

VENTURA HOMEOWNERS ASSOCIATION, INC.

AMENDED & RESTATED

AND

RULES & REGULATIONS

DESIGN REVIEW STANDARDS

Effective as of THREE DAYS AFTER MAILING

This packet contains the Rules & Regulations and the Design Review Standards for Ventura HOA pursuant to the By-Laws of Ventura Homeowners Association, Inc. ("By-Laws") and Declaration of Covenants, Conditions and Restrictions of Ventura Homeowners Association, Inc., dated March 5, 1996, as amended from time to time ("the Declaration"). It is intended to help residents and prospective residents to understand the rules and regulations as they pertain to "Ventura Homeowners Association". This is not intended to be the complete documentation.

Section 4.7 of the By-Laws states that the Board of Directors has the right to promulgate Rules and Regulations with respect to the use, operation and enjoyment of the Common Area. See also Section 4.5 of the By-Laws with respect to the procedure for adopting the Rules and Regulations and notification to the members

Article 9 of the Declaration states that either the Board of Directors or a Design Review Committee appointed by the Board "shall establish and modify Design Review Standards for the control of the design and location of all Structures and other work within the Community." Anything not specifically approved by the Declaration as more fully explained in the Florida Statutes § 720.3035 or in a Design Review Standard requires a member to submit an application to the Design Review Committee for approval. A copy of the application can be downloaded from the Ventura HOA website or obtained by contacting the Association.

Enforcement procedures are governed by the By-Laws, Declaration and Florida Statute § 720.305. As more fully defined in Section 4.6 of the By-Laws, the Board shall appoint a Covenant Enforcement Committee who is responsible for determining if there is a violation of these Rules and Regulations, Design Review Standards or any of the covenants contained within the Declaration.

VENTURA HOMEOWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

And

DESIGN REVIEW STANDARDS

EFFECTIVE AS OF THREE DAYS AFTER MAILING

- 1) **ANTENNAS, AERIALS, DISCS, FLAGS AND FLAGPOLES:** Except as may be permitted by the prior written consent of the Association and except for satellite dishes 18 inches or less in diameter that are located in the rear of the site not above roof level, no antennas, aerials, satellite dishes, discs or flagpoles shall be placed upon any portion of the Community unless completely inside a Home. However, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, Florida Statute § 710.304(2)(a) & (b) shall control the definition of flags and flagpoles. Section 7.4 of the Declaration.
- 2) **LITTER AND TRASH CONTAINERS:** No garbage, trash refuse or rubbish shall be deposited, dumped or kept upon any part of the Community except in closed SWA designated containers. The garbage containers shall not be visible from any part of the Common Area or any adjacent Site and kept in a clean condition with no obnoxious or offensive odors emanating therefrom. Trash containers may be placed curbside no earlier than 3 P.M. on the day prior to pick-up. If the pick-up is missed, containers must be taken away from curb. Section 7.12 of the Declaration.
- 3) **PETS:** No more than two (2) commonly accepted domestic, household pets, such as dogs and cats, may be kept. Swine, goats, horses, cattle, sheep, chickens, pigeons, reptiles and other animals are prohibited. Pit Bulls, Rottweiler dogs and other canines which are generally accepted and recognized to be vicious are prohibited. The determination on what is or what may be an obnoxious or vicious pet shall be in the sole discretion of the Association.

All Pets, including cats, must be under the complete physical control of the Owner and on a hand-held leash unless within the owner's fenced-in area or enclosed patio. Owners are responsible for the pets of their guests and are subject to the same restrictions contained within these Rules and Regulation and Section 7.10 of the Declaration. All applicable state, county and municipal leash laws, or other laws concerning the handling and/or control of any pet, must also be strictly complied with. All solid waste of any pet must be immediately picked up and properly disposed of. Such solid waste shall not be disposed of on Common Area, the Site of another Owner, or in any lake, canal or drain.

4) **VEHICLE PARKING – See Sections 7.14 and 7.20 of the Declaration:**

A) No truck, commercial vehicle, van (except minivans), bus, recreational vehicle, mobile home, motor home, camper or trailer may be kept in the Community except for any of such vehicles which are completely enclosed in a garage.

B) No boats may be kept on Common Areas. All boats located on any Site must be completely enclosed in a garage at all times.

C) No Owner or his family members, guest, or invitees or lessees or their family members, guest or invitees shall be permitted to keep any vehicle in the Community which is deemed to be a nuisance.

D) No maintenance or repairs shall be performed on any vehicles upon any portion of the Community except in an emergency situation. Notwithstanding the foregoing, all repairs to disabled vehicles on the Common Areas must be completed within two (2) hours from the immobilization thereof or the vehicle must be removed from the Common Areas.

E) No motor vehicle may be parked at any time in the shaded area of the following streets: Ventura Drive, Topanga Lane, Redondo Way, Los Gatos Drive, La Mesa Drive and Encinitas Drive, as more fully set forth on the Ventura Site Plan. No overnight parking of any motor vehicle shall be permitted on the street, sidewalks, walkways, driveway aprons, rights-of-way and other common areas. Overnight parking shall be defined as from 12:00 midnight until 6:00 am.

F) The parking area serving the clubhouse, pool and tennis courts shall be used only in connection with the use of these facilities from 9:00 A.M to 9:00 P.M.

G) Parking on the grass shall be avoided as well as parking directly across from any driveway or blocking the sidewalk from pedestrian traffic. Owners shall park in front of their own residence whenever possible.

- 5) **SIGNS:** No sign, advertising or notice shall be permitted on the Common Areas or any Site unless specifically permitted by the prior written consent of an officer of the Association. However, prior written consent is not required for a small open house sign at the entrance to the community during the time of the open house. Section 7.11 of the Declaration.
- 6) **ALTERATIONS AND/OR STRUCTURAL MODIFICATIONS:** No alteration or moderation of the exterior appearance of your Home, and no alteration or modification of any driveway or mailbox, shall be made without the prior written consent of the Association, as explained on the Cover Page of this document. This includes, but is not limited to, changes to your lawn or landscaping, painting, as well as, the installation of such items as awnings, color of the house or trim or doors, replacement front doors, storm shutters, solar panels and basketball hoops. See Section 8.2 of the Declaration.
- 7) **PAINT COLORS:** Owners shall receive prior approval before painting their Homes, except if owner is repainting their Home using identical colors. The Design Review Committee (ARB) approved paint palette is attached hereto as Exhibit A. All homes shall be two-tone, which includes one color for the house body and one companion color for the trim. Color chips are available upon request, or in the clubhouse if not contact property management company for chips. Although the color palette reflects Sherwin Williams color samples, Owners may use the paint manufacturer of their choice, but, it shall be customized to match the SW equivalent. The paint color of the house shall blend with the color of any existing storm **shutters**.

For those owners who wish to repaint their house the same color please note, that the "same color" is defined as the color that the house was last painted, not the present color that has been subjected to fading. Sherwin-Williams codes or the manufacturer's colors equivalent to the Sherwin-Williams codes must be used.

- 8) **LANDSCAPING.** Owners may plant annual flowers for which they will be totally responsible for maintaining, which includes watering, as well as the removal at the end of the Bloom Cycle. Any other changes, modifications or alterations must be approved by the Design Review Committee. Section 8.3 of the Declaration.
- It is the responsibility and intent of the Association and guidance of the DRB/ARB to maintain the current look and feel of the Community with the appropriate mix of trees and shrubs

- While the Association will replace dead landscape, it will be at the discretion of the Association as to the size and type of landscape to be replaced. Should an owner desire to replace existing landscape they will do so at their expense and approval of the ARB.
- Landscape proposals will be reviewed for consistency, maintainability, and aesthetics.
- For the purposes of maintaining the required green density as originally designed, trees will be replaced with like trees ie: palm for palm, hardwood for hardwood etc. Any deviation from this standard would require sufficient justification and landscaping plans. All perimeter boundaries have a specific minimum as defined by the original site plan and must be maintained.

9) FENCES.

A) Site Perimeter Enclosures (a/k/a Privacy Fences) and other than hedges shall be the obligation of the Owner of the Site to maintain. These fences are the shadowbox standard type of fence as currently used in the Community. No changes may be made without prior written approval. Section 8.4 of the Declaration.

B) Party Enclosures are fences that are or may be on the property line shared by Owners and are the obligation of the Owners of the Sites to maintain. Any Owner who is not sure if their fence is a Site Perimeter Enclosure or a Party Enclosure should request a determination from the Association. Section 8.5 of the Declaration.

C) Landscaping Enclosures are fences that surround an Owners Site and prior written approval shall be obtained prior to erecting said fence. The style of the fence shall be the shadowbox standard type of fence as currently used in the Community or fencing compatible with existing approved Community fencing i.e. Community pool. This fencing shall be white in color.

10) HURRICANE PROTECTION INCLUDING FRONT DOORS & SIDELIGHTS AND REPLACEMENT OF WINDOWS WITH HURRICANE IMPACT WINDOWS:

Installation of any form of hurricane protection requires prior approval from the Design Review Committee (ARB), including front door and front door sidelight replacement. Owners shall also meet hurricane protection specifications pursuant to the guidelines outlined in Exhibit "B" to these Rules and Regulations. A copy of the permit shall be required to be submitted to the Design Review Committee (ARB) for the installation of any form of hurricane protection when said permit is required by the applicable Palm Beach County regulation. . Not required if replacing windows with hurricane impact windows and there is not change to the exterior appearance of the windows from originally installed.

If hurricane shutters are installed, the color of the shutter(s) must blend with the exterior paint of the home, open shutters shall not block the arch framing of any window and open shutters must allow full visibility of the window arch and exterior raised trim. In situations where there is not blending color for installed shutters the ARB and resident will work together to find a suitable alternative.

11) ROOF TILES: All replacement or repairs of roofing shall conform to the original barrel tiles in shape, size and color and must be approved by the Design Review Committee (ARB). In the event that the exact match is not available, the tiles need to replicate the originals as closely as possible. Contact property management company for tile specs since originally installed roof tiles are no longer available.

12) COACH LAMPS: *The exterior coach lamps that are on each side of the garage shall have a glass globe or glass panels with black or dark colored metal components resembling the originals installed by the Developer. Chrome, stainless steel, silver colored or spotlight type lights are not permitted.*

- 13) **LANDSCAPING BUFFERS:** These are the Common Area designated for use as Landscaping Buffers attached as Exhibit B to the Declaration, the Master Site Plat survey, and shall be maintained in accordance with the requirements of the applicable governmental agencies. No building, construction or encroachment of any kind shall be permissible in a designated Landscaping Buffer zone. Section 5.4 A. of the Declaration.
- 14) **Hurricane Protection Installed Before and After a Storm:** Storm shutters and other hurricane protection devices shall only be installed or closed no more than 7 days prior to a declaration by the National Hurricane Center of a hurricane warning where Delray Beach is in the cone of uncertainty. No more than 7 days after Delray Beach is no longer in the cone of uncertainty or the hurricane has passed, hurricane protection devices, including clear devices, shall be opened or removed on all windows and doors that face the street.
- 15) **GENERATORS:** Generators should be stored in the garage within two (2) days after electricity is restored.
- 16) **Seasonal Decorations:** Seasonal decorations shall not be installed any earlier than one (1) month prior to the celebrated holiday and shall be removed no later than one (1) month after to the celebrated holiday.
- 17) **TRADE, BUSINESS OR OTHER ACTIVITY:** No manufacturing, trade, business, commerce, industry, profession or other occupation whatsoever or any offensive activity may be conducted or carried on within the Community which causes or could become a disturbance or nuisance to the Community. This includes garage sales.
- 18) **NO SPORTS ACTIVITY ON VENTURA DRIVE**
- 19) **USE OF CLUBHOUSE, POOL AND TENNIS COURTS:** These facilities are limited to the use by residents and their guests only. Please see Exhibits C, D and E for rules governing the use of these areas. The rules are also posted at the site. Reservations of the club house does not include the pool area which will be open to residents during club house reservations.

VENTURA HOMEOWNERS ASSOCIATION, INC.

Exhibit A
to the
Rules & Regulations
and
Design Review Standards

Approved Paint Colors

Approved Paint Colors

The following are the paint colors approved for use by Owners. Note that these are Sherwin Williams colors and color chips are available upon request from the property management company. Other paint manufacturers may be used if the colors are customized to match the SW equivalent. However, in all instances, prior approval shall be received from the Design Review Committee (ARB). The color palette offers a choice of two companion trims for each body color (only one trim color shall be selected).

HOUSE COLORS:-SW CODES

Camelback - SW 6122

Wool Skein -SW 6148

Macadamia - SW 6142

Pueblo - SW 7711

Latte - SW 6108

Bee's Wax - SW 7682

Svelte Sage - SW 6164

Popular Gray - SW 6071

Trim Colors:

Ivory Lace SW - 7013

Pure White SW - 7005

Summer White SW - 7557

White Heron SW – 7627

VENTURA HOMEOWNERS ASSOCIATION, INC.

Exhibit B
to the
Rules & Regulations
and
Design Review Standards

Approved Hurricane Protection Specifications for Front Doors and Sidelights

Notwithstanding anything to the contrary in these Rules or the Community Documents, Owners **do need** the prior approval of the Association or Design Review Committee to replace the front door and front door sidelight to the home in order to meet hurricane protection guidelines, provided the following specifications and conditions are met: Approval not required if only replacing with hurricane protection and there is no change to the exterior appearance

1. Whenever required by law, the Owner must obtain a building permit and record a Notice of Commencement and provide said copy to the Association.
2. The Owner must use a licensed Florida contractor to perform the work.
3. The entire door system, including, but not limited to, the door, door frame, sidelight frame and sidelight, must have a Palm Beach County Notice of Approval or a Florida Product Approval and must conform to the building code at the time the entire door system is installed. The entire door system must meet the building code requirements for High Velocity Hurricane Zone.
4. The door can be solid (non-glazed) or have a large missile impact glass insert (glazed). If glazed, the glass can be clear, frosted, etched, textured, or decorative. The glass cannot have any color, other than a standard grey tint. However, the glass can have coming or metal, provided it is within the bronze, nickel, or wrought iron families and inside the glass. Wrought iron, while not technically coming, is another metal choice for decorative door glass if inside the glass.
5. Except for the Alhambra model that does not have a sidelight, the sidelight cannot be eliminated. It must be glazed and must be large missile impact glass. The glass can be clear, frosted, etched, textured, or decorative. The glass cannot have any color, other than a standard grey tint. However, the glass can have coming, provided it is within the bronze, nickel, or wrought iron families. If the door is glazed, the sidelight must be identical to the glazing in the door. Two identical sidelights can be installed, one on either side of the door, if the sidelights conform to all the specifications in this design standard.
6. The dimensions of the door cannot exceed 42 inches in width by 96 inches in height and cannot be less than 30 inches in width by 80 inches in height. The sidelight must be a full sidelight or a 3/4 sidelight. The width of the sidelight cannot exceed 19 inches and cannot be less than 8 inches.
7. All portions of the exterior of the door system that are not glazed must be painted or anodized the identical color of the home or the identical color of the home's trim. Stains, faux finishes, or wood finishes are prohibited.
8. The exterior door handle and exterior door lock must be in the bronze, nickel, or wrought iron families and must be identical or as near identical as possible to the coming, if any.

VENTURA HOMEOWNERS ASSOCIATION, INC.

Exhibit C
to the
Rules & Regulations
and
Design Review Standards

CLUBHOUSE RULES

- 1) CHILDREN UNDER THE AGE OF 18 MAY USE THE CLUBHOUSE WITHOUT ADULT SUPERVISION EXCEPT UNDER NO CIRCUMSTANCES ALLOWED IN THE EXERCISE ROOM WITHOUT CONTINUOUS OWNER SUPERVISION DUE TO INSURANCE.
- 2) EXERCISE ROOM - Food is prohibited.
- 3) EXERCISE ROOM - Maximum time on the treadmill is thirty (30) minutes.
- 4) BILLIARDS ROOM – No one under the age of 13 may use the Billiards Room.
- 5) Any damage to equipment or Association property should be promptly reported to the Management Company.
- 6) Owners are liable for all damages caused by their family members and guests.
- 7) Smoking is prohibited in the Clubhouse and pool area.
- 8) Bicycles, skateboards and wheeled toys are prohibited in the Clubhouse.
- 9) No one is allowed in the Clubhouse (other than the rest rooms) if they are in wet bathing suits or clothing.
- 10) The Clubhouse may be reserved by private parties. Please see the information for reserving the Clubhouse which is available from the property manager. Clubhouse reservations do not include the pool area which may be used by the reserving homeowner but does not restrict other resident use.

11)

VENTURA HOMEOWNERS ASSOCIATION, INC.

Exhibit D
to the
Rules & Regulations
and
Design Review Standards

SWIMMING POOL RULES

POOL HOURS DAWN-10:00PM

- 1) All persons using the pool do so at their own risk. The Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage for personal property. Please be advised that there is no lifeguard on duty and Owners will be responsible for the actions of themselves and their guests.
- 2) No children under the age of thirteen (13) shall be permitted in the pool area without being accompanied by a parent or adult supervisor eighteen (18) years of age or older.
- 3) Running, unnecessary noise, boisterous and rough play is strictly prohibited at all times.
- 4) Animals of any kind are prohibited in the pool area.
- 5) Diving or jumping is prohibited.
- 6) All swimmers must shower before entering the pool.

- 7) Swimmers with wet bathing suits or clothing are not permitted in the Clubhouse other than the rest rooms.
- 8) Association furniture, equipment and other property must not be removed from the pool area.
- 9) Owners are responsible for cleaning up any area they use.
- 10) Bicycles, skateboards, wheeled toys, glass containers or other breakable or sharp objects are prohibited in the pool area and clubhouse.
- 11) Pool gate must be locked at all times. Special care should be taken to ensure compliance to this rule for the safety of all children. Use your key and do not climb over the fence.
- 12) Children or adults wearing diapers are prohibited in pool. For sanitary reasons, only toilet trained persons are permitted in pool.
- 13) Any damage to equipment or Association property should be promptly reported to the Management Company.
- 14) Smoking is prohibited in pool area and clubhouse.
15. No glass bottles or glasses are allowed in the pool area.
16. No bathers with wet feet or bathing suits should enter the Clubhouse with the exception of the bathrooms which may be entered from the pool area.

VIOLATION OF ANY OF THIESE RULES MAY RESULT IN THE SUSPENSION OF THE VIOLAOTR(S)
USE OF THE COMMON AREA FACILITIES

VENTURA HOMEOWNERS ASSOCIATION, INC.

Exhibit E
to the
Rules & Regulations
and
Design Review Standards

TENNIS COURT RULES

- 1) Only tennis or all-court shoes are to be worn on the courts.
- 2) Maximum Play - One (1) hour for singles and 1 1/2 hours for doubles.
- 3) Wheels of any kind (bikes, skateboards, roller-skates, toys, baby carriages, etc.) are prohibited.
- 4) Food is prohibited.
- 5) Only tennis is permitted on the tennis courts.
- 6) Owners are liable for all damages caused by their family members and guests.