip lighting must not be visible from the frontage of any parcel. Lighting disruptive to neighboring property shall not be permitted. This paragraph shall not prohibit the installation of holiday decorations, including decorative holiday lighting, from the third week of October through the first week of January of each year, provided there is no unreasonable annoyance to other residents, and the decorations and lights are removed at the close of the first week of January.
9. No pool, whirlpool, jacuzzi or similar type of device shall be permitted outside the enclosed areas of the residences as constructed by the Developer.
10. Fence material must match fence material installed on adjacent Parcels in harmony with the neighborhood as approved by the ARC. No fence, deck or other improvement located outside the enclosed areas of the residence shall be permitted.
11. No trash, rubbish, grass clippings, or other refuse shall be kept on any property except in sanitary containers concealed from public view. Yard debris may be placed curbside in approved containers 48 hours prior to the scheduled county sanitation service.
12. Exterior paint color must be consistent with the harmony of exterior design and appearance of the community, and approved in advance by the ARC.
13. No signs shall be allowed on the property at any time except one sign of not more than one square foot, designating the name of the resident, and a sign advertising the dwelling for sale or rent as approved by the ARC.

14. Prior to the commencement of any work described therein, all building plans and specifications, including a site plan, landscape plan, materials lists, color palette and any other submittal required for the original construction, alteration or addition of any structure, wall, hedge or any other improvement shall be approved in writing by the ARC.
15. The ARC shall have the right to reasonably approve or disapprove said plans based upon the criteria provided in these Standards and those within the Declaration, including:
 - Compliance thereof with these restrictions and of all laws.
 - Harmony of exterior design, location, relation to existing structures and topography.
 - Quality of described workmanship and materials.
 - Aesthetic considerations.

The ARC's approval or disapproval as required in these covenants shall be in writing, and shall quote the provision of these Standards or the other Governing Documents of the Association upon which the ARC relied when denying the project. If the ARC fails to approve or disapprove any project plans and specifications within thirty (30) days after the plans, specifications and other required data have been submitted to it, the submission shall be deemed to have been denied.

B. General Provisions:

The Architectural Standards are to assist homeowners, architects, landscape architects, and builders in their planning and design of single-family homes within Muirfield Heath. There are several documents to be reviewed by the Homeowner, Architect, contactor or builder, etc., to determine the specific covenants and restrictions for Muirfield Heath and The Meadows Community Association. These include but are not limited to:

1. Declaration of Restrictions for Single-Family Homes in Muirfield Heath of the Meadows, Unit 4.
2. Articles of Incorporation for the Association.
3. By-laws of the Association.
4. This Architectural Standards document and any supplement to same.

5. The Declaration of Maintenance Covenants recorded in Official Records Book 1113, Page 715 of the Official Records of Sarasota County and all amendments thereto.

IV. SITE AND LANDSCAPE DESIGN STANDARDS: Muirfield Heath follows the landscaping standards and corresponding tree standards of the Meadows Community Association.

V. HURRICANE PROTECTION SPECIFICATIONS: From the date these specifications are adopted, all new hurricane protection installed within Muirfield Heath must conform to the standards below, in addition to the unified building scheme for Muirfield Heath, and any standards or specifications adopted by The Meadows Community Association (MCA).

1. **Roof Systems:** Muirfield Heath is a community of homes with distinctive terracotta barrel tiled roofs. However, a metal barrel tile roof system giving the appearance of terracotta clay barrel tile may be permitted by the ARC, if and only if the appearance of the metal barrel tile is determined by the ARC to be visibly indistinguishable from the authentic terracotta clay barrel tile used throughout the community. No other roof systems are allowed within Muirfield Heath.
2. **Permanent Fixed Storm Shutters:** From the date these specifications are adopted, new Accordion Shutters shall not be installed in Muirfield Heath. Colonial or Bahama style Storm Shutters conforming to the unified building scheme for Muirfield Heath and the existing color palate of the dwelling may be installed.
3. **Roll down track storm shutters:** From the date these specifications are adopted, a homeowner may install roll down track storm shutters, only when said shutters consist of clear polycarbonate, or of metal that matches the color of the dwelling exactly.
4. **Impact resistant windows and doors:** The Association strongly encourages the installation of impact resistant windows and doors, only if these impact resistant windows and doors conform to the unified building scheme for Muirfield Heath and the existing color palate of the dwelling.
5. **Polycarbonate panels:** From the date these specifications are adopted, homeowners may install polycarbonate panel shutters so long as the panels are either clear polycarbonate or the color of the dwelling, and any C-track must match the color of the dwelling exactly.
6. **Reinforced garage doors:** The Association strongly encourages the installation of reinforced garage doors. However, any reinforced garage door installed must conform exactly to the unified building scheme for Muirfield Heath and the existing color palate of the dwelling.
7. **Erosion controls:** From the date these specifications are adopted, synthetic underground erosion control mats and overground erosion control blankets that interfere with irrigation shall not be permitted. Bio-degradable or dissolvable natural erosion control mats of coconut fiber or jute may be utilized, provided the mat is not visible from the frontage of the parcel, an abutting parcel or abutting common area.
8. **Exterior fixed generators:** From the date these specifications are adopted, any new exterior fixed generator shall be installed at the rear of the dwelling only and must be screened so as not to be visible from the frontage of the parcel, an abutting parcel, roadway or abutting common area. The ARC may allow a generator to be installed in a

side yard, only where space and noise would not be a problem, to be determined by the ARC in its discretion.

9. **Fuel storage tanks:** From the date these specifications are adopted any new fuel storage tanks shall be permitted only at the rear or side of the dwelling, so long as same is screened so as not to be visible from the frontage of the parcel, an abutting parcel, roadway or abutting common area.
10. **Other hurricane protection products allowed:** From the date these specifications are adopted, hurricane protection fabric and roller screens shall be permitted only as follows. Fabric fasteners may be attached year-round, but the fabric itself must only be attached during the times authorized by the Meadows Community Association. Hurricane roller screens may be installed within a screened lanai, only, and must conform exactly to color palate of the dwelling's exterior. Lanai roller screens which will be visible from an adjacent parcel must be approved by the ARC before installation
11. **Other hurricane protection products prohibited:** From the date these specifications are adopted by the Association, no other visible hurricane protection products, other than those specifically permitted by this Hurricane Protection Specification document, shall be installed within Muirfield Heath without the written consent of the ARC and the Muirfield Heath Board of Directors.

Per the MCA, hurricane shutters may be deployed when a hurricane or tropical storm watch (48 hours prior) has been issued for our immediate area. Those shutters must be taken down promptly after the threat has passed.

Hurricane shutters that have been specifically approved for use throughout the hurricane season, by application to the MCA, may be installed starting on May 1st of each year, and remain so installed until November 30, or may be used for any part of that season.

VI. REQUIRED SUBMITTALS: Required for Application Review Phase. Written requests must describe in detail the work to be done, specify the types of materials to be used, the contractors to be employed, sample colors when possible, and the estimated time of completion. The more information that can be provided to the Committee, the easier it will be for the request to be processed. If applicable, a parcel owner should provide:

Site Plan(s) (1/8"= 1'0"). Two (2) sets showing:

- A. Property lines, easements, and setbacks.
- B. Survey showing placement of all existing improvements, including driveways, sidewalks, patios, pool, and walls appurtenant to the structure.
- C. Existing grade, fill, finished elevation, and drainage if such proposed changes would impact grading or drainage on the property.
- D. Landscaping and irrigation.
- E. Building Plans: 2 sets showing

Floor Plans: (3" - 1'-0")

Elevations: All sides and exposures


Construction Section(s): Indicating materials, dimensions & construction type; detail.

****No work is to begin on any project until a letter of approval has been received.****

Now therefore, in accordance with the Declaration, and in conformity with Florida Statute 720.3035, the Association adopts the foregoing Standards for Architectural Review and Hurricane Protection Specifications for every lot within the Association.

Adopted by the Board of Directors of Muirfield Heath Homeowners Association, Inc. this 27th day of June, 2024.

Muirfield Heath Homeowners Association, Inc.

by 
Kenneth Ludwig, as its President

Attest by its Secretary: 