

SECOND NOTICE OF AMENDMENT TO ARCHITECTURAL REVIEW GUIDELINES

THIS IS NOTICE that pursuant to the authority granted under Section 9.3(a) of the Declaration of Covenants, Conditions, and Restrictions for Tapestry Park, recorded at Official Records Book 2412, Page 799, of the Public Records of Bay County, Florida, as amended from time to time (the "Declaration"), the Architectural Review Committee of Tapestry Park has amended the Design Guidelines originally attached as Exhibit "C" to the Declaration. The amended Design Guidelines are attached hereto.

Dated this 25th day of July, 2014.

Witnesses:

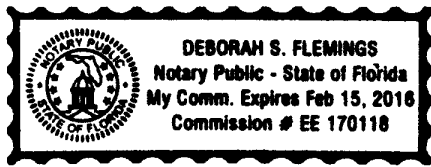
TAPESTRY PARK OWNERS
ASSOCIATION, INC.
ARCHITECTURAL REVIEW
COMMITTEE

Debbie Hyde
Name: Debbie Hyde
Rachael Byrd
Name: Rachael Byrd

Brian Combs
Brian Combs
Chair

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 25th day of July, 2014, by Brian Combs as Chair of the Tapestry Park Owners Association, Inc., Architectural Review Committee, on behalf of the Committee. He is personally known to me or provided as identification.



Deborah S. Flemings
Notary Public

Exhibit "C"

DESIGN GUIDELINES

Tapestry Park Design Guidelines

Intent

1.1 Design Guidelines: Sets standards and restrictions governing the design and construction and/or installation of all improvements to residential lots in Blocks A-N within Tapestry Park. All new residential dwellings within Tapestry Park are to be designed by and construction plans provided by a State of Florida licensed architect.

1.2 Suitable architectural styles include: Dutch Colonial, Georgian, Colonial Revival, Neoclassical, French Eclectic, Italian Renaissance, Spanish Eclectic, Florida Cracker, and Craftsman. Other styles are subject to approval. The styles of all structures shall be readily discernible by their massing, roof material, and exterior materials and colors. Hybrid styles will be reviewed according to their architectural merit. Approvals shall be at the sole discretion of the Architectural Review Board.

Structures

2.1 Setbacks: Setbacks for roofed structures are shown below. The front of the main residence shall be located on the front setback line.

1. Blocks A, B, C, D, E, F, G, K, L, M, N:

	<u>One Story</u>	<u>Two Story</u>	<u>Three Story</u>
Front	20'-0"	20'-0"	20'-0"
Side	5'-0"	5'-0"	8'-0"
Side Street	10'-0"	10'-0"	10'-0"
Side Lane	13'-0"	13'-0"	13'-0"
Rear	10'-0"	10'-0"	30'-0"
Rear Lane	13'-0"	13'-0"	30'-0"

- (a) Covered Porches up to 2 stories and stoops may extend into the front setback a maximum of 8 feet.
- (b) Swimming pools shall be no closer than 3 feet to side and rear property lines except: (1) at lanes, where they shall conform with setbacks listed for one story structures, and (2) at "Buffer Setbacks", where they shall conform with setbacks listed for 1 story structures. See section on "Buffers". Swimming pools shall be behind front setback lines.
- (c) On lots with lane access, chimneys up to 5 feet wide may extend up to 2 feet into side and side street setbacks.

2. Blocks H, I, J:

	<u>One Story</u>	<u>Two Story</u>	<u>Three Story</u>
Front:	15'-0"	15'-0"	15'-0"
Side:	0'-0"	0'-0"	0'-0"
Rear:	40'-0"	40'-0"	40'-0"

- (a) Covered porches up to 2 stories and stoops may extend into the front setback a maximum of 5 feet.
- (b) Swimming pools shall be no closer than 3 feet to property lines and their location shall be subject to approval.

2.2 Structures: Only the following structures may be constructed on a lot. Aside from the main residence, all detached roofed structures are restricted to the rear half of the lot (to be labeled a roof, it must be designed and built to shed rain). All other detached structures, aside from fences, must be behind the front setback and are subject to approval.

- (1) One single family dwelling (1850 square feet minimum for single story residences and 2250 square feet for multi-story residences),
- (2) A single outbuilding for a garage,
- (3) An apartment, guest flat, or office (800 square feet of roofed area maximum) only above a garage or carport,
- (4) A carport and/or porte-cochere,
- (5) Garden/work sheds up to 120 square feet and not more than 10 feet high,
- (6) Pool houses (cabanas) up to 150 square feet and not more than 12 feet high,
- (7) Patio pools, in-ground spas and associated mechanical installations,
- (8) Pet houses up to 9 square feet and not more than 4 feet high,
- (9) Hothouses or greenhouses up to 200 square feet and not more than 4 feet high,
- (10) Outdoor fireplace or barbecue pit up to 9 square feet and not more than 10 feet high,
and
- (11) Pavilions, arbors, trellises, and pergolas.

2.3 Levels: Single family dwellings shall not exceed 3 levels. Outbuildings shall not exceed 2 levels. The maximum roofed area on the third level shall not exceed 600 square feet (900 square feet for Blocks H, I, & J).

2.4 Height: Roof peaks shall not exceed 50 feet above existing grade at front setback. Chimneys and roof finials are not subject to the height restriction but are subject to approval.

- 2.5 First Floor Elevation:** The first floor elevation for main residences shall be a minimum of 32 inches and a maximum of 42 inches above finished grade at the front setback line. Grade may not be bermed or built up around structures, except minimal slope for drainage.
- 2.6 Ceiling Heights:** Ceiling heights shall be no lower than 10 feet for single story residences and no lower than 9 feet for multi-story residences.
- 2.7 Stoops and Porches:** Stoops and porches, and their steps, may not extend into "Buffer Setbacks" or setbacks at lanes.
- 2.8 Roofs:** Principal roofs shall have a minimum pitch of 4:12 and a maximum pitch of 10:12. Ancillary roofs which are attached to walls/principal roofs at the upper portion may be shed roofs with a minimum slope of 2:12. Permissible roofing materials include natural color galvalume, copper, wood shingles, slate, clay tiles, concrete tiles, metal shingles, and asphalt shingles. Any other roofing material, and its color, is subject to approval.
- 2.9 Exterior Wall Materials:** Permissible exterior building materials include cement fiber siding (such as Hardi Plank), wood siding, stucco over wood frame, stucco over masonry, stone, and brick. Aluminum siding and vinyl siding will not be permitted. Aluminum and vinyl soffits/fascia will be permitted if consistent with architectural style of house.
- 2.10 Front Porches:** All main residences shall have a porch or decorative entry stoop on the front facade. Open front porches/stoops shall be a minimum of 4 feet deep. Covered front porches shall be a minimum of 6 feet deep (5 feet deep for Blocks H, I, & J). Covered front porches are encouraged. Screened porches shall be located at the side or rear of the house, behind the front setback. A walkway is required from the front porch/stoop to the sidewalk that runs parallel to the front property line.
- 2.11 Garages:** Garages and carports, whether attached or detached, shall be located entirely in the rear half of the lot. An apartment/guest flat/office will be permitted only above a garage or carport (see sections on "Structures" and "Parking").
- 2.12 Windows and Exterior Doors:** All windows shall have a square or vertical proportion (taller than they are wide). Vinyl clad or aluminum clad wood windows and doors are encouraged. Acceptable window and exterior door manufacturers are PGT Industries, Andersen, Weather Shield, and Marvin. Design of casing/trim around exterior of windows and doors shall be consistent with architectural style of house. Any divided lite windows shall use SDL. No in-between glass grilles shall be allowed. Sliding glass doors will not be permitted. Glass block and imitation glass block windows will not be permitted.
- 2.13 Shutters:** Only exterior shutters that are operable and sized to cover the door or window opening when closed are permitted. Only shutters built by a shutter manufacturer shall be permitted. No home-made or site built shutters shall be allowed. Inoperable shutters that are fixed to exterior wall next to windows will not be permitted.
- 2.14 Chimneys:** Exterior finish on chimneys shall be brick, stone, or stucco.

Homesites

- 3.1 Subdivision:** Lots may not be subdivided or separated into smaller lots. Lots may be combined for the purpose of constructing a single main residence, subject to approval.

3.2 Parking: A minimum of two on-site parking spaces (8'-0" x 18'-0" minimum each) shall be provided for each main residence. One additional on-site parking space shall be provided for each bedroom in excess of three bedrooms. One additional parking space shall be provided for an above garage apartment, guest flat, or office. All required parking spaces shall be located entirely in the rear half of the lot. Required parking spaces may not extend into "Buffer Setbacks".

3.3 Driveways: 3.3 Driveways: Front loaded driveways will not be permitted on lots with lane access or lots on comers. Lots with lane access and lots on corners shall have driveway access only at the rear half of the lot (lots with side property lines adjacent to Clara Avenue or Lyndell Lane are permitted to have front loaded driveways). Driveways from lanes and side streets shall not exceed 20 feet in width. Front Loaded driveways shall not exceed 10 feet in width from the street to the front setback line. Driveways and parking surfaces shall be paved with concrete, brick, or concrete pavers. Asphalt, gravel, and other loose material will not be permitted.

Lots with front loaded driveways may incorporate a porte cochere attached to the side of the house, but this may not contribute to required parking unless it lies entirely in the rear half of the lot.

3.4 Impervious Area: Impervious area shall not exceed 80% of the lot area, including lanes, in Blocks A, B, C, D, E, F, G, K, L, M, & N. Impervious area shall not exceed 85% of the lot area, including driveways, in Blocks H, I, & J.

3.5 Fences and Garden Walls: Fences and garden walls along lanes shall conform to the setbacks listed above for one story structures. Fences and garden walls elsewhere are permitted to be at property lines, but not on property lines. Fences and garden walls 6 feet in height and lower are permitted from the front setback line rearward. Fences and garden walls between 1 foot and 3 feet in height are permitted from the front setback line to the front property line and across the front property line. Wood fences, stucco covered concrete block, brick, or stone garden walls are encouraged. Metal picket fences will be permitted. Metal wire fences (chain link, for example) will not be permitted. All wood fences shall be painted or stained.

Fences and garden walls along the front of lots C-16 thru C-20 and D-6 thru D-10 shall conform to utility easements.

3.6 Sidewalks: The Owner of each lot in Blocks A, B, C, D, E, F, G, K, L, M, & N (excluding lots C-16 thru C-20 and D-6 thru D-10) shall install a 5 feet wide, 4 inch thick concrete sidewalk in the Right of Way 6 feet from the property line to form a continuous and connected sidewalk system. The Owner of each lot from C-16 thru C-20 and D-6 thru D-10 shall install a 5 feet wide, 4 inch thick concrete sidewalk in the Right of Way from the property line to the street curb to form a continuous and connected sidewalk system. The Owner of each lot in Blocks H, I, & J shall install a 6 feet wide, 4 inch thick concrete sidewalk at the front property line, extending 6 feet into the lot. All sidewalks shall have a slope of 1/4" per foot to the street side. Refer to Master Plan for location of required sidewalks for each particular lot.

3.7 Park Edges: The Owners of lots adjacent to parks shall construct fences and/or garden walls along g the property line(s) adjacent to the park while complying with the sections on "Fences and Garden Walls". The parks may be accessible directly from the lots and gates, trellises, and/or landscaping at the entry points are encouraged.

3.8 Buffers: All trees with 3 inch or greater diameter measured 4 feet above natural grade located within side and rear setbacks along Clara Avenue, Lyndell Lane, non-residential properties within Tapestry Park, and property outside of Tapestry Park shall remain undisturbed. Trees may be pruned and unsightly dead underbrush may be removed, but in no circumstance shall any trees be removed or damaged within these "Buffer Setbacks".

3.9 Solar Equipment: Solar equipment will be permitted, but shall be installed as inconspicuously as possible and are subject to approval.

3.10 Antennae: All antennae, satellite dishes, radio receivers, or similar devices shall be installed as inconspicuously as possible and are subject to approval.

3.11 Garbage and Trash Containers: Garbage and refuse shall be placed in containers and the containers shall be screened from view.

3.12 Mail Boxes: One mailbox shall be installed at the street for the main residence. An additional mailbox may be installed (on the same post the main residence mailbox is installed on) at the street for an apartment or office above the garage. Mailboxes shall be selected from the approved list supplied by the ARC. No mail box "piers" will be permitted.

3.13 Utilities: All utilities shall be placed below grade and concealed from view.

3.14 Exterior Lighting: Exterior lighting fixtures are subject to approval and shall be included in the application package. Exterior lighting shall not be intrusive to adjacent properties or common areas. Recessed lights in eaves' soffit will be permitted. Flood lights at building corners and eaves and motion activated lighting will not be permitted. Landscape accent lighting is encouraged and should incorporate low voltage fixtures. All landscape wiring must be placed underground.

At least one light (gas or electric) is required along the walkway from the front porch/stoop to the sidewalk. The light(s) shall be located on the lot within 2 feet of the property line. The light source(s) shall be between 1 foot and 3 feet and/or between 6 feet and 8 feet above the ground. Gas lights shall be continuously illuminated and electric lights shall be on photocell.

3.15 Signs: No signs, including "For Sale" signs, shall be displayed on individual lots, except contractor signs and small signs identifying the property name and address. All signs shall be subject to ARC approval.

Landscape

4.1 Design All landscape designs shall be prepared by a licensed landscape architect or landscape designer.

4.2 Vegetation Zones

- 1. **Lot Vegetation Zone**
 - (a) Ornamental plantings and garden walls are encouraged in areas within the interior of a lot to create private yards.
 - (b) Ornamental plantings, fences, and garden walls are allowed at the edge of lots, in accordance with these Guidelines, for definition of boundaries and the screening of electrical and mechanical equipment.

- (c) Turfgrass is encouraged within individual lots. Acceptable species are Zoysia and St. Augustine. Centipede will not be permitted.

2. **Right of Way (R.O.W.) Vegetation Zone**

- (a) The Owner of each lot shall plant and maintain the area between the property line at the street(s) and the back of curb to form a continuous streetscape.
- (b) The Owner of each lot, where applicable, shall plant and maintain the area between the setback line at the lane(s) and the lane to form a continuous landscape. Turfgrass is preferable between the setback and the lane.
- (c) The Owner of each lot shall plant the area between the property line at the street(s) and the sidewalk with trees (size, type, spacing, and location shall be determined by the Architectural Review Committee). The trees shall be installed halfway between the sidewalk and the property line to form a continuous streetscape.
- (d) Plant types utilized within the R.O.W. between the sidewalk and the property line shall not restrict visibility of vehicular traffic. Aside from the sidewalk trees, shrubs, ground covers, and flowering plants with growth potential exceeding 24 inches in height are discouraged because of excessive pruning requirements to maintain the visibility requirement. Turfgrass is required within the R.O.W. between the sidewalk and the street.

3. **Discouraged Plant Types**

- (a) The installation of plant material that greatly contributes to allergic reactions is discouraged and will not be permitted. This includes, but is not limited to, oak trees, ligustrum trees, and pampas grass. The elimination of these plant types would greatly enhance the health and comfort of the community. This does not apply to oak trees existing on site.

4.3 Irrigation

- (1) Installation of automatic irrigation systems is required for all landscaped areas.
- (2) Water conserving irrigation design and application is encouraged. Drip type systems and low angle trajectory spray type systems are preferable. High trajectory spray type systems and rotor/impact type systems are discouraged.
- (3) All irrigation valves, filters and lines shall be installed below grade out of view.
- (4) All irrigation heads and emitters shall be mounted at grade/mulch/turf levels.
- (5) Well and pump systems will not be permitted.
- (6) In-line filtration devices and pressure reducers are advisable on drip type systems.
- (7) Backflow prevention devices shall be regulated per local code requirements.

- (8) The Owner of each lot shall irrigate the area within the right-of-way adjoining the Owner's lot, including "bubblers at sidewalk trees.
- (9) The Owner of each lot shall irrigate the area between the street(s) and or lane(s) and the accompanying setback.

Architectural Review

5.1 Plan Submittal: All construction and/or alteration of improvements, including landscaping or clearing on any lot must be approved by the Architectural Review Committee (ARC) before the Work is started.

5.2 Compliance: Submittals shall be reviewed for compliance with the Tapestry Park Design Guidelines version which is current as of the submittal date, as determined by the ARC. Approvals shall expire 12 months from the approval date. If construction has not commenced within one year of the approval date, the property owner must resubmit for design approval. Resubmission applications for expired approvals must conform to the Tapestry Park Design Guidelines version which is current as of the resubmission date.

5.3 Submittal Requirements: Two complete hard copy sets and a pdf electronic set of the following material shall be submitted to the ARC for review. These materials will be reviewed for technical adherence to the design guidelines and for overall character and design quality. The submission must be accompanied by a completed *Tapestry Park Design Review Application*, which is available from the ARC.

- (1) Certified boundary survey showing any site features and grade elevations at corners. Surveys for lots with required buffers (see section on "Buffers") shall identify all trees with 3 inch or greater diameter measured 4 feet above natural grade located in the setback buffers.
- (2) Site plan at 1/8"= 1'-0" scale with north arrow and scale showing property lines, setbacks, easements, impervious area calculations, sidewalk, streets, lanes, building placement, all structures, walks, drives, patios, garden walls/fences, pools, dimensions, air conditioner placement, garbage container area, and right-of-way planting including sidewalk trees.
- (3) A landscape plan prepared by a landscape architect or landscape designer.
- (4) Floor plans at 1/4"=1'-0" scale with dimensions and area tabulation for each floor.
- (5) All elevations at 1/8"=1'-0" scale (or larger) indicating doors, windows, porches, proposed exterior trim and materials, ground floor height above grade, ceiling heights, roof pitch, and overall building height.
- (6) Wall sections of typical construction including a section through the front porch showing columns, beams, and railings.
- (7) Detail drawings showing design intent on specialty features such as columns, porches, brackets, trim, etc.
- (8) Structural plans indicating foundation design with floor and roof framing.
- (9) Proposed window and exterior door manufacturer and material.

- (10) General garden wall & fence information.
- (11) Exterior lighting layout.

Following review of the submission, the ARC will render one of the following decisions:

- (a) approve the submission so that it may proceed to construction,
- (b) return the submission to the owner with recommendations for modification, or
- (c) disapprove the submission, with an explanation of the reasons for disapproval.

The ARC shall have 30 days in which to respond to submissions for review as specified in the Declaration. If the submission is returned for modifications, the ARC shall have the discretion to allow the process to proceed to construction providing the modifications are made, or to require another review. If the submission is disapproved, another Review shall be required, and the process shall be repeated.

5.4 Variances: Variances may be granted for architectural merit. No "hardship variances" shall be granted. The ARC shall grant variances at its sole discretion.

5.5 Submittal Fees: An administrative and inspection fee, which shall be set by Tapestry Park Owners Association will be charged for each review, approval, and inspection process and will be payable to Tapestry Park Owners Association at the time of each submission.

Construction

6.1 Owner/Contractor Responsibilities: The Owner and Contractor shall be responsible for complying with all of the rules and regulations of Tapestry Park. A copy of these regulations and amendments will be provided to the Owner. The ARC shall have the right to change these rules and regulations from time to time as is necessary. The Contractor will be required to sign an agreement which specifies Contractor Standards and submit a Contractor Compliance Deposit. Contractors who violate the Contractor Standards may be fined and/or prohibited from working within Tapestry Park.

6.2 Regulatory Approvals: Each lot owner bears the responsibility to conform with all federal, state, county and local codes, ordinances and regulations relating to the use and improvement of lots and associated structures.

END