

vation

ON CAPE SAN BLAS

Architectural Design Guidelines



A Planned Community by Ashwood Development Company

House Design Philosophy

The design philosophy for Ovation at Cape San Blas is derived from a fusion of vernacular styles indigenous to coastal Florida and the Georgia low country, with subtle elements from the Caribbean. Characteristics are metal roofs, wood siding and stucco accents, high ceilings, large windows and room sized porches to allow maximum sunlight and provide for the magnificent views of this coastal site.

The following Architectural Guidelines create a framework for a consistency of architectural design while allowing room for individual creativity and expression. Following these guidelines will help ensure that the houses of Ovation on Cape San Blas will have a quality of design and construction that will enhance the enjoyment and value of this property for many years to come.



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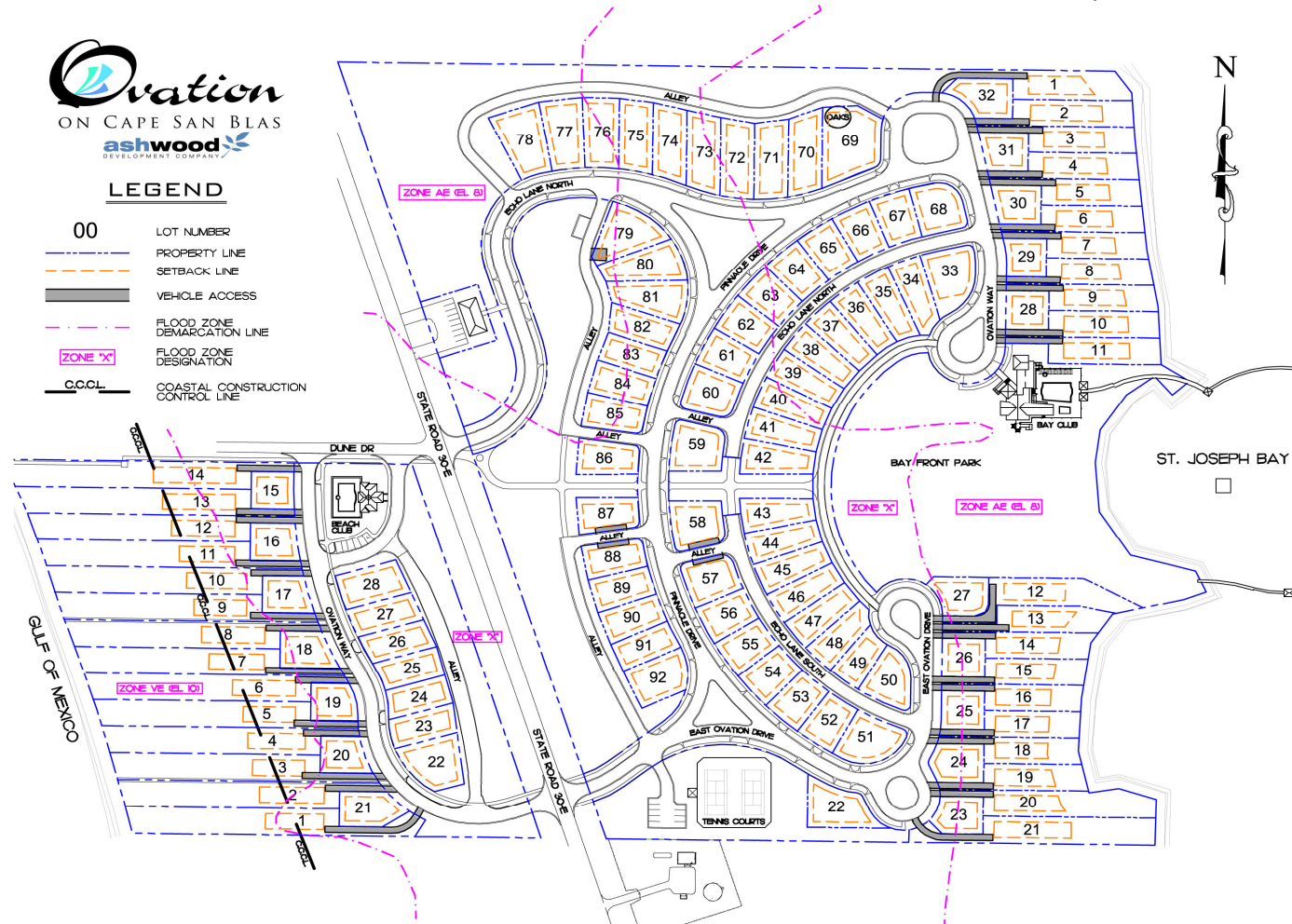
I. Regional Location Map



II. Ovation Site Plan



II. Ovation Site Plan - Flood Zone Map



III. Design and Building Guidelines

This section addresses the planning and design criteria for a house at Ovation.

A. Site Planning

1. Setbacks:

The building (including porches, arbors or pergolas, chimneys) shall not encroach into the building setbacks. Only porch steps and landings less than 30" above grade and roof overhangs may encroach into the specified setback. In general, house design should allow as much as possible to maintain line of sight views of the Gulf and Bay for all adjacent lots. Houses on beachfront and bayfront lots shall be permitted and approved by the governing authorities.; The Architectural Review Board reserves the right to approve the final placement of homes on all Ovation lots. Setbacks from the ocean and relation to the C.C.C.L. (Coastal Construction Control Line) shall be as determined for each beachfront lot by the appropriate State of Florida Agency. Prior to purchasing, buyers are cautioned to examine their lot for verification of the ability to conform to the setback requirements and other design guidelines. This examination is part of the normal due diligence involved with the purchase of any real estate.

Frontyard - 10'-0" (setbacks from all right of way, including corner lots, shall be 10'-0") (See Ovation site plan, attached, for waterfront setbacks.)

Rearyard - 10'-0" (See Ovation site plan, attached, for waterfront setbacks.)

Sideyards - 7'-6" for buildings with a height of 25' or less (measured from finished grade to eave)
9'-6" for buildings with a height greater than 25'

These are the Developer/Declarant's setback requirements. It is the responsibility of the homeowner to confirm with the governing municipalities that the setbacks meet or exceed the municipalities' setback requirements.

2. Finished Floor Elevation:

All Houses in **ZONE VE (EL 10)** (See Ovation site plan, attached) shall be built so that the bottom of the lowest horizontal floor framing member (excluding pilings or columns) is located at or above elevation eleven (11) feet above mean sea level (National Geodetic Vertical Datum) according to Gulf County regulations, or so that the top of the lowest finished floor excluding garage is located at least two (2) feet above the adjacent grade, whichever is greater.

All houses in **ZONE AE (EL 8)** (See Ovation site plan, attached) shall be built so that the top of the lowest finished floor excluding garage is located at or above elevation nine (9) feet above mean sea level (National Geodetic Vertical Datum) according to Gulf County regulations, or at least two (2) feet above adjacent grade, whichever is greater.

All houses in **ZONE "X"** (See Ovation site plan) shall be built so that the top of the lowest finished floor excluding garage is at least two (2) feet above adjacent grade.

3. Height:

Houses may be 1, 2 or 3-stories in height. A roof walk or tower element may extend to the third floor level. The typical main floor ceiling height of primary living and bedroom spaces shall be 10'-0" to 12'-0". The additional floor(s) may have 9'-0" ceilings for bedroom spaces.

4. Area:

All houses on a single lot shall have a minimum area of 2,000 square feet of conditioned space excepting beachfront and bayfront lots, which shall have a minimum of 2,300 square feet; no home foundation may exceed 1548 square feet including decks and garages. Measurements are taken to the outside face of wall

and include stair areas at both the 1st and 2nd floors. Each house shall have at least one (1) porch with a minimum size of 150 square feet and a minimum clear dimension of 8'-0". Each house fronting on a street or paved right of way shall have such a porch fronting on the street or paved R.O.W.

5. Parking:

Each lot shall provide parking space for a minimum of two (2) vehicles within the property lines. The minimum dimensions for a parking space are 9'-0" x 18'-0". Driveways should not be wider than reasonably required for access and parking. All lots common to an alley shall have the vehicle access from the alley, except lots 33-50 on the bay side shall have vehicle access from Echo Lane. All lots not common to an alley shall have the vehicle access indicated on the Ovation site plan. If no access is indicated then vehicle access may be determined on an individual basis subject to DRB approval. The layout of parking accessed from an alley shall allow for an adequate turning radius to enter the space. Parking located in or under the building must be designed and constructed in accordance with all applicable Gulf County building regulations. Driveways and parking shall be located at least 3'-0' from a common property line (except at access corridor to waterfront lots as indicated on the Ovation site plan) in order to provide a minimum 6'-0" wide landscape buffer between paving. The Architectural Review Board reserves the right to approve the final driveway alignments and parking areas for all Ovation lots.

Where a separate carriage house is proposed for parking it shall meet the same design criteria for the main house and shall also complement the architecture of the main house. It shall also meet the setback requirements for the individual lot. The Design Review Board reserves the right to reject or suggest modifications as needed. See article B. 10

6. Proximity and Duplication

The occurrence of 2 houses of identical design is not permitted. If a floor plan is reversed, it will still be considered identical for this purpose. However, multiple houses of the same floor plan may be permitted if a

distance of 75' minimum between them is maintained and cosmetic differences (such as differences in material and color) are made. The DRB reserves the right to approve, modify or reject.

B. Building Components

1. Foundations:

- Type - Each house shall be constructed as follows:

All Houses in **ZONE VE (EL 10)** (See Ovation site plan, attached) shall be built with a crawl space foundation composed of pier supports, with all space below the lowest supporting horizontal member open. Open latticework or decorative screening of approved design may be permitted and must be designed in accordance with Gulf County Regulations. For Lattice Construction see screening Article B.1.

All houses in **ZONE AE (EL 8)** (See Ovation site plan, attached) shall be built with a crawl space foundation composed of pier supports or solid foundation perimeter walls. If solid walls are used, then openings shall be provided according to Gulf County Regulations so that a minimum of two (2) openings have a total net open area of not less than one square inch for every square foot of enclosed crawl space area and so that the bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers or grilles in accordance with Gulf County regulations.

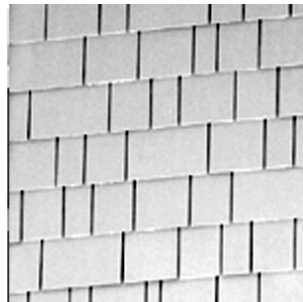
All houses in **ZONE "X"** (See Ovation site plan attached) either shall be built with a crawl space foundation composed of pier supports or solid foundation perimeter walls or shall be built with a slab on fill with solid foundation perimeter walls.

- Height - Foundation height shall be determined by the requirements for finished floor Elevation. (See Finish Floor Elevation Article A2).
- Piers and Perimeter Walls - The support piers or perimeter walls shall be either reinforced cmu or concrete and clad in stucco, tabby, wood mould brick or wood.
- Screening - The space between the pier supports shall be screened with a vertical and/or horizontal board pattern, except as required for any parking of vehicles or building access. Diagonal lattice is not allowed. Minimum dimension for horizontal and vertical lattice members shall be 1" x 2" nominal at maximum spacing 3" on center. The screening may also cover the piers. Foundation screening for houses in **ZONE VE (EL 10)** (See Ovation site plan) may be permitted for aesthetic purposes only and must be designed to wash away in accordance with Gulf County regulations.



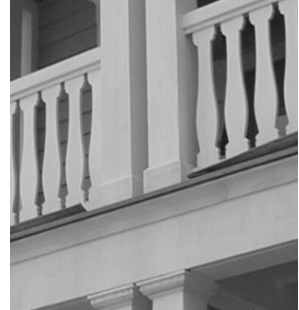
2. Walls:

- Type - Walls shall be 2x4 or 2x6 wood-frame construction with a structural exterior sheathing substrate. Primary main floor living and bedroom spaces shall have a ceiling height between 10'-0" and 12'-0". Bedrooms on additional floors may have ceiling height of 9'-0". Exterior walls shall be of 2x6 construction.
- Materials - Exterior siding shall be wood or fiber cement board. Fiber cement products shall have smooth surfaces. Fiber cement product with embossed woodgrain texture is not allowed. Wood shall be resistant to weather and may be pressure treated pine, cedar or cypress. Accent material for exterior walls may be stucco or corrugated metal. Accent walls are limited to 40% maximum exterior wall area. Parapet walls of accent material are limited to 33% maximum exterior linear wall.
- Appearance- Exterior siding may be clapboard, shiplap, board & batten or shingles. Fiber cement board shingles may be acceptable if they have the appearance of authentic wood shingles. At board & batten siding, battens shall be minimum 5/4" thickness wood or equivalent fiber cement.



3. Columns:

- Type - Columns shall be square, rectangular or round and shall have a width proportional to their height. Width/height = 1/12 minimum. Round columns shall be tapered. Square columns may be straight or tapered.
- Material - Columns shall be of simple wood construction or pre-approved synthetic material with an authentic wood construction appearance.
- Details - Bases and capitals shall be based on a simple Roman Doric design. Columns may be single or paired and may include a pedestal base. They may have square or chamfered edges.
- Finish - All wood shall be painted or stained.



4. Windows:

- Type - Windows may be double-hung, casement or awning type.
- Materials - Windows shall be wood or, subject to color approval, may be wood windows clad with aluminum or vinyl. Glass shall be clear or have a light tint such as a low E coating.
- Size - To take advantage of the light, views and ventilation, primary windows at living spaces and bedrooms shall be a minimum of 3' wide x 5' high nominal for double-hung and 2'-4" wide x 4'-4" high nominal for casement. Accent windows or transoms may be of a smaller size. Window head heights at the main floor shall typically be set at 8'-0" above the finished floor.
- Operation - All windows except for transoms shall be operable double-hung, casement or awning type.
- Mullions - All window units shall include some divided lite element. Acceptable mullion patterns may include a divided lite pattern over a single lite sash.
- Trim - Windows shall have trim surrounds with simple profiles and a minimum 4" dimension by 5/4 thickness. Additional detailing is encouraged above the window openings.
- Tinted glass or window film that meets a transmittance value of 45% or less (inside to outside transmittance) shall be used on all windows and glass doors throughout the development.



5. Doors:

- Type - Exterior doors shall be either single or double hinged. Sliding glass doors are not permitted.
- Height - Front doors should be either 8'-0" tall or may be 6'-8" or 7'-0" with a transom above.
- Materials - Doors shall be either mahogany wood or, subject to color approval, may be wood clad with vinyl. Doors may include glass with a divided lite pattern.
- Finish - Doors shall be either painted or stained wood.
- Trim - Doors shall have trim surrounds with simple profiles and a minimum 4" dimension by 5/4 thickness. Additional detailing is encouraged above the door openings.
- Tinted glass or window film that meets a transmittance value of 45% or less (inside to outside transmittance) shall be used on all windows and glass doors throughout the development.



6. Shutters:

- Location - Shutters are not to be used on multiple doors or multiple windows grouped together where the shutters could not be closed to cover the window opening. Otherwise, the use of shutters is at the discretion of the designer.
- Type - Shutters shall be louvered, flat panel with raised frame, or batten strip in design. Raised panel shutters are not allowed.
- Material - Shutters shall be painted or stained wood. With pre-approval by the DRB, shutters may be aluminum or synthetic if they have an authentic wood appearance.
- Operation - All Shutters must be equipped with operable hardware (hinges and shutter dogs) and sized to completely cover the window in the closed position.



7. Roofs:

- Type - All primary roofs shall be galvalume-plus (aluminum-zinc alloy coated steel) metal. Accent roofs, up to 10% of the total roof area, may be cedar shake.
- Profile - A variety of profiles is encouraged to include: standing seam, corrugated, 5-v crimp and batten strip. No more than two (2) adjacent houses may have the same roof profile.
- Slopes - Primary roofs shall have a slope in the range of 6:12 to 14:12. Low slope roofs may have slope as shallow as 3:12, but these low slope areas shall be limited to 45% of the roof area not counting overhangs.
- Accessories - All roof accessories, including vents, shall be painted to match the roof. Wherever possible, accessories shall be located away from the street elevations. Solar energy devices and satellite dishes, etc. are subject to approval by the DRB.
- Overhangs - All primary roofs shall have a minimum 24" overhang (30" minimum encouraged) without enclosed soffits. Overhangs will have exposed rafter tails which may have a simple decorative profile. The overhangs may have V-joint tongue and groove boards or purlins to expose the underside of the metal roofing.
- Gutters - Gutters are only allowed directly above a porch or an entrance into the house. Gutters shall be half-round shaped and shall have round downspouts. All gutters shall be galvanized to match the roof material.



8. Details:

- Guardrails - Guardrails shall be painted or stained wood (Brazilian hardwood is encouraged) and typically incorporate slats or square pickets with 4" spacing and simple square newel posts. Decorative railing patterns may be used as accents. Railings constructed of Horizontal stainless steel cable and fittings will be allowed.
- Roof walks - Roof walks or cupolas may be added to the main house. The footprint of a cupola shall be limited to 15% of the main house footprint. The footprint of a roof walk or roof porch shall be limited to 20% of the main house footprint. These elements shall be proportional to the main body of the house. The DRB shall reserve the right to modify or reject roof walks or cupolas.
- Weathervanes- Weathervanes made of copper or non-corrosive metal may be installed on the roof. They should be of an appropriate scale and coastal design.
- Chimneys - Chimneys shall have a minimum dimension of 2'4" x 4'0". Chimneys shall be woodmold brick or stucco. Chimneys may not be covered in wood or cement board siding. If pre-fabricated metal fireplaces are used, they shall have coverings for all exposed flue pipes.
- Lighting - Exterior lighting shall be designed to prevent the direct view of the light source. The use of exterior light fixtures which comply with the International Dark-Sky Association's recommendations is encouraged (www.darksky.org). Floodlights shall not be permitted. Maximum of two (2) exterior wall lights shall be permitted on front and rear elevation and none on side elevation. Additional lighting, such as recessed lights at porch ceilings are subject to DRB review. All properties will be subject to lighting restrictions for the protection of sea turtles and the conservation of protected species. Exterior lights shall be copper, bronze, antique brass or other corrosive resistant metal and shall be vintage or nautical type fixtures compatible with the vernacular architectural style of the houses. A patina appearance is encouraged.

8. Details (cont):

To prevent adverse impacts to nesting and hatchling sea turtles, nocturnal movements of beach mice, and disturbance to resting shorebirds, the minimal amount of exterior lighting for human safety and security shall be installed.

1. Lights shall not be placed within the developed foot print such that the light is visible outside the developed area or in accordance with the final State of Florida Coastal Construction Control Line permit for the project.
2. Lights on the dune walkover shall not be located seaward of the landward toe of the dune (or its equivalent).
3. The light source or any reflective surface of a light fixture shall not be visible from any point beyond the developed footprint. There should be no illumination of any area outside the developed footprint, either through direct illumination, reflective illumination, or cumulative illumination.
4. Exterior wall light fixtures shall be either low pressure sodium lamps or low wattage (i.e., 480 lumens or less) "bug" type bulbs florescent bulbs. The light fixtures should be completely shielded without interior reflective surfaces and directed downward. Lights may also be louvered and/or recessed, with black baffles or without interior reflective surfaces as appropriate.
5. Light fixtures shall be mounted as low as feasible to provide light where it is needed (i.e. patios, balconies, pedestrian paths). This can be accomplished through the use of low bollards, ground level fixtures, or low wall mounts.

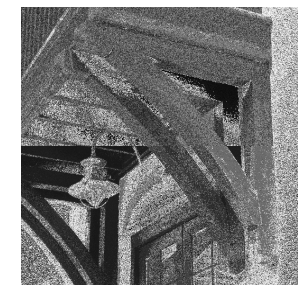
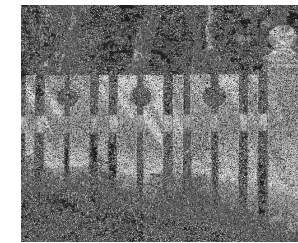
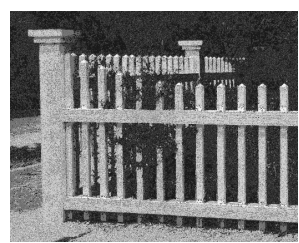
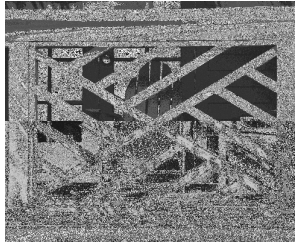
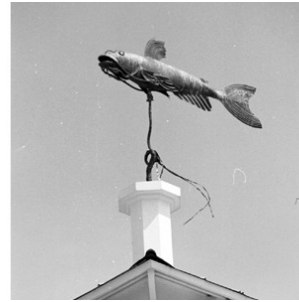
8. Details (cont):

6. Lights for purely decorative or accent purposes shall not be visible outside of the developed footprint and shall be limited in number and intensity. Up-lights shall not be used.
7. Roadway lighting shall use shielded low pressure sodium (LPS) lamps. The height and number of the fixtures should be kept to a minimum and should be positioned and mounted in a manner such that the point source of light or any reflective surface of the fixture is not visible on the development outside of the developed footprint.
8. Lighting in parking areas shall use shielded low pressure sodium (LPS) lamps, have a height of 20 feet or less and shall not be visible from any point outside the developed footprint. The lighting shall be positioned and shielded such that the point source of light or any reflective surface of the light fixtures is not visible outside of the developed area. The light emanating from such fixtures may not directly or indirectly illuminate the area outside of the developed footprint.
9. Car and other vehicle parking areas shall be designed or positioned such that vehicular headlights do not cast light outside the developed footprint. Native dune vegetation, and/or other ground-level barriers may be used to meet this objective.
10. Minimal temporary lighting during construction should only be used for security and safety. The lights should be completely shielded and low-mounted. Low pressure sodium lights or low wattage yellow "bug" type bulbs (480 lumens or less) shall be used. The lights should not directly or indirectly illuminate any area outside the construction site.

8. Details (cont):

11. Light fixtures using natural gas as the light source shall not be used for fixtures unless they are fully shielded and the lighting is not visible outside the developed footprint.
12. Tinted glass or window film that meets a transmittance value of 45% or less (inside to outside transmittance) shall be used on all windows and glass doors throughout the development.
13. All ceiling mounted light fixtures in the interior of the residence that could be visible from the outside shall minimize the amount of exposed light bulbs.

8. Details (cont):



9. Porches:

- Type - Each house shall have at least one (1) porch with a minimum size of 150 square feet and a minimum clear dimension of 8'-0". Porches may be open or screened. Each house fronting a street or R.O.W. shall have a main floor porch adjacent to the street or paved R.O.W. Homes fronting Bay or Gulf shall have porch facing Bay or Gulf.
- Size - The minimum size for a porch is 150 square feet with a minimum clear dimension of 8'-0".
- Screens - Screens may be vinyl or non-corrosive metal. The screen shall be installed on the inside of the railing so as to not obscure the view of the rail from outside the property.
- Floors - Porch floors shall be wood or composite material with an authentic wood construction appearance. Wood shall be resistant to weather and may be pressure treated pine, cedar, and cypress, teak or Brazilian hardwood, painted or stained.



10. Accessory Structures:

- **Parking** - Larger lots may accommodate a separate garage or parking structure. The design of this structure must be consistent with the main house. This structure may include living space above or storage on the ground level. The total area for an accessory structure is limited to 40% of the main house. This structure may be freestanding or may be connected to the main house by an open or enclosed breezeway connector. Garage doors shall be of a carriage style design with appropriate hardware.
- **Gazebos** -Any Gazebos or cabanas shall be detailed similar to the porches of the main house with equal materials and shall comply with the same building design and setback requirements as the main house.
- **Equipment** - Compressors, meters and miscellaneous equipment shall be grouped and screened to minimize the impact on the neighbors and the community. Screens may be either wood fence or mature landscaping. Where possible, vents and grills shall be concealed within the foundation screens.
- **Outdoor Showers**- Any outdoor shower shall be provided with or without a privacy enclosure. If no enclosure is provided, then all shower fixtures and fittings shall be of vintage style. If an enclosure is provided, then the enclosure shall be detailed similar to the house with equal materials and shall comply with the same building design and setback requirements as the house.



11. Paint Colors:

- *General* - The color palette for Ovation is intended to create a fun vacation atmosphere and to include a wide range of options to allow for individual expression. As such, possible choices are not limited to specific colors by these guidelines. However, colors submitted for DRB approval should be complimentary to each other. The exterior paint is divided into 3 areas minimum or 4 areas maximum for the application of color. The minimum areas are the body, trim and accents. The general concept is for the trim color to highlight the color of the main body. Colors shall be submitted to the DRB for approval.
- *Body* - This refers to the main exterior wall surface. In 3 color paint schemes the body shall be all one color. In 4 color paint schemes the body shall be subdivided into two colors. The body may include the corner boards or the corner boards may be painted the trim color.
- *Trim* - The trim refers to components other than the exterior wall such as columns, railings, fascia, window casing and door frames. The trim may include the window sashes or the sashes may be the accent color.
- *Accents* - This color is to be used on special components such as shutters, entry doors or cupolas.
- *Samples*- Examples of paint color palettes are available from the DRB, but colors are not limited to these examples and variations are encouraged.

C. Landscape Design Guidelines

Objectives:

The goal of the DRB is to promote site development that is sensitive to the natural environment and preserves existing vegetation where possible. Plantings are to be native to the region and in keeping with the existing vegetation of the site. The landscape architect of the DRB will furnish an approved plant list upon request.

Professional Consultants:

To ensure the natural character of the proposed landscape plan, a landscape architect will be required to assist with the landscape design. The landscape architect shall be selected from the current list of approved design professionals. The list will be maintained by the DRB and is subject to change at any time. Applications for inclusion on the approved list may be submitted to the DRB. Applicants should demonstrate experience with native plant material and shall be registered in the state of Florida.

Landscape Budget:

The DRB may require a minimum of 5% of the total estimated construction cost and lot value be applied toward landscaping to ensure a mature appearance following installation. The DRB retains the right to increase the landscape expenditures, at its discretion, to a maximum of 10% of the total value of the house and property. Protection of existing vegetation outside of the proposed building footprint area during site clearing and construction is mandatory and will be factored in consideration of these landscape expenditures.

Design Intent:

The landscape design objective is to mimic nature as closely as possible by utilizing native plant material in natural and informal ways. The desire is to present an established appearance at the completion of construction. It is the intent of the DRB to restrict landscape plantings to species that are indigenous to the site. The use of native plants is intended to minimize the ongoing need for irrigation water throughout the neighborhood.

The following shall serve as a complete list of acceptable landscaping material for use at Ovation. No mulching materials (including wood chips or pine straw) or landscape fabric may be used in the dune habitats or landscaped areas to include individual lots. Irrigation of planted dune vegetation shall be by backpack only (no buried irrigation in the native landscaped areas)

Scientific Name

Common Name

Trees

Sabal Palmetto	Cabbage Palm
Magnolia Grandiflora	Southern Magnolia
Osmantbus Americanus	Wild Olive
Pinus Clausa	Sand Pine
Pinus Ellioccii	Slash Pine
Quercus Gerninata	Sand Live Oak
Quercus Myrtifolia	Myrtle Oak
Quercus Virginiana Maritima	Sand Live Oak

Design Intent (Cont.):

Medium to Large Shrubs & Small Trees

Scientific Name	Common Name
Callicarpa Americana	Beautyberry
Erythrina Herbacea	Eastern Coralbean
Hex Vamitoria	Yaupon Holly
Iva Frutescens	Marsh-Elder
Rhus Copallina	Winged Sumac
Seronoa Ropens	Saw Palmetto

Small Shrubs and Ground Cover

Scientific Name	Common Name	Scientific Name	Common Name
Schizachyrium Scoparium	Bluestem	Cakile Constricta	Sea Rocket
Asclepias Humistrata	Sandhill Milkweed	Unioh Paniculata	Sea Oats
Bignonia Caproolata	Cross Vine	Ceratiola Ericoides	Seaside Rosemary
Chryosoma Pauciflosculosa	Seaside Goldenrod	Chrysopsis Gossypina	
Hydrocotyle Bonariensis	Pennywort	Trichophylla	Golden Aster
Ipomoca Pes-Capize	Railroad Vine	Conradina Canescens	Beach Heather
Ipomoea Imperati	Beach Morning Glory	Cyperus Sp.	Sedge
Licanla Michausii	Gopher Apple	Heterothoca Subaxillaris	Aster
Panicum Amarum	Beach Grass		
Polygonella Macrophylla	Large-leaved Jointweed		
Tradescanila Objensis	Spiderwort		

IV. Design Review Process

Until such time as the Ovation Homeowners' Association assumes responsibility for architectural and landscaping review and approval, the Developer, or its designee, will have authority for the design review process. With some variations, the Developer will follow a design review process similar to that outlined here. Until responsibility is transferred to the Ovation Homeowners' Association, all aspects of the architecture and landscaping in Ovation will be subject to the review and approval by the Design Review Board. The Design Review Board (DRB) shall include an architect, a landscape architect and one or more members representing the developer. The purpose of the review process is to insure a quality of design for each house that will enhance the appearance and value of the community. The DRB shall conduct reviews of submitted plans at regular intervals in order to provide constructive guidance during the design process and to provide comments and approval of the final plan submittal. The DRB shall provide a written response to each submittal within 21 days of receipt. Any omissions of the required data may delay the review process. It is recommended that prior to beginning design, each architect visit the site in order to become familiar with the property and any unique features of the site.

A copy of the Ovation Beach Conservation Enhancement Memorandum of Agreement or other appropriate instrument shall be provided to the General Contractor and be included in all sub-contracts for each home construction. The construction contract documents shall include a stipulation that the conservation objectives of the Ovation Beach Conservation Enhancement Memorandum of Agreement shall be communicated to and agreed upon by all sub-contractors.

NOTE: This description attempts to summarize the design review process set out in the Declaration of Covenants, Conditions and Restrictions for Ovation, which contains additional information, powers and duties. There is additional information in the Declaration regarding the design review process that is not contained here. Consult the Declaration for further details. In the event of any conflict between these guidelines and the Declaration, the Declaration shall prevail.

A. Professional Consultants:

In order to ensure a standard of quality architectural design, each house at Ovation is to be designed by a design professional approved by the Architectural Review Board. Selection shall be made from the current list of approved design professionals. The list will be maintained by the DRB and is subject to change at any time. Applications for inclusion on the approved list may be submitted to the DRB. Applicants should demonstrate experience with house designs similar to the requirements in these design guidelines. For a Gulf County permit, each plan must be signed and sealed by an architect or engineer registered and licensed in the State of Florida.

Developer DRB can furnish partial list of consultants upon request.

B. Drawing Submittals:

1. Schematic Design - At the discretion of the applicant, schematic design drawings may be submitted to the DRB for preliminary design input and to ensure that the general design concept is compatible with these architectural guidelines.

2. Preliminary Design Submission - This required submission shall include 2 sets of the following:

A. Application form including building materials, and paint color palette. An application form can be obtained from the DRB.

B. Site plan at minimum 1/8" scale showing location and species of all trees with a caliper of 4" or greater (measured 4'-0" above grade) and/or any additional significant vegetation. The desire is to maximize opportunities for preservation of existing vegetation. The site plan shall include all property lines, setbacks, easements, grades, hardscape and structures.

C. Floor plans at 1/8" or 1/4" scale.

D. Exterior elevation of each face of the building(s), including indication of material placement and color placement.

E. Application fee. See article V.D.

3. Final Drawings Submission - Plans shall be complete and sufficiently detailed for construction. This required submission shall be signed and sealed by a registered Florida Architect or Engineer. These drawings shall be suitable for permit by Gulf County and shall include 2 sets of the following:

- A. Site Survey - Boundary survey by a licensed Florida surveyor with all property lines, setbacks and easements. Minimum drawing scale to be 1"=10'. Indicate existing grades and the location and species of all trees with a caliper of 4" or greater (measured 4'-0" above grade)
- B. Site Plan - Minimum drawing scale to be 1"=10' and to indicate:
 - a. Driveways, sidewalks, steps, decks and other hardscape items
 - b. Grading and drainage plan with any culverts (indicated size and flow direction)
 - c. Building footprint and north arrow
 - d. Exterior lighting
 - e. Contractor staging area
 - f. Utility service entry points (water, gas, electric and cable, etc.)
 - g. Indicate trees from survey to be removed by construction and those to be preserved
 - h. Identify any special site features such as drainage swales, dunes and adjacent structures
 - i. Mechanical equipment with screening
 - j. Location of jobsite toilet facility, construction trailer, dumpster
 - g. Signed document from the General Contractor and all Subcontractors acknowledging receipt of and agreement to conform to requirements of the SABM MOA.
 - h. No permanent fences or privacy walls shall be constructed that would restrict beach mouse movements.

C. Landscape Plan

- a. Property lines, setbacks and building footprint with all ground floor window and door openings indicated in relation to plant material
- b. Existing vegetation to be preserved
- c. Proposed vegetation with a comprehensive landscape layout for all proposed trees, shrubs and groundcovers
- d. Plant list to identify all proposed vegetation by common and scientific name. List should include plant quantities and size at time of installation (height, spread or caliper)
- e. Show all hardscape and site mechanical including screening
- f. Irrigation plan for an automatic sprinkler system. Irrigation is to utilize domestic potable water in order to establish the plant material. Irrigation of planted dune vegetation shall be by backpack only (no buried irrigation in the native landscaped areas)

D. Foundation Plan

Detailed and dimensioned plan at $1/8"$ or $1/4" = 1'-0"$ showing piers and footing locations

E. Floor Plans

Detailed and dimensioned plans of each level at $1/4" = 1'-0"$

F. Roof Plan

Plan to show all roof materials, slopes, overhang dimensions and any special features such as roof walks or cupolas

G. Exterior Elevations

- a. Show each exterior face of the building(s) at scale sufficient to indicate materials and details (typically $1/4" = 1'-0"$)
- b. Existing and finished grades

- c. Finished floor elevations and total building height
- d. Indicate color placement

H. Typical Wall/Building Section

Indicate materials, roof pitch and overhang details (Scale is typically 3/4" minimum)

I. Details

- a. Columns, porches, rails, balconies, decks or other special features
- b. Doors and windows including casing

J. Exterior Lighting

Detailed drawings or manufacturer's product literature including drawing or photos, and samples indicating finish(es). A manufacturer's photo of the finish may be used if it accurately represents the specified finish.

K. Compliance Deposit

A compliance deposit is due along with the final submission. See article V, D.

C. Final Staking

If requested by the DRB at the time of the Final Submission, the Owner or Contractor shall provide a string stakeout of the property boundary and the building footprint with all trees to be removed clearly indicated.

D. Building Permit

Upon approval of the final plans by the DRB, the Owner may submit plans to Gulf County and other agencies for a building permit. The DRB is not responsible for reviewing for compliance with any applicable building codes.

E. Construction Start

Upon receipt of DRB approval and the County Building Permit, and any other required governmental approvals or permits, the Owner may begin construction. The DRB may enter the site and make inspection for verification of compliance with the approved plans at any stage during construction.

F. Construction Completion

Upon completion of construction, the Owner shall submit to the DRB the following:

- a. Certificate of Occupancy by the County
- b. 1 set of As-built drawings
- c. Final Survey certificate by a licensed surveyor
- d. A set of photos of the completed project from each elevation

G. DRB Approval to Occupy

Upon certification by the DRB that construction is in accordance with design guidelines, the DRB will issue final written approval and return the appropriate compliance deposit. No house in Ovation may be occupied by any person until the DRB issues this final approval. The DRB will review each request for final approval within 30 days. If approval is refused, applicant must correct deficiencies but may not reapply for subsequent review for 15 days at which time the DRB will have 30 days for re-review.

H. Contacts:

Gulf County Building Official # (850) 229-8944
Ashwood Development Co Developer # (404) 607-1168
Donofro & Associates, Architects: DRB # (334) 793-3333
Preble Rish - Civil/Survey # (850) 227-7200
Century 21 Realty - Real Estate # (850) 227-9600

V. Design Review Board

The Design Review Board (DRB) is the committee established to review plans and specifications for the construction or modification of housing and other improvements in Ovation and to administer and enforce architectural controls. Initially, the developer, or its designee, will function as the DRB. When, under the terms of the Declaration of Covenants, Conditions and Restrictions for Ovation, the developer transfers responsibility for architectural and landscaping control to the Ovation Homeowners' Association, the Association will appoint the DRB.

NOTE: This description attempts to summarize the Design Review Board process set out in the Declaration of Covenants, Conditions and Restrictions for Ovation, which contains additional rights, powers and duties. There is additional information in the Declaration regarding the DRB that is not contained here. Consult the Declaration for further details. In the event of any conflict between these guidelines and the Declaration, the Declaration shall prevail.

A. Membership

The Developer will appoint the members of the initial DRB. The DRB shall consist of at least three (3), but not more than seven (7), persons. Members of the DRB need not be Members of the HOA or representatives of Members, and may, but need not, include architects, engineers, or similar professionals.

B. Reviewer

The DRB may appoint a Reviewer to perform some or all of its functions. The Reviewer may process applications, coordinate with owners, conduct pre-design conferences, review job progress, conduct DRB inspections, issue DRB permits and certifications, and perform such other duties as the DRB may direct.

C. Architectural Objectives

The objectives of the DRB and the design review process include:

- Harmonizing improvements with the natural environment
- Preventing excessive grading or site clearing and preserving desirable existing vegetation
- Achieving complimentary landscaping and architecture that blends with the existing environment and adjacent lots
- Enhancing the overall appearance of Ovation

D. Application Fee and Compliance Deposit

Application fees: Each applicant must submit a non-refundable Design Review fee:

- | | |
|--|---------|
| • Modifications to existing structures, landscaping or plans | \$500 |
| • New construction | \$1,000 |

Checks should be made payable to Beach to Bay, LLC

1440 Dutch Valley Place, Suite 100 Atlanta, GA 30324

Compliance deposits: In addition to the application fee, each applicant must submit to the DRB a compliance deposit to be held in a non-interest bearing escrow account:

- | | |
|--|---------|
| • Modification of existing structures or landscaping | \$1,000 |
| • New construction | \$2,500 |

The DRB, at its discretion, may reduce the compliance deposit for modifications to 10% of the cost of construction. The DRB may use the compliance deposit to: 1) correct or complete construction of improvements that do not comply with approved plans, specifications or these Guidelines; 2) clean up the applicant's construction site if the applicant fails in this duty; and 3) pay legal fees and costs incurred to enforce compliance. The deposit does not limit the applicant's liability for non-compliance. In the event of

non-compliance, the DRB may apply the applicant's deposit to the cost of enforcement and take necessary steps to obtain reimbursement from the applicant for the balance.

E. Meetings

The DRB will meet as needed. A meeting schedule can be obtained from the DRB.

F. Decisions by the DRB

Factors: The DRB may consider any factors it deems relevant to achieve the architectural objectives and compliance with these guidelines, including harmony of the proposed exterior design with surrounding structures and environment. Decisions may be based on purely aesthetic considerations. Aesthetic determinations are purely subjective and opinions may vary as to the desirability or attractiveness of particular improvements. The DRB shall have the sole discretion to make final, conclusive, and binding determinations on matters of aesthetic appearance.

Variances: Requests for variances must be in writing to the DRB. Approval of a variance shall not constitute a precedent or waiver of the DRB's right to deny future variances.

Appeals: If the DRB denies an application or approves an application subject to conditions unacceptable to the applicant, the applicant may request a hearing before the Board of Directors of the Association. During the period of developer control of architectural and landscape matters, the decision of the developer, or its designee, shall be final.

G. Enforcement Powers:

The DRB may enter any lot to verify that construction is in compliance with the approved plans. Within 10 days of notice from the DRB, the Owner shall, at his or her own expense, remove any unapproved or non-

compliant improvements and restore the property to its original condition or comply with approved plans. If the Owner fails to take timely corrective action, the DRB may enter upon the Owner's lot and remove, correct or complete improvements, and take other action necessary to achieve compliance. The DRB may bring legal action for damages or seek injunctive relief to require the Owner to comply and remove or restore the unapproved improvements. Any violation of the above requirements may not be adequately compensated by recovery of damages and, therefore, the DRB may seek an injunction to restrain a violation or breach. These remedies are cumulative. No delay, failure or omission by the DRB in exercising any right, power, or remedy provided herein shall be construed as a waiver of any right to enforce its rights, powers and remedies. No right of action shall accrue nor shall any action be brought or maintained by anyone whatsoever against the DRB or its assigns on account of any failure to bring any action on account of any violation or breach of the provisions of these guidelines. In all enforcement actions, the prevailing party shall be entitled to be reimbursed for its attorney's fees, prior to or at trial or on appeal, and all reasonable court costs.

H. Limitations of Responsibility

These Guidelines establish a mechanism for maintaining and enhancing the overall aesthetics of Ovation, and do not create any duty to any person. The DRB is not responsible for: ensuring that every lot and dwelling complies with every aspect of these Guidelines; the structural integrity or soundness of approved construction or modifications; soil conditions or erosion control requirements; performance or quality of work by any contractor, architect, engineer or other person; compliance with building codes and other governmental requirements; or ensuring that every dwelling is of comparable quality, value, or size, of similar design, or aesthetically pleasing or otherwise acceptable to other Owners.

An Owner that makes any improvement acknowledges and agrees that: the Developer and its designees and affiliates, the HOA and its officers, the Board of Directors, the DRB, the Reviewer, the HOA's management agent, any committee, or any member of any of the foregoing shall not be held liable for the approval of, disapproval of, or failure to approve or disapprove any plans; soil conditions, drainage, or other general site

work; any defects in plans revised or approved hereunder; any loss or damage arising out of the action, inaction, integrity, financial condition, or quality of work of any contractor or its subcontractors, employees, or agents, whether or not the Developer has approved or featured such contractor as a builder in Ovation; or any injury, damages, or loss arising out of the manner or quality or other circumstances of approved construction on or modifications to any lot.

I. Additional Information

These *Guidelines* are intended to provide guidance to Owners and their builders and architects regarding matters of particular concern to the DRB. The *Guidelines* are not the exclusive basis for the DRB's decisions, and compliance with the *Guidelines* does not guarantee an application's approval. The DRB has the right to waive any requirements or impose additional or more stringent requirements. These *Guidelines* may be periodically revised. The most current *Guidelines* shall apply.