VENETIAN BAY HOMEOWNERS ASSOCIATION, INC.
424 Luna Bella Lane Suite 119
New Smyrna Beach, Florida 32168

DESIGN REVIEW COMMITTEE (DRC)
RULES AND REQUIREMENTS

Revised August 30, 2022

The following Rules and Regulations are subject to change depending on conditions, available materials and other such criteria that require consideration by the Design Review Committee (DRC). Initial submittal by the Homebuilder shall include:

a) Plot Plan (Include Lot Number and Address) for new construction, and a survey for all others.
b) Floor Plan and Elevations (All four sides)
c) Landscape, Irrigation and Exterior Lighting Plan
d) Colors (From approved palette)
e) Roofing Materials shall be decided prior to DRC submittal

The floor plans, elevations and landscape plans for all models must be provided to receive final DRC approval. Email submittals are encouraged.

Vacant Lots sold to someone other than a developer approved builders, must submit all necessary paperwork as all builders and residents are required to submit. Commencement of the construction of a new home must take place within one year of purchase (the "Commencement Date"). The purchase date shall mean the date affixed to the Buyer's Deed. The Commencement Date may be extended by an additional 12 (twelve) months, provided the owner receives a waiver in writing from the DRC. The completion of the home must be within 8 (eight) months of the issuance of building permits by the City of New Smyrna Beach. Completion shall be as evidenced by the Certificate of Occupancy (CO) which is also issued by the City of New Smyrna Beach. In addition to all other remedies provided by the Association's Declaration of Covenants & Restrictions, Articles and Bylaws and the Laws of the State of Florida, with respect to the Association's authority to impose a monetary fine against a violator's lot; the Association shall be authorized to levy a fine against a Lot and Owner in violation of this policy in an amount not to exceed $1,000 per month if construction of an approved dwelling unit has not been timely commenced and said fine shall be deemed reasonable for this policy.

Submittals by homeowners or their subcontractors must include a copy of the survey with the improvements shown. The color, style and, dimensions of the improvement either on the survey, or on a separate page with the information must be submitted. The name and address of the applicant must be

provided. In most cases, after approval by the DRC, a permit must be issued by the City of New Smyrna Beach.

Owner Responsibility: Each Owner is responsible for insurance compliance with all terms and conditions of the DRC Approval by all of its employees and contractors. In the event of any violation of any such terms of conditions by any employee or contractor, or, in the opinion of the DRC, the continued refusal of any employee or contractor to comply with such terms and conditions, after five (5) days' notice and right to cure, the DRC shall have, in addition to other rights hereunder, the right to prohibit the violating employee or contractor from performing any further services in Venetian Bay. Each Owner is responsible for restoring any Common Property or Private Residential Property damaged or destroyed by work activities of such Owner's contractor(s). Fines and/or other remedies permitted under the Declaration may also be imposed in the event of one or more violations.

If a design request is not cohesive or harmonious within the neighborhood in which the property is located, the Committee has the right to deny the request.

1. Roofs

a) Roofs must be cohesive with the surrounding homes within that neighborhood/sub-association (i.e. Barrel tile, shingle, etc.)
b) Insulated roofing on exterior structures is permitted but must be covered with the same roofing material as the primary structure.
c) Metal roofing is not permitted unless it is part of the original design of the home (example: shingle roofing with accent areas as metal).
    a. Full metal roofing is not permitted.

2. Fences

a) Approved fence materials shall be:
    1. White vinyl, white PV, or black wrought iron as outlined below.
b) Perimeter fences must be installed either on the property line or within the property boundaries so long as all corners are at a 90-degree angle.
    1. Fencing may not extend beyond the front plane of the house. The front plane of the home is legally described as habitable space. Garages are not habitable space.
c) Fences shall be allowed on all lots or part of a pool enclosure.
d) Solid fences may be up to 4-5 (four to five) feet solid with an additional 1-2 (one to two) foot lattice but shall not exceed a total of 6 (six) feet in total height.
    1. Minimum fence height is 4'.
    2. Fencing of a temporary nature (garden border fencing, fencing without footers, and those that can be pushed in the ground by hand, etc.) are not permitted.
e) Solid privacy fences up to 6 (six) feet in height are only allowed from the front plane (see item 2.b for definition of "front plane") of the primary structure to the rear plane of the primary structure.

f) No fence shall be constructed as to interfere with the drainage pattern in the area or to obstruct the view from waterfront properties. Waterfront properties are those with property boundary lines on the water.
    1. Lots located with golf course or water frontage may not install solid fencing.

g) For Modern Duplex Vista Palms units only, wrought iron fencing is permitted in the front yard. No other fencing style is permitted.
    1. Units facing the street must be at least 50% solid (Exhibit A) or have spacing of no less than 2".
    2. Units facing the ponds or conservation areas may use standard wrought iron fencing (Exhibit B).
    3. Fencing must be no taller or shorter than 4'.
    4. Fencing of a temporary nature (garden border fencing, fencing without footers, and those that can be pushed in the ground by hand, etc.) are not permitted.
    5. Screens or other materials of the like may not be installed on the fencing.
    6. See section above (section 2.b) regarding installation locations on each Lot.
    7. Backyard fencing must follow the standard fencing guidelines as noted above (section 2 a-f).

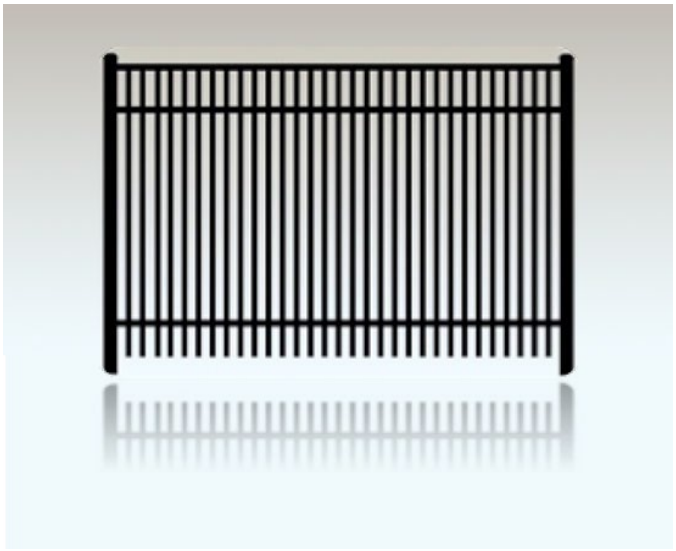


Exhibit A



Exhibit B

3. Pools and Spas/Hot Tubs

a) No above ground pools shall be allowed.

b) In-ground pools and hot tubs shall be installed as permitted by the City of New Smyrna Beach. Trim tile colors may not be of a reflective or florescent nature.

c) Stand-alone Hot Tubs are permitted in the rear of the property and must be shielded from view from neighboring properties.

4. Sidewalks and Driveways

a) Driveways may be concrete or brick pavers.

b) Driveways may NOT be painted or stained a color different than the natural color of the concrete.
c) Sidewalks will be as allowed by the City of New Smyrna Beach, either concrete or brick pavers.
d) If pavers are used, the color must blend with or complement the color palette approved for the specific builder/neighborhood.

5. Screen Enclosures/Sunrooms (Solariums)

a) Framing for screen enclosures must be white or bronze.
b) Screen materials must be charcoal or black.
c) Screen enclosures may be no closer than 5 (five) feet to the rear property line.
d) No solid materials shall be used above 4 (four) feet in height.
e) Metal roofs shall not be allowed. See Section 1.c for additional details and restrictions.
f) Roofing for exterior structures must match existing roof material of existing primary structure. See Section 1 for roofing regulations.
g) Sunrooms/Solariums are not permitted.
h) Roll-down style screen doors are permitted on garages. Sliding screen doors are not permitted on garages.
    a. Screen colors must be approved colors listed in Item 5.b.
i) Sunshades installed on screen enclosures or other exterior structures must not obstruct the water view of neighboring properties, be reflective or florescent in nature, and must be approved by the DRC. Sunshades must be removed when a Hurricane Warning has been issued.

6. LP Gas Tanks & Generators

a) In-ground LP tanks are permitted if State and Local codes are met.
b) Above-ground LP tanks are permitted if they are unable to be buried, and only if fully screened from all angles with either landscaping or approved fencing materials at the time of installation.
    a. Tanks may not be installed in locations where it affects any drainage easements.
c) Whole-home generators must be shielded from view from all angles. Equipment must be shielded with either solid fencing or landscape materials.
    a. Generators may not be installed in locations where it affects any drainage easements.

7. Awnings & Hurricane Shutters

a) Hurricane Shutters for protective purposes are permitted.
b) Accordion Shutters are permitted.
c) Hurricane Shutters may only be closed during periods of imminent threat of a tropical storm or hurricane. Shutters must be removed within 14 (fourteen) days of a passing storm.
    i. Electric roll-down style metal shutters may not be closed for privacy and fall under the removal time frame listed above. See Section 5.i for use of sunshades for privacy.
    ii. Clear shutters are permitted but fall under the removal timeframe listed above.
d) Decorative Awnings are permitted on the rear of the property only.
e) Decorative Shutters are permitted.
    i. Colors must be within approved color palette.
    ii. Style must be harmonious within the neighborhood.

8. Outbuildings; Accessory Structures; Flag Poles

a) Outbuildings or Accessory Structures closer than 10 (ten) feet to the rear and side property lines shall not have any solid walls or materials above 4 (four) feet in height.
    i. Outbuildings or Accessory Structures, such as cabanas or outdoor kitchens must be constructed with the same materials and in the same style as the primary residence on the lot. Per Section 2.3 of the Declaration, "*Non-Permitted Structures and Vehicles. No vehicles and no structure of a temporary nature or character, including, but not limited to, boats, trailers, house trailers, mobile homes, campers, recreational vehicles, tents, shacks, sheds, barns or similar structures or vehicles shall be used or permitted to remain on any Lot.*"

b) Flags: Only flags as allowed (size and type) under Florida Statute 720.304 are permitted. House-mounted flag poles with standard size American Flags do not require DRC approval. Permanent free-standing flag poles are permitted, but require DRC approval. SMALL (12"x18" garden-style flags), temporary (easily removable), decorative (seasonal or holiday), flags and poles may be placed in gardens or close to the home without review.

c) Firepits purchased at a store that are small and temporary in nature are permitted. All firepits and active burning must be done within the allowable laws permitted by City, County, and State ordinances.

9. A/C and Pool Equipment; Solar Panels

a) A/C units and pool equipment shall be screened from all angles using fencing and/or landscape materials.

b) Window A/C units are not permitted.

c) Solar heating panels are allowed, but placement is restricted to the sides and rear of the homes.

10. Paint and Exterior Colors

a) Exterior colors shall be color matched from the 2018 Sherwin Williams deck (Barcode 6508-93712 CS 09/18).
    a. Approved colors are found on the following pages within the above-mentioned color deck: 140-141, 191-250, 251-253 (trim/accent only), 254-274, 282-294.
    b. The approved color deck is available in the HOA office, at the local Sherwin Williams store in New Smyrna Beach, and online at https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/hoa.

b) All homeowners and builders throughout all neighborhoods must choose colors from the approved palette and obtain DRC approval.
    a. Builder approved themes are also available to homeowners upon request. Samples are located in the HOA office.

c) Exterior paint colors shall remain harmonious and follow the general theme within each sub-division (Coastal, Tuscan, Neutral, etc.).

11. Landscape, Irrigation and Lighting Plan Required

a) Landscape materials should be installed in accordance with the PUD Master Development Agreements with the City of New Smyrna Beach for the various phases of Venetian Bay. The DRC does not require any specific species to fulfill the landscaping requirements. Landscaping modifications following these guidelines do not require approval. NOTE: There are several PUDs that exist in the Venetian Bay community.
    a. Desert-style, or all rock yards are not permitted.
    b. Trees installed between the sidewalk and the street (right of way) must be installed as per the PUD agreement with the City of New Smyrna Beach (22.2.2). NOTE: Several PUDs exist within the Venetian Bay community.
        i. Any removal or installation must be approved by Venetian Bay's DRC Committee, as well as a permit obtained from the City of New Smyrna Beach.
b) Landscape curbing shall be concrete, natural or manufactured stone, or recessed plastic edging. All curbing should match throughout all planter beds.
    a. Wire-raised edging is not permitted.
c) Irrigation shall provide 100% coverage to the landscaped and sodded areas, and not over-spray on impervious surfaces or neighboring properties.
d) Landscape and sodded areas shall be maintained in a neat and healthy manner.
e) Landscape beds may be filled with mulch of naturally occurring color, rocks/stones, washed shell, recycled rubber mulch, steppingstones of manufactured or natural in neutral colors. Landscape beds following theses guidelines do not require DRC approval.
f) Yard Art is permitted in planter beds and yards with the following limitations:
    a. 1 large (over 3') or
    b. 3 medium (up to 3') or
    c. 5 small (under 3')
g) Landscape lighting must be approved by the DRC and shall be positioned in such a manner as not to be offensive to adjacent properties.
h) Lawns on waterfront lots shall be maintained by the adjacent lot owner to the waterline.
i) Maintenance of the trees, including right-of-way trees not located within a Common Area, are the responsibility of the homeowners.
j) Sod shall be St. Augustine in all sub-divisions, except for Portofino Estates, which shall be Bermuda grass or Zoysia.
k) Shrubs or other landscaping shall not be installed whereby it blocks the view of the pond and/or fountain from an adjacent lot owner or future lot owner.
l) Landscape/Exterior Lighting shall not be intrusive, point towards neighboring homes, or inhibit the view of street traffic.
    a. String lighting is permitted but must be white in color, not be offensive or intrusive to neighboring Lots, and must be approved by the DRC. Broken or damaged string lights must be removed immediately.

12. Children's Recreational Equipment

a) Portable and permanent basketball hoops are permitted. They may be used in the front yard driveway. They should be stored in the side yard when not in use and secured or removed during events of severe weather.
b) Children's Recreational equipment (swing-sets, trampolines, etc.) is permitted in rear yards only. Approved materials are either wood or composite, not metal. The equipment should be positioned behind the rear of the home to screen it from the street.
c) Equipment placed in rear yards, backing up to Airport Road or other streets, requires landscaping or fencing to hide the equipment from view of the street and secured or removed during events of severe weather.
d) On waterfront lots, Children's Recreational Equipment should not be visible from the opposite bank.

13. Temporary Seasonal Decorations

a) Temporary Seasonal Decorations can be installed but must not create a nuisance with excessive lights and sound.
b) Seasonal Decorations must be that as found on a typical residential Lot (not Commercial in nature) and must be of reasonable size and scope.
c) Decorations must be removed within 14 days of the passing event.

14. Mail and Newspaper Receptacles

a) Only approved USPS cluster style mailboxes are permitted.
b) Individual newspaper receptacles are not permitted.

15. Miscellaneous Other Rules

a) There shall be no hunting or fishing anywhere within the Venetian Bay community. As such, no building of tree stands, or hunting blinds are allowed. Demolition of structures will be at the expense of the violator and may be subject to fines and other penalties.
b) Trash receptacles and other waste disposal containers should be placed at the curb and stored in accordance with all City of New Smyrna Beach Code of Ordinances Section 66-32. "Garbage shall be placed in containers at the curbside or roadside for collection. Garbage shall not be placed for pickup prior to sundown on the day next preceding the regularly scheduled collection day and shall be placed for pickup prior to 7:00 a.m. on the day of collection. A sufficient number of containers shall be provided to accommodate four days' accumulation of garbage. After collection, reusable containers shall be removed from the curbside or roadside and returned to a location beyond the public view or as otherwise approved by the director of public works on the same day of collection."
    a. Please contact the City of New Smyrna Beach to obtain information on approved receptacles and waste pick-up days.

16. Single Family Residential Sign Standards

a) The purpose of standards for signs within the Venetian Bay community is to ensure the community maintains its neighborhood character. To this end, it is important that sales activities

within the community do not interfere with the homeowner's enjoyment of Venetian Bay's natural beauty. Sign Standards shall be enforced by the Venetian Bay Design Review Committee. All signs shall be in conformance with the designated Venetian Bay colors, size and design as follows:

i. Colors: Beige background with dark brown Venetian Bay logo. Dark brown lettering.
ii. Size/Design: Signs shall not exceed 18" by 24", shall be vertically orientated with a rounded top and the Venetian Bay Logo. (Example shown above)
iii. Mounting/Placement: The sign shall be mounted on a dark brown matching post. The sign shall be installed so the top is a maximum of 42" from grade.

b) One political sign including only the candidate's name and/or the words "Vote for" is allowed on a Lot for the 2 (two) weeks leading to the election and must be removed within 7 (seven) days after the election. No other signs that may be interpreted as political are allowed at any other time on a Lot.

17. Site or Lot Signage Standards

a) Only one sign is allowed for each individual lot indicating that it is for sale, rent, or lease. A sign rider not exceeding 3" by 18" may be attached to the bottom of this sign. Please find specs and sample design below.
b) Signs up to sixteen (16) Square Feet are allowed in front of homes being used as a sales center, identifying it as a sales center and including hours of operation.
c) The sign shall be installed so the top is a maximum of 42" from grade.
d) New neighborhoods under development can be identified by a sign not exceeding 4' by 8', which sign shall be removed upon the earlier of (a) installation of a permanent neighborhood entrance sign, or (b) within 90 days of completion of the first home in the new neighborhood. These signs shall be installed so that the top of the sign is no more than 6'feet above grade. ALL ENTRANCE SIGNAGE IS SUBJECT TO PRIOR APPROVAL OF THE DESIGN REVIEW COMMITTEE.
e) No vendor, subcontractor or financial institution signage is allowed at any time. Builders should inform all suppliers and subcontractors of this restriction and ensure that no signs are placed on their constructions site. Unauthorized signage will be removed and discarded without notice.
f) One political sign including only the candidate's name and/or the words "Vote for" is allowed on a Lot for the 2 (two) weeks leading to the election and must be removed within 7 (seven) days after the election. No other signs that may be interpreted as political are allowed at any other time on a Lot.

The approved sign is shown below:



[Sample Sign]

Content of Signs:

For Sale-For Rent-or Available

Real Estate Company or By Owner

Telephone Number

Additional Information