

EXHIBIT "A"

AMENDED AND RESTATED **ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA**

Pursuant to Article VII, Section 2 and Section 3, of the Declaration, the Association establishes and adopts the following ARB Planning Criteria for use with regard to proposed improvements to Lots and Living Units within the WillowWood community.

1) Building Type and Location. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single family dwelling not to exceed thirty-five (35) feet in height, with a minimum of two thousand (2,000) square feet of heat-able living area, exclusive of open porches and garages, a private and closed garage for not less than two (2) nor more than four (4) cars, and storage room or tool room attached to the ground floor of such garage.

a. Unless approved by the ARB as to use, location and architectural design, no garage, greenhouse, tool or storage room, or any other structure may be constructed separate and apart from the Living Unit, nor can any structure be constructed prior to the Living Unit.

b. Approval for the location of any Living Unit or modification thereto on a Lot must be obtained from the ARB prior to the laying of a foundation for the Living Unit or modification. In approving such Living Unit location, the ARB will consider the location of a Living Unit on the Lot which disturbs the least number of trees ~~and position the Living Unit on the Lot to its greatest esthetic advantage~~. These same criteria apply in the event an existing residence is expanded, demolished and subsequently rebuilt.

~~The exterior color scheme for each Living Unit must be submitted to and approved by the ARB prior to commencement of construction, such scheme to include the color of the roof, exterior walls, shutters, trim, etc.~~

2) Roofs. Flat roofs shall not be permitted unless approved by the ARB. Such areas where flat roofs may be permitted are ~~Florida rooms~~ lanais, porches and patios. There shall be no flat roofs on the entire main body of a Living Unit. The ARB shall have discretion to approve such roofs on part of the main body of a Living Unit, particularly if modern or contemporary in design.

a. No built-up roofs shall be permitted except on approved flat surfaces.

b. The composition of all pitched roofs shall be cedar shake shingle, slate or concrete construction, tile or other materials emulating shingles or tiles. All pitched roofs must have at least 6/12 slope, unless otherwise approved by the ARB.

c. No “single sheet ribbed” metal roofs will be allowed.

d. Solar panels shall be permitted on roofs only with the approval of the ARB prior to installation of the solar panels.

3) Garages. In addition to the requirements stated in paragraph one, all garages must have a minimum width of twenty- two (22) feet for a two-car garage; thirty-three (33) feet for a three car garage; or forty-four (44) feet for a four-car garage, measured from inside walls of garage.

a. All garages must have either a single overhead door with a minimum door width of sixteen (16) feet for a two car garage or two (2) sixteen (16) foot doors for a four car garage, or two (2), three (3), or four (4) individual overhead doors, each a minimum of eight (8) feet in width, and a service door, if feasible, said service door facing to either the side or the rear of the Lot. ~~The garages facing the side yard shall be screened from view from the street by landscaping. Garage doors on all corner Lots or that face either towards a street or the side of a Lot must be constructed entirely of natural wood or press wood material. Except for corner Lots, garage doors that face the rear of a Lot may be constructed of natural wood, press wood material, steel or aluminum.~~

b. All garage doors shall be equipped with electrical or other self-powered automatic garage door opening devices and shall be kept in proper working order.

c. On all Lots the garage shall face the side or rear of the Lot unless otherwise approved in writing by the ARB, including building renovations or redesigns.

d. No carports will be permitted.

4) Driveway Construction. All Living Units shall have a paved driveway of stable and permanent construction of at least sixteen (16) feet in width at the entrance to the garage.

a. Unless prior approval is obtained from the ARB, all driveways must be constructed of brick, concrete, pavers or other material approved by the ARB ~~or asphalt. When curbs are required to be broken for driveway entrances, the curb shall be repaired in a neat and orderly fashion and in such a way as to be acceptable to the ARB.~~

b. Driveway extensions (length or width), or the addition of a circular drive in front of the property, must be approved by the ARB and must meet all Orange County permitting requirements.

5) **Dwelling Materials and Color.** The ARB shall have final approval of all exterior building materials for new construction or modifications and additions.

a. Eight inch struck joint concrete block shall not be permitted on the exterior of any Living Unit or detached structure.

b. The ARB shall discourage the use of imitation brick or stone for front or side material and encourage the use of front or side materials such as brick, stone, wood and stucco, or a combination of the foregoing on all elevations.

c. If the exterior of the Living Unit is to be stucco, the stucco must be painted after the stucco has been applied. ~~Paint or coloring agent may not be integrated with the stucco and applied.~~

d. All exterior wood on a Living Unit must be painted or stained with a color or stain approved by the ARB.

e. Any changes proposed to the exterior color scheme for each Living Unit must be submitted to and approved by the ARB prior to commencement of work, such scheme to include the color of the roof, exterior walls, shutters, trim, etc.

f. If the Living Unit is on a corner Lot, the exterior finish must be the same or compatible on all sides exposed to the street.

6) **Signs.** No sign of any kind shall be displayed to the public view on any Lot ~~with the following exceptions:~~ unless approved by the ARB, and then only for the purposes of advertising the house and Lot for sale or lease/rent ~~during and after the construction of the house.~~ Such sign must be of the size, type, and design as ARB-approved WillowWood standardized sign and must be placed not less than 25 feet from the street.

a. ~~House for sale/rent signage. Such signage must be of the size, type, and design approved by the ARB and placed no closer than 25 feet to the street.~~

b. Signs advertising contractors doing work on the property may be displayed during the work period and no more than one week after completion and placed no closer than 25 feet to the street.

c. Political yard signs may be displayed during an active election process as consistent with Orange County signage code but shall be removed not later than one week after the respective election and placed no closer than 25 feet to the street.

7) **Games and Play Structures.** All basketball backboards and any other fixed games and play structures shall be located at the side or rear of the Living Unit ~~not visible~~

~~from the street, or on the inside portion of the corner Lots within the~~ within the front setback lines.

a. Tree houses or platforms of a like kind or nature shall not be constructed on any part of the Lot located in front of the rear line of the Living Unit.

b. Any games and play structures must be of the nature, composition, and location as to avoid interference with the quiet enjoyment by neighboring residences and must receive prior approval of the ARB.

c. These structures must also be kept properly maintained, painted or stained, and removed from the property when the structure has deteriorated to the point of being unsafe for use.

8) ~~Fences and Walls~~ **Fences, Exterior Additions, Alterations, or Changes.** No building, fence, or other structure shall be commenced, erected or maintained upon The Properties, nor shall any exterior addition to or change or alteration be made to any previous improvement on a Lot until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the ARB.

a. Composition, location and height of any fence to be constructed on any Lot shall be subject to the approval of the ARB. ~~Chain link fences will not be permitted.~~

b. Any fence permitted shall be black ornamental iron or black aluminum and shall not exceed a height of five feet above the ground elevation.

c. The "finished" side of any such fence ~~or wall improved or constructed~~ shall face to the outside of the Lot, ~~so as to be visible as viewed from the property surrounding the Lot upon which same is constructed.~~

d. Any fence permitted shall only be located to the rear of the Lot and shall be contiguous to the house structure.

e. In those instances where the configuration of the Lot and the view to the house would make the fence visible from the front or from adjacent streets, then a well-maintained hedge or similar landscaping shall be placed so as to screen all portions of such fence from view from the street or cul-de-sac.

f. Chain link fences and walls are not permitted under any circumstances.

g. No fence of any type shall be permitted on any Lot that abuts either a Common Area, such as WillowWood Nature Park and Hidden Pond, a Green Belt Area, such as the Orange County runoff west to the wetlands, or within any easement areas on any Lot, as designated on the Plats of WillowWood Units 1 and 2.

h. No fence shall be erected or installed that obstructs sight distance at intersections

9) **Landscaping.** ~~A basic landscaping plan for each Living Unit must be designed and submitted to the ARB for approval. Existing trees to be removed should be shown and may not be removed without the prior approval of the ARB. The ARB will require each Living Unit to be extensively landscaped.~~ The landscaping of each Living Unit may be redesigned to be consistent with the Florida Friendly Landscapes legislation of 2009, including quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant. The landscaping design and material shall be in keeping with the landscape architectural design of the WillowWood neighborhood with consideration for any Florida Friendly Landscaping modifications.

a. Each Living Unit shall have at least ~~seven (7)~~ five (5) shade/citrus trees per Lot, the type to be planted shall be subject to the approval of the ARB ~~and must have ten (10) to twelve (12) foot height and a six (6) to eight (8) foot spread.~~ Replacement trees at time of installation must be a minimum pot size of 25 gallons.

b. Palms, subject to the approval of the ARB, can be substituted for shade trees. However, three (3) palms will be required to receive credit for one (1) shade tree.

c. Large shade trees shall not be planted in locations that would immediately or in the future create a nuisance, seriously shade a pool or screen the view of an adjoining Lot.

d. Consideration should be made, when installing new plant material, that the plant material is not categorized as invasive/noxious plant material according to the Nation Resources Conservation Service for the state of Florida. UF/IFAS Assessment of Non-Native Plants in Florida's Natural Areas.

e. Irrigation must be provided to the edge of the pavement located within the public right-of-way.

f. If any portion of the landscaping dies or it is significantly damaged, the Owner must replace such landscaping with materials of at least the same quality and amount and complete such replacement in a timely manner.

~~g. At least one Live Oak Tree (Quercus Virginiana), ten (10) to twelve (12) feet of height and six (6) to eight (8) feet of spread, single trunk two (2) inch caliper must be planted every fifty (50) feet within the public right-of-way contiguous with each Lot. The location of these trees must be approved by the ARB.~~

10) Swimming Pools and Tennis Sports Courts. Subject to the requirements of Article 7(b) herein, any swimming pool or tennis sports court to be constructed in any Lot shall be subject to requirements of the ARB, which include, but are not limited to the following:

a. Composition to be of material thoroughly tested and accepted by the industry for such construction.

b. The location and construction of any tennis or badminton sports court must be approved by the ARB.

c. The outside edge of any pool wall must be at least four (4) feet inside a line which is the extension of the side wall of the Living Unit.

d. No screening of a pool area may stand beyond a line extended and aligned with the side walls of the dwelling unit unless approved by the ARB.

e. Screens must be charcoal, ~~black or grey~~ or black and screen structures may be bronze, white or black in color. Materials must be approved by the ARB. Screens must be properly maintained.

f. No overhead electrical wire shall cross the pool. All pool lights other than the underwater lights must be at least four (4) feet from the edge of the pool.

g. If the backyard surrounding a pool is not fenced, the pool itself must be enclosed by a fence not less than ~~five (5)~~ four (4) feet high or in compliance with the current Orange County code. Any entrance gate to the backyard or the pool must be constructed with a self-closing latch placed at least forty (40) inches above the ground.

11) Garbage, Yard Waste and Recycling Disposal. No Lot shall be used or maintained as a dumping ground for rubbish, trash, yard or other waste. All trash, garbage and other waste shall be kept in sanitary containers ~~and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure which the ARB shall require to be constructed with each Living Unit. The enclosure shall be located out of sight from the front or side streets and from the adjacent Lot.~~

a. Recycling items should be kept in county issued containers.

b. Containers should be put out for pick up at a reasonable time the night before any scheduled pick up.

c. Excluding scheduled pick-up times, all containers should be obscured from a view from the front or side street and adjacent Lots

d. There shall be no burning of trash or any other waste material on any Lot or common property. Recreational outdoor fire pits, fire tables, and similar self-contained recreational fire features shall be permitted, provided that:

1. The fire feature is maintained and operated in a safe manner;
2. only clean-burning firewood, natural gas, propane, or other lawful recreational fuel sources are used;
3. no trash, leaves, construction debris, treated lumber, household waste, or noxious materials are burned;
4. the fire feature complies with all applicable federal, state, county, municipal, and fire code requirements; and,
5. smoke, ash, soot, odor, or fumes from the fire feature do not create an unreasonable nuisance or hazard to neighboring Lots or residents.

The Board may adopt reasonable rules and regulations governing the size, location, appearance, screening, operation, and permitted hours of use of recreational fire features within the community.

12) Temporary Structures. No structure of a temporary character, trailer, ~~basement~~, tent, ~~shed shack~~, garage, barn, or other out building shall be allowed or used on any Lot at any time ~~as a residence~~ either temporarily or permanently.

13) Clothesline. ~~No clotheslines shall be placed on any Lot at any time. No permanent clothesline or clothesline structure may be located on any Lot. A temporary clothesline may be erected from time to time and shall be located so as to minimize any view from the street, side street or adjacent Lot.~~

14) Removal of Trees. No trees can be removed without approval of the ARB, which approval may be given when such removal is necessary for the construction or landscaping of a Living Unit.

a. If any tree(s) is (are) removed without the approval of the ARB, the ARB shall have the right to require the Owner, ~~or builder,~~ to replace the tree(s) at the expense of the Owner ~~, or builder~~ with comparable tree(s), approved by the ARB.

b. If the Owner refuses upon ten (10) days' written notice, the ARB may replace such removed tree(s) and charge the expense thereof to the Owner ~~(builder)~~.

c. The ~~ARB~~ Association may record a lien against the Lot to secure payment of the cost of replacing the tree(s), including administrative costs, legal fees and costs, and costs of architects and/or landscaping architects.

15) Window Air-Conditioning Units. No window air-conditioning units shall be permitted.

16) Sod Lawns and Landscaping. ~~Except for the area reserved for the road, the driveways, the walkways, the shrubbery and other garden type plans, all~~ Lots shall be sodded or landscaped from the back side of the curb of the street that runs in front and/or side of the dwelling unit constructed thereon to the rear line of the Living Unit. Recommended site for references for grass and landscaping is University of Florida (UFL) Institute of Food and Agriculture Services (IFAS) Extension, Electronic Data Information Services (EDIS) (reference website: <http://edis.ifas.ufl.edu/>).

a. All lands forming portions of a public right-of-way between the boundary of a Lot and the pavement installed within the right-of-way shall be sodded or landscaped by the adjacent and abutting Lot Owner.

b. ~~Also, the Owners of~~ Each Lot which is contiguous with any of the Tracts upon which are located sidewalks shall have sod or be landscaped between the rear or side property line of the Lot and the sidewalk to the side (or rear) yard line as extended to such sidewalk.

c. Such sodded/ landscaped area shall receive coverage within the Lot's irrigation system and such area shall be maintained as if it were a part of the Owner's back or side yard.

d. Each Lot which is contiguous with the sidewalks shall have sod or be landscaped up to the sidewalk and from the sidewalk to the street.

e. ~~The Owner of the Lot will be required to include such sodded area described in this Paragraph within its irrigation system and to maintain such area as if it were a part of the Owner's back or side yard. Failure of the Owner to so maintain such area will subject the Owner to the provisions of Article VII, Section 4, "Enforcement of Planning Criteria".~~ Such sodded or landscaped areas adjacent to sidewalks shall receive coverage

within the Lot's irrigation system and such area shall be maintained as if it were a part of the Owner's back or side yard.

17) Commercial Communication Equipment Prohibited. Use of any communication equipment on any Lot or in any Living Unit, including, but not limited to, CB radios, antennas, ham radios, etc., for private or commercial purposes of any kind shall be prohibited.

18) Exterior Antennas. No exterior radio, television or electronic antenna or aerial may be erected ~~or maintained on any Lot; provided, however, that the ARB may grant temporary permission to erect and maintain television antennas to the Owners which cannot be served by existing cable television facilities because of the present unavailability of such facilities and which do not have sufficient space between the roof of such Living Unit and the ceiling immediately below such roof, to install an indoor antenna. Such temporary outdoor antenna must be removed at such time as cable television facilities are available to serve such Living Unit.~~

a. Cable dishes should be mounted at the rear of the home as inconspicuously as possible. If this is technically not feasible, approval from the ARB of a different location shall be required.

19) Exterior Light Fixtures. No exterior lighting fixtures shall be installed on any Lot or Living Unit ~~without adequate and proper shielding or fixture that does not meet required local code.~~

a. No lighting fixture shall be installed, that may be or become an annoyance or a nuisance to the residents of adjacent Living Units.

b. Security lighting shall not be of such high intensity as to impose an annoyance to neighboring Living Units or pose a safety issue to pedestrians or vehicular traffic.

20) Vehicles and Repairs. The parking of any unsightly vehicles, as determined from time to time by the ARB or commercial vehicles which description shall include, but not be limited to vans, trucks, truck-tractors, semi-trailers and commercial trailers, recreational vehicles, watercraft, or lawn maintenance equipment or trailers, as well as the parking of any travel or recreation trailers, including self-propelled or those towed, as well as any mobile homes, at any time on driveways or otherwise on any Lot or on the public streets of the Subject Property, is prohibited except for a maximum period of 48 hours, limited to loading or unloading purposes only with prior notification of the ARB or when parked entirely within a garage permitted to be built under the provisions of these restrictions.

a. Boats and/or ~~boats and~~ boat trailers or watercraft vehicles may not be parked at any time on driveways or otherwise on any Lot or on the public streets of the Subject Property. ~~They may be stored within the garage of the Living Unit.~~

b. There shall be no repair, except emergency repair, performed on any motor vehicle on or adjacent to any Lot in the Subject Property. Any such on-site vehicle emergency repair shall be limited to 24 hours.

c. It is acknowledged and agreed by all Owners by purchasing a Lot that a violation of any of the provisions of this paragraph shall impose irreparable harm to the other Owners.

d. All Owners further agree that a reasonable assessment of such damages would be \$50.00 for each day that such violation occurs after notification by a duly elected representative of the Association. ~~All Owners further agree that until the Association is formed, the Developer would be the appropriate party to enforce this paragraph and to whom said assessment for damages would accrue, which assessment for damages would then be used for the benefit of all Owners, with the further agreement that the Association will take over said rights, duties and responsibilities after it is formed.~~

21) Easements. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat, ~~or as heretofore granted by the Developer and at this time a part of~~ in the Public Records of Orange County, Florida.

a. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of low or drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements, or which are or might be prohibited by the public authority to whom said easement is given.

b. The easement area of each Lot and all improvements in it shall be maintained continuously by the Owner of the Lot, except for those improvements for which a public authority or utility company is responsible.

22) Air Conditioning Units, Pool Equipment, Irrigation Pumps, etc. No air conditioning units, pool equipment, irrigation pumps, pool heaters, or other mechanical equipment shall be placed on the front of any Living Unit.

a. If such equipment is placed to the side or rear of any such Living Unit ~~but is still visible to or from any public street, bikeway, or adjacent Living Unit, it shall be permissible to so locate such equipment if the same is screened with a permanent type of building material and cannot be seen from any street, bikeway, or adjacent Living Unit, from~~

~~any angle such equipment shall be screened with a permanent type of building material or landscaping such that the equipment is not visible from the front or any adjacent street.~~

b. ~~Replacement equipment, if taller than the original equipment, shall be considered as adequately shielded from view with the prior permanent material or landscaping.~~

23) Chimneys. Any exposed portion of a chimney outside of the Living Unit shall be constructed solely of brick, stone, stucco or wood.

a. If the fireplace is a metal (self-insulated) type with a metal spark arrestor at the top of the chimney, this arrestor must have a cowl or surround made of a material approved in advance in writing by the ARB.

24) Mailboxes. No mailbox ~~or paperbox~~ or other receptacle of any kind for use in the delivery of mail or newspapers or magazines or similar material shall be erected on any Lot unless and until the size, location, design and type of material for said boxes or receptacles shall have been approved by the ARB.

a. The exterior finish of the mailbox shall be compatible with the material of the Living Unit itself.

b. No mailbox shall be placed on top of a pole or post, a structure must be built to hold the mailbox or paperbox. ~~If and when the United States mail service or the newspaper or newspapers involved shall indicate a willingness to make delivery to wall receptacles attached to the Living Unit, each Owner, on the request of the ARB, shall replace the boxes or receptacles previously employed for such purpose or purposes with wall receptacles attached to the Living Unit.~~

c. The mailbox must be maintained.

d. Any damaged mailboxes or support structures shall be replaced by a mailbox or structure of equivalent type and appearance, with prior approval of the ARB, and shall be repaired or replaced in a timely manner.

25) Windows. ~~All windows in Living Units must be either wood or aluminum with the color of the finish being either bronze or white.~~ All new or replacement windows in a Living Unit must be compatible in color, design and finish with other windows of the Unit and must be approved by the ARB prior to installation.

a. No steel or aluminum awnings or casement windows shall be permitted.

- b. No mirrored glass finish shall be permitted in or on windows.

26) Sight Distance at Intersections. No fence, wall, hedge or shrub planting which obstructs sight lines and elevations between two and six feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in case of a rounded property corner from the intersection of the Lot lines extended.

a. The same sight-line limitations shall apply on any lot within ten feet from the intersection of a street property line with the edge of a driveway or alley pavement.

b. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight-lines.

27) Utility Connections. All house connections for all utilities including, but not limited to, water, sewerage, electricity, gas, telephone/communication and television shall be run underground from the proper connecting points to the dwelling structure in such manner to be acceptable to the governing utility authority.

28) Trade or Business or Obnoxious Activities. No trade or business or obnoxious or offensive activity shall be carried out upon any Lot or Living Unit nor shall anything be done thereon which may be or may become an annoyance to the neighborhood.

29) Storage of Construction Materials. No lumber, brick, stone, cinder block concrete or any other building materials, scaffolding, mechanical devices or any other thing used for building purposes shall be stored on any Lot except for purposes of construction on such Lot and shall not be stored on such Lots for longer than that length of time reasonably necessary for the construction in which same is to be used.

30) Maintenance and Inspection. The landscaping of the Lot and the exterior of each Living Unit shall be maintained in a timely manner. The ARB shall from time to time perform drive-by inspections of the Lot and the Living Unit exterior. The owner shall be issued notices of non-compliance by the ARB and shall implement remedial action in a timely manner.

31) Invalidation of Individual Criteria. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect