

Mizner Country Club MHOA
ACC Design Guidelines

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1.0 Introduction

1.1 Purpose

Mizner Country Club MHOA was developed in the early 1990s, featuring a variety of homesites and lakes that encourage and allow homeowners to create designs that contribute to the tropical and distinctive South Florida aesthetic. This document aims to promote architectural diversity in the design and modification of the houses and community facilities, while maintaining landscape and architectural character consistent with the site and the tropical environment.

1.2 Community Association

Every Lot Owner in Mizner Country Club MHOA is a Member of the Mizner Country Club MHOA Home Owners Association (MHOA), the entity responsible for managing all Common Area and overseeing the community's affairs. The MHOA is established through the recording of the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Preservations, and Easements (DC&Rs). The DC&Rs outline procedures, rules, and regulations that govern the community. The Design Guidelines for community living complement the DC&Rs and are intended to be used harmoniously. The Design Guidelines are authorized by the DC&Rs.

The Board of Directors (Board) oversees the business of MHOA and holds a broad range of powers. The Board established the Architectural Control Committee (ACC) to review all improvements within Mizner Country Club MHOA, including new construction and modifications to existing properties. The ACC has adopted architectural guidelines and standards to assess proposed construction activities and ensure compliance.

1.3 Architectural Submittal Procedures

Any Owner desiring approval of the ACC for construction, installation, addition, alteration, repair, change or replacement of any Improvement which is or would be Visible to a neighboring property shall submit to the ACC a written request for approval specifying in detail the nature and extent of the construction, addition, alteration, repair, change, or other work which the Owner desires to perform.

An Architectural Submittal Form requesting review by the ACC is required for new construction and all modifications to the exterior of the house, Landscape Area, or Lot. The submittal shall include the following information:

- Owner's name, mailing address and email address if available, and telephone number.
- Street address
- The guideline category for submittal.

- Confirmation that the submittal request meets Architectural Design Guideline requirements or indicates that a specific issue requires a Variance and reason why the ACC should grant said Variance.
- Estimated schedule for completion of work.
- Photographs of the existing proposed work area(s) if the project is a renovation/modification to an existing building.
- Landscape plans prepared by a licensed Landscape Architect.
- Samples of all proposed primary exterior materials and finishes.
- The name and telephone number of the Owner's agent, representative, or subcontractor (if applicable).
- Signed and sealed architectural, landscape and engineering drawings.
- Color renderings to illustrate the proposed residence/work where appropriate or as requested by the ACC.

The ACC shall decide on a complete submittal within forty-five calendar (45) days. Incomplete submittals may result in ACC delays of project approvals. Submittals will be returned with one of three decisions 1) approved, 2) approved with stipulations/conditions, or 3) rejected.

A letter explaining the ACC's decision will be emailed to the address on file. The letter will be sent from the Mizner Country Club MHOA property manager. Verbal approvals are not valid, nor are emails without the proper signature of an ACC member.

If a submittal is denied, an Owner may appeal the ACC's decisions to the Board for consideration, in which case the Board's decision shall be final.

During this process, the ACC and the Board will interpret the DC&Rs and Architectural Design Guidelines and apply them to the Owner's request. Sometimes, where the documents are silent, they adopt language for or against the issue. In addition, Florida and Palm Beach County laws shall be followed.

Any changes, modifications, or additions to the homeowner's approved plans require an additional submission form and written and signed approval from the ACC. Email approvals for changes and additions will be considered valid.

All fully executed ACC approval forms must be provided to the Mizner Country Club MHOA at any time during the building process and maintained on record after completion.

1.4 Architectural Consultant

Mizner Country Club MHOA may retain a State of Florida Registered Architect who shall act as a professional consultant on behalf of the ACC and Board of Directors. If the Board determines that an independent architect is needed to review the homeowner's plans and submissions the homeowner shall have the option to pay the cost of the independent architect, withdraw its application or avail itself of the Appeal process in article 1.5 herein.

As a homeowner in Mizner Country Club MHOA, you have a vision of what you want and have likely hired an architect to design your home, alteration, or addition. Mizner Country Club MHOA's ACC Architectural consultant will assist you and your architect navigate the ACC Design

Guidelines to facilitate the process and ensure that your improvements and home are in harmony with the community.

The Mizner Country Club MHOA ACC Architect will review your preliminary and final drawings, materials, and finishes, issue a review report, make periodic site visits along with you, your contractor, and architect to review the construction progress, and issue progress reports citing observed ACC Design Guideline deficiencies. Once construction is complete, the Mizner Country Club MHOA ACC Architect will conduct a final site visit and prepare a final report indicating compliance.

If the ACC retains an architect, the homeowner is responsible for paying the fees from the Mizner Country Club MHOA Architect for both the plan review and the site inspections.

Although the Mizner Country Club MHOA ACC Architect will assist you and your construction team, it is essential to note that compliance with the ACC Design Guidelines is the homeowner's responsibility.

1.5 Appeal Process

Any Owner or other Member in disagreement with a decision of the ACC may appeal the decision to the Board per procedures established by the Board. During this time, the Owner or Member shall demonstrate to the Board that the ACC's interpretation of the DC&Rs and Architectural Design Guidelines is incorrect. If the Board, after appealing, again rules in a manner aggrieving the appellant, the decision of the Board is final. The Board has the authority to modify or overrule the decision of the ACC on any matter presented to it as explained in the DC&Rs.

1.6 General Principles

The Mizner Country Club MHOA Architectural Design Guidelines promote the high quality of Mizner Country Club MHOA and enhance the attractiveness and functional utility of the Community. These qualities include a harmonious relationship among structures, vegetation, topography, and overall design of the Community. Any change to a residence or the landscaping shall be Compatible with the overall look and feel of the Community. The Mizner Country Club MHOA monitors any portion of any Visible Lot or Parcel to ensure consistent application of the Architectural Design Guidelines.

The ACC strives to maintain the consistency of the community and its decisions. Variances may be granted on a case-by-case basis, but shall remain consistent with the architectural and neighborhood characteristics. Owners shall indicate in their submittal plans any Variance they may be requesting.

1.7 Consideration of Neighbors

The interest of neighboring properties shall be considered by making reasonable provisions for access, surface water drainage, sound and sight buffers, light and air, and other design aspects. If an approved change requires a surface water drainage permit from Palm Beach County or the Water Management District, a copy of the approved permit shall be submitted to the Mizner Country Club MHOA ACC.

1.8 View Preservation

Although Mizner Country Club MHOA incorporates many large lakes and other features, View preservation is not guaranteed.

1.9 Workmanship

The quality of workmanship evidenced in construction shall be acceptable to the Mizner Country Club MHOA ACC or ACC Architect in their reasonable discretion. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Mizner Country Club MHOA ACC assumes no responsibility for the safety or livability of new construction by virtue of design or workmanship.

1.10 Zoning Codes and Building Codes

All construction work shall comply with codes, statutes and ordinances having jurisdiction.

Where the Mizner Country Club MHOA Design Guidelines are silent on a subject, the homeowner/contractor shall follow the minimum requirements of Palm Beach County Zoning.

2.0 Definitions of Capitalized Terms

Common Area: All Mizner Country Club MHOA HOA land and the Improvements thereon.

Community: Refers to the individual street documents. Different characteristics are present with in the different streets. Changes will be submitted to and reviewed by the committee.

Compatible/Compatibility: Harmony in style, scale, materials, color, and construction details.

Courtyard: The portion of a residential Lot at the front entrance area may or may not be enclosed with a wall to create a transition zone between the living area of the house and the Front Yard.

Architectural Design Control Committee (ACC): The committee created and appointed by Mizner Country Club MHOA Board pursuant to the DC&Rs.

Architectural Design Guidelines (Guidelines): A shortened name of Mizner Country Club MHOA Architectural Design Guidelines, the collection of rules for maintaining the landscape and architectural character of the Community.

ACC Architectural Consultant: A State of Florida registered architect retained by the Mizner Country Club MHOA ACC to assist the community with review of new construction, additions, and alterations, for compliance with the Mizner Country Club MHOA ACC Design Guidelines.

Dwelling Unit: Any building or portion of a building situated upon a Lot or Parcel designed and intended for use and occupancy as a residence by a single family.

Front Yard: Includes the portion of the Lot that extends from the curb and/or sidewalk to the front of the residence.

Improvement: Buildings, roads, driveways, levees, dams, channels, basins, parking areas, fences, walls, rocks, hedges, plantings, trees, shrubs, and all other structures or landscaping improvements of every kind and type.

Landscape Area: Any part of a lot not covered by the house or other structure, hardscape, or pool. Landscape Area is typically covered with turf, plants, and/or ground cover.

Lot: Any area of real property within the covered property designated as a Lot on any subdivision plat recorded and approved by the declarant, authority having jurisdiction or Board.

Mizner Country Club Master Homeowners Association (MHOA): The nonprofit corporation organized by the declarant to administer and enforce the Declaration and to exercise the rights, powers, and duties outlined in the DC&Rs.

Member: Any person or entity holding a membership in the MHOA pursuant to the DC&Rs.

Owner: The record Owner, whether one or more persons of beneficial or equitable title to the fee simple interest of a Lot or Parcel.

Rear Yard: Includes that portion of the Lot that extends from the rear facade of the house to the rear Lot line and from the side Lot line to the opposite Lot sideline.

Side Yard: This portion of the Lot extends along the side of the house from the inside part of the front facade rearward to the rear facade. Depending on how the house sits on the lot, side yards may or may not be visible from neighboring properties.

Variance: The Architectural Design Control Committee (ACC) may authorize in writing a variance from its Guidelines and procedures, but only: (a) in accordance with duly adopted standards set forth in the Architectural Design Guidelines, (b) when unique circumstances dictate, such as unusual topography, natural obstructions, hardship or aesthetic or environmental considerations, and (c) when construction in accordance with the Variance would be consistent with the purposes of the Declaration and Compatible with existing and anticipated uses of adjoining properties. An Owner's inability to obtain or meet the terms of any governmental approval, or the terms of any financing, shall not be considered a hardship warranting a Variance.

Visible: If a person five (5) feet tall standing at ground level on any part of any Lot, Parcel, or Common Area, which adjoins the Lot or Parcel, can see an object, that object is considered Visible.

Walkway: A stabilized, smooth and firm passage or path for walking.

3.0 Mizner Country Club MHOA Architectural Design Guidelines

3.1 Architectural Character

Any proposed construction, addition, or alteration shall be Compatible with the design characteristics of the original structure, adjoining properties, and the neighborhood setting. Each Mizner Country Club MHOA home shall be unique, designed to the highest aesthetic standards, and constructed of the highest quality to ensure harmony between manufactured and natural environments.

3.2 Additions

General principles include (but are not limited to);

3.2.1 The addition of a second level must blend with the original home design, so it does not appear to be an afterthought.

3.2.2 Where a conflict exists, the addition shall comply with the Palm Beach County Zoning Ordinances or the Mizner Country Club MHOA Architectural Design Guidelines, whichever is more restrictive.

3.2.3 Setbacks should be in keeping with the neighborhood characteristics and Palm Beach County Zoning Ordinances.

3.2.4 Additions should be architecturally consistent with the building and neighborhood.

3.2.5 All exterior designs and finishes should be completed in a workmanlike manner and be consistent with the original design and finish of the existing house.

3.3 Ancillary Equipment

Approved exterior ancillary equipment as listed below should be installed to minimize Visual impact to the Community per State, county, and City law.

3.3.1 Roof-Mounted Equipment: It is prohibited to install cooling equipment, such as in-window air conditioning units, chillers, and through-wall HVAC units. Rooftop equipment must be screened so that the screening is indiscernible from the residence's design. Such equipment shall not be visible from the ground, roadways, or neighboring properties.

3.3.2 Satellite Dishes: The ACC has the right to review the installation and regulate it to the following extent:

- Visible dishes may be required to be painted to match the building's body color.
- Visible cable runs are prohibited.
- The ACC may require screening in the form of vegetation to shield the dish from visibility.

3.3.3 Solar Panels: Section 163.04, Florida Statutes provides that no ordinances or laws can prohibit the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.”

Owners shall submit an Architectural Submittal Form along with detailed plans, including the color of the frame, prior to installing any solar energy device.

All wires and cables shall be run through the attic when possible.

Any exposed wires, cables, and conduit shall be enclosed and covered by metal raceways and painted to match the surface to which they are attached. Switchgear and junction boxes shall be screened by a privacy wall or painted to match the surface to which they are attached. Solar panels and frames shall be installed in a manner that minimizes their visibility and appearance.

3.4 Awnings

The installation of awnings is permitted for the homes rear yards. Proposed locations may not be visible from the street or golf course and will be considered on a case-by-case basis by the Mizner Country Club MHOA ACC.

3.4.1 Awnings shall be constructed of Sunbrella canvas or other material rated for exterior use.

3.4.2 Awning frames shall be painted to match the house's color scheme.

3.4.3 Awning materials shall match the color scheme of the house.

3.4.4 Awnings shall be maintained. Owners shall replace awnings showing deterioration, fading, wear patterns, and incidental damage. The Mizner Country Club MHOA ACC holds the right to determine when an awning shall be repaired and/or replaced.

3.5 Barbecues

3.5.1 The top of any portion of a BBQ shall be no higher than any adjacent wall or fence, and if the rear of said structure is Visible from any neighboring property, golf course and, common area, it shall be completed in a finished state.

3.5.2 All BBQs and the flames emitted from these fire-producing devices shall be a minimum of fifteen (15) feet from any property line or structure unless constructed as part of the residence in accordance with the building code(s).

3.6 Basketball Equipment

PORTABLE BASKETBALL HOOP RULE

PORTABLE BASKETBALL HOOPS WILL BE ALLOWED WITH THE FOLLOWING RESTRICTIONS:

1. THE PORTABLE BASKETBALL HOOP SHALL BE LOCATED ON OR JUST OFF THE RESIDENT'S DRIVEWAY SO AS TO FACILITATE PLAY ON THE DRIVEWAY ONLY.
2. THE PORTABLE BASKETBALL HOOP SHALL BE PLACED IN A LOCATION BETWEEN THE RESIDENT'S SIDEWALK AND HOME, AT A MINIMUM OF 10 FEET FROM THE RESIDENT'S SIDEWALK.
3. THE EQUIPMENT SHALL BE MAINTAINED IN A REASONABLE AND PROPER MANNER.
4. THE PORTABLE BASKETBALL HOOP SHALL NOT BE USED AFTER SUNSET.
5. THE PORTABLE BASKETBALL HOOP MAY BE LEFT IN ITS LOCATION OVERNIGHT.
6. THE PORTABLE BASKETBALL HOOP SHALL BE REMOVED UPON ISSUANCE OF A HURRICANE WARNING.

3.7 Decorative Art

3.7.1 The selection and display of decorative objects is a personal aesthetic choice and one not necessarily shared by neighbors. Decorative art should be constructed of materials and in such a style as to complement the home and South Florida tropical environment of Mizner Country Club MHOA.

3.7.2 The Mizner Country Club MHOA ACC shall approve Decorative Art visible to roadways and neighboring properties before installation. When visible to roadways and neighboring properties, the size of each piece shall be proportional to the house and shall be approved by the ACC.

3.7.3 Wherever possible, metallic designs shall not create glare that can affect neighbors.

3.7.4 Must be hurricane-proof

3.8 Driveways

3.8.1 Driveways are a necessary component for ingress and egress of vehicles to and from the garage and for parking of vehicles. Driveways should be low in reflectivity and of a material and color compatible with the community's character.

3.8.2 Acceptable driveway materials include standard uncolored concrete, salted concrete, porcelain pavers, and concrete pavers. Colors for driveway material or coatings shall complement the house's color scheme as determined by the ACC. Physical Samples are required to be submitted.

3.8.3 Hard surface percentage guidelines shall be observed. Please see Section **3.15** Hardscape, Walkways and Patios for specific guidelines.

3.8.4 Variances may be made on a case-by-case basis.

3.9 Exterior Painting

3.9.1 Color schemes should have minimal visual impact, low reflectivity and glare, and should complement the South Florida tropical environment in a manner consistent with the Mizner Country Club MHOA community as a whole.

3.9.2 All color schemes shall be presented to the Mizner Country Club MHOA ACC for review and approval.

3.9.3 3.9.3 Departures from the ACC approved color scheme without prior ACC approval will require repaint to the approved colors.

3.9.4 Homeowners must obtain Mizner Country Club MHOA ACC approval before painting. No two homes next to each other should be the same color.

3.10 Exterior Fireplaces, Firepits, and Fire Features

3.10.1 Exterior Fireplaces and similar structures should be located to minimize noise, smoke, or other encroachments on neighbors' quiet enjoyment of their own property. These should be designed to complement the style and architecture of the house.

3.10.2 Fireplaces and firepits are restricted to Rear Yards and courtyards ONLY.

3.10.3 All structures shall be wood-burning or propane within the Mizner Country Club MHOA Community.

3.10.4 All flames emitted from fire-producing structures shall be a minimum of fifteen (15) feet from any property line or structure and shall not exceed the fence height.

3.10.5 These outdoor structures shall be consistent in material and color with the residence and perimeter wall.

3.11 Garage Doors

3.11.1 Garage Doors, while a prominent feature of the home, should have no unnecessary ornamentation or trim in order to not detract from the main front entry of the house.

3.11.2 All garage door replacements shall be submitted to the ACC prior to installation.

3.11.3 The garage door material, color, and finish shall be complimentary to the color scheme of

the house, unless otherwise approved by the ACC.

3.11.4 Garage doors with windows shall not be covered with reflective material such as foil, paper, bed sheets, or any other temporary covers. Tinted or frosted glass shall be used to ensure that the garage contents are not Visible.

3.11.5 New construction, alterations, and door replacement applications shall include a color photo or brochure of the desired door style and finish as well as a color photo for the front elevation of the house. Garage doors shall be complementary with the style, color, and architecture of the house.

3.12 Garage Sales

3.12.1 Garage sales of any type are prohibited.

3.13 Gutters and Downspouts

3.13.1 Gutters may be added to houses to prevent erosion of Landscape Areas. Gutter installation shall be configured to the appropriate roof drainage plans for specific houses and elevations.

3.13.2 Drainage shall not be conveyed onto adjacent properties.

3.13.3 The finish shall match the adjacent surface of the house in color.

3.13.4 High-quality materials that offer long life are recommended, as the Owner will be required to maintain these additions in good repair.

3.13.5 Plans shall include the proposed locations of the gutters and downspouts and the quality of material to be used.

3.13.6 Downspouts shall terminate into a drywell or be piped to discharge into the lake if permitted by the authority having jurisdiction. A fall block not exceeding twenty-four (24) inches square may be installed below each downspout.

3.14 Hardscape, Walkways and Patios

3.14.1 Paving materials should blend with the surrounding Landscape Area by being low in reflectivity and of materials and color that are Compatible with the residence. All hard-surface areas (pavement, concrete, stone walks, patio areas, etc.) located in the Front Yard shall conform to the guidelines set forth herein. Items not to be considered as part of the hardscape surface shall be natural boulders, natural landscape stones, walls, and freestanding benches used primarily for aesthetic landscaping.

3.14.2 The total hardscape surface (including driveway) within the Front Yard area shall not

exceed twenty-five (25) percent of the total yard area. The hardscape surface, exclusive of the driveway, shall not exceed fifteen (15) percent of the total Front Yard area. The Mizner Country Club MHOA ACC may modify the above percentage for larger lots where in the sole opinion the Mizner Country Club MHOA community character is maintained.

3.14.3 For the purposes of this section, the Front Yard area shall be defined as all land in front of the Dwelling Unit and within the boundaries of the property that is Visible from the street. This shall exclude enclosed Courtyards, covered alcoves, and street sidewalks (as shown on the master plan and located within the property boundaries, if any).

3.14.4 All plans submitted for review and approval shall be drawn to scale and shall accurately represent the conditions at the site.

3.14.5 Walkways and patios may be concrete, integral color concrete, salted concrete, exposed aggregate concrete, concrete pavers, porcelain pavers, natural stone such as limestone, flagstone, slate or other material as may be approved by the ACC. ACC may request samples of any material.

3.14.6 All hardscape is required to have a thirty-six (24)-inch minimum setback from perimeter walls and the Dwelling Unit allowing for landscape and roof drainage.

3.14.7 Hardscape may be used to border the driveway and shall be no wider than twenty-four (24) inches at any point. Such borders shall be constructed using a material and color that complement the existing driveway or other Front Yard hardscape.

3.14.8 Walkways shall not exceed five (5) feet in width unless part of the architectural design aesthetic and shall not be used for parking vehicles or trailers or for vehicle access to the Rear Yard.

3.15 Lighting (Attached to the Residence)

3.15.1 Light fixtures include, but are not limited to, coach lights, entrance lights, and flood or security lights.

3.15.2 Flood and security lights shall be concealed from street view, Common Area view, and neighboring property views. Concealment may be accomplished by locating the light under eave lines, in niches, or within specially designed structures or shields.

3.15.3

All light fixtures shall be painted or finished to be consistent with the color scheme of the house.

3.15.4 Light fixtures are required to have clear/white bulbs only. Colored light bulbs are prohibited outside of the holiday season (November 1st through January 5th).

3.15.5 Light sources shall always be directed downward onto the Owner's property and shall not be directed toward streets, Common Areas, Golf course or neighboring property. Light bulbs shall

not be visible from roadways or neighboring properties.

3.15.6 Fixtures shall be of a type in which the bulb is concealed. Visible bulbs are prohibited.

3.15.7 Existing and new outdoor-lighting bulbs/fixtures shall be warm white light with a color temperature range of two thousand one hundred (2,100) Kelvin to three thousand (3,000) Kelvin. Warm lights, such as two thousand one hundred (2,100) Kelvin to three thousand (3,000) Kelvin, tend to work best for outdoor living/entertainment purposes.

3.15.8 Pathway lighting shall be designed for occupant and visitor safety. It should be low height landscape lighting designed to light only the path.

3.16 Play Structures – Rear Yard Only

3.16.1 Play structures are permitted subject to prior review and approval by the ACC and subject to the following guidelines:

3.16.2 Structures shall not be visible from the golf course

3.16.2 Structures shall not exceed ten (10) feet in height.

3.16.3 The maximum height of any deck/platform is to be four (4) feet above ground.

3.16.4 The ACC will consider the appearance, height, and proximity to neighboring property. Play structures should be placed and screened so they are not visible from the street or golf course.

3.16.5 Any canopy or roof material shall be Sunbrella type canvas, roof tiles which match the house, or wood that is wood-tone stained or painted to match the house.

3.16.6 Shade canopies shall be of a color that compliments the residence. A brochure or picture is required with submittal.

3.16.7 Typical play structure examples: swing sets, slides, and playhouses.

3.17 Pools and Spas

3.17.1 All pools, and spas, are required to be submitted to the ACC for approval prior to installation.

3.17.2 Water's edge setback from the property line shall be a minimum of PBC standards.

3.17.3 All pools must be enclosed with fencing on the property line or around the pool per County and State building code requirements.

3.17.4 Pool equipment shall be screened with fence with landscape material, other proposed screening approved by the ACC.

3.17.5 Backwash shall not be discharged onto adjoining properties or the lake, ditches, natural swale washes, Common Areas and Landscape Areas, drainage-ways, or streets.

3.17.6 Pool fence requirements are regulated by Palm Beach County and the State of Florida. The County should be contacted to determine the safety fence requirement for your pool. If the fencing is attached to the house, the Owner may paint the fence the same color as the body of the house. For safety reasons, all openings in walls shall be securely covered during construction to prevent children from entering and being injured.

3.18 Portable Flame Sources

3.18.1 Portable flame sources such as propane patio heaters, food smokers, and firepits are permitted. Still, they shall be stored so as not to be Visible from neighboring property or the Common Area when not in use.

3.19 Prohibited Structures/Items/Activities

3.19.1 The following add-ons are prohibited within the Mizner Country Club MHOA Community:

3.19.2 Clotheslines or other outdoor drying facilities.

3.19.3 Batting cages.

3.19.4 Above-ground pools.

3.21.5 *Fireworks.*

3.20 Roofs/Shutters

3.20.1 All tile roof material requires ACC approval.

3.20.2 Roller Shutters and Hurricane Protection

3.20.3 Roller shutters installed on existing homes shall be permitted to remain.

3.20.4 Roller shutters are not permitted on new construction or alterations.

3.20.5 All new homes and alterations shall be constructed with State of Florida or Miami-Dade County NOA approved impact resistant hurricane windows and doors.

3.21 Rear Yard Structure

3.21.1 Because of the wide variety of structures to which the terms gazebo, ramada and pergola are applied, each application for a structure of this type will be reviewed on a case-by-case basis.

3.21.2 All structures shall integrate into the existing architecture of the house, as well as the design of any existing ancillary structures. The ACC reserves the right to limit the size or quantity of such structures in any yard based on the size of the yard, the number of the proposed structures, and the overall impact of the structures to Neighboring Properties. If multiple structures are appropriate, consistency in style, material, and color will be required.

3.21.3 Rear Yard structures shall be designed with minimal ornamentation and be consistent and visually Compatible with the style, scale, and materials found on the house.

3.21.4 Detached Shade Structures (Ramada's, Gazebos, lattice covers, or other similar structures).

- a. The structure shall be painted, or be of a color, to match the color scheme of the house and be maintained in good condition.
- b. Lighting of the structure shall be approved by the ACC prior to installation.

3.22 Attached Shade Structures

3.22.1 Shall meet the specifications of detached shade structures as stated above.

3.22.2 A patio cover or shade cover which is firmly and substantially affixed to the main existing residence and is adjacent to and abutting the main residential Dwelling Unit may be considered a part of the existing structure.

3.22.3 Patio covers, and similar additions shall be in scale with and similar to the nature and character of the existing yard and Dwelling Unit, including materials, textures, and colors.

3.22.4 Submission data shall clearly show the location of the proposed Improvement along with sufficient dimensions and details to ensure compliance with all areas of this section.

3.22.5 Wood, aluminum, stucco, and stone of earth-tone colors are permitted materials.

3.22.6 Any cover NOT abutting or firmly and substantially affixed to the main residential dwelling is detached.

3.23 Signs

3.23.1 Signs are not permitted on any homeowner's lot. Only house security monitoring signs, and signs that cannot be prohibited by law are permitted. Commercial contractor signs are prohibited.

3.23.2 Illuminating temporary signs is prohibited.

3.23.3 House Number Signage requires approval by the ACC and shall conform to both Community aesthetics and Palm Beach County requirements.

3.23.4 House number signage shall be kept in good condition so as to be clearly readable from the street.

3.23.5 Open House, For Sale, Lease and For Rent signs are prohibited.

3.24 Surveillance Devices

3.24.1 Surveillance devices are permitted on the exterior of Dwelling Units. MHOA & ACC recommend that the Owner consider the privacy of surrounding properties when installing such devices.

3.24.2 Installed devices shall be oriented for surveillance of the homeowner's property only.

3.24.3 No exterior wiring, or conduit shall be visible and shall be run interior to home.

3.25 Walls / Fences and Pilasters

3.25.1 The Mizner Country Club MHOA HOA and ACC only approve aluminum picket fence. Approved fences must be planted with hedge or shrub material to fully conceal the fence from the view of adjacent properties and streets.

3.26 Water Features

3.26.1 The ACC will examine all water feature proposals with respect to size, style, location, quality, and the impact of the feature on neighboring properties. Permanently installed water features are preferred, but the ACC will evaluate non-permanent structures and shall be subject to ACC approval

3.27 Windows

3.27.1 Windows, including frames and glass, should not create excessive reflection and should be of a color and style that is consistent with the character of the house.

3.27.2 Enclosures, shades, screens, tinting, awnings, or other items affecting the exterior of the window require approval from the ACC.

3.27.3 Window screens shall be of a contrasting color, approved by the ACC, so as not to lose the architectural details of the window.

3.27.4 Window frames shall be inset into the stucco in lieu of framing the stucco.

3.27.5 The interior or exterior of any window shall not be covered with material such as cardboard, foil, paper, bedsheets, or any other temporary coverings.

3.27.6 Security bars or grilles are not permitted on windows.

3.28 Design Duplication

3.28.1 At a minimum, no abutting single family homes shall have the same color (exterior paint and roof tile). Significant alternate elevations may be applied to the same floor plan. This shall apply to both front and rear elevations.

4.0 Mizner Country Club MHOA Landscape Design Guidelines START

4.1 Minimum Requirements

Upon final inspection, the ACC reserves the right to require additional landscaping within reasonable discretion.

4.2 Florida-Friendly Landscaping

The Mizner Country Club MHOA HOA encourages Homeowners to implement Florida-Friendly Landscaping on the Homeowner's private property in accordance with Florida Statutes Section 373.185 (2010).

4.3 Landscaping Selection

The homeowner is encouraged to select landscape plants suited to the soil and other site characteristics. The ACC discourages use of continuous hedges along property lines.

4.4 Design and Layout for Homeowners

It is encouraged that the Homeowner design the landscape so that plants serve a number of functions including, but not limited to, cooling, privacy screening, shade, aesthetics, softening elevations of the house, wildlife habitat, runoff pollution prevention, and directing traffic flow onto and within the property.

4.5 Native Vegetation

Homeowners are encouraged to incorporate native vegetation into the landscape whenever feasible.

4.6 Plant Installation.

Homeowners are encouraged to install plants in accordance with the most current version of Florida-Friendly Landscaping.

4.7 Mulching

Mulch should be placed in a thickness of 3–4 inches and not piled around the trunks of trees or the stems of landscape plants. Several inches of clearance around tree trunks and plant stems are required. Mulch settles after initial application and will be maintained at a depth of 2–3 inches. Large mulched areas that slope to impervious surfaces or water bodies will be bordered by a turf or other groundcover to slow and absorb nutrient-laden runoff from the mulched area.

Organic mulch may require weeding and replenishment once or twice a year to maintain a total depth of 2–3 inches. Mulch will be applied to extend to at least a tree's drip line, or beyond, or to at least an 8-foot diameter around the tree. Organic mulch and recycled mulch (including leaves, pine needles, grass, and shrub clippings) are recommended.

Cypress mulch is often made from waste wood generated in manufacture of these products, but it may also be produced from whole trees cut from wetlands. The use of cypress mulch is not recommended, as its origins may be difficult to determine.

Shell, crushed stone, or pebbles may not be used as mulch but will not contribute to the soil's nutrient

Mulch. Impervious surfaces, including plastic sheeting, will not be placed below mulch. This does not prohibit the use of woven or other pervious ground cloth.

White gravel, shells, and other similar light-colored materials are prohibited as major landscape ground coverings in lieu of vegetation.

4.7 Artificial Turf

Artificial or faux turf of the highest quality may be permitted with Mizner Country Club MHOA ACC approval. Side and rear yards only.

5.0 Major Construction

5.1 Overview

Major Construction activities include, but are not limited to, exterior additions, remodeling, new home construction, and new pool rebuilds. All construction sites must be maintained as clean and organized as possible so as not to become unsightly to the community.

5.2 Site Inspections & Surveys

A pre-construction meeting is required with the homeowner, contractor, and ACC Board representative prior to the commencement of construction.

5.3 COI & Builders Risk

Prior to the commencement of any construction-related activity, the Mizner Country Club MHOA, with the Association named as an additionally insured, will receive a Certificate of Insurance.

5.4 Construction Deposit Builders Risk instead

MCC may require a construction deposit at discretion of MHOA and ACC. The ACC reserves the right to request additional deposits, either before the commencement of construction activities or during the course of construction activities, that the ACC may deem necessary. The deposit will be refunded after all construction; landscaping is complete and a final inspection by the Mizner Country Club MHOA ACC Architectural Consultant has been made ensuring full compliance with the ACC approved plans. The ACC reserves the right to deduct any unpaid fees and/or unpaid costs to repair community property from construction damage. Also, any fees paid to the Architectural Consultant and their subcontractors for review of the projects will be deducted from the construction bond.

5.5 Streets and Parking:

Streets shall remain accessible. As much as possible, construction vehicles will avoid parking on the road. Overnight parking by construction vehicles on the street is prohibited whether or not required by the DC&Rs and will be enforced. Construction materials shall not be placed on the

street. Streets shall be “broom cleaned” daily. Damage done to the street and pathways, such as what may occur by heavy machinery or concrete spills, shall be immediately repaired, and returned to the original condition by the homeowner.

5.6 Construction/Maintenance Hours:

Monday through Friday, 7:30 A.M. to 5:30 P.M.; Saturday, 8:00 A.M. to 5:00 P.M.; no work on Sundays or National Holidays. Heavy equipment may not enter Mizner Country Club MHOA or be operated before 8am. No noise-generating machinery may be used before 8:00 A.M.

Construction workers are permitted inside Mizner Country Club MHOA gates only during the above hours. If any construction-related activity is done before or after these hours and the ACC issues a complaint, the contractor/homeowner will receive a warning of the violation. Should special circumstances arise where work is necessary before or after regular hours, please get in touch with the Mizner Country Club MHOA ACC for approval. In any event, the homeowner or designated representative must be present and on-site for the duration of all after-hours work being performed.

5.7 Dumpsters:

Dumpsters are to be placed completely on the Owner’s Lot. Dumpsters are permitted for a duration of the project. Dumpsters shall be emptied frequently enough not to create a nuisance (such as odors, debris above the top of the container, or trash blowing from it) for neighboring properties and Common Areas. Dumpsters shall have a protective netting cover to contain debris within when not in use. Dumpsters shall be in reasonably good condition without exterior graffiti or major markings other than the owner’s identification. The Owner shall protect the dumpster from becoming the “neighborhood dumping spot” so as to prevent landscapers and neighbors from using it. Only solid construction materials, such as lumber, wire, drywall, etc., shall be disposed in the dumpster (no liquids or perishable garbage).

5.8 Storage Containers:

Storage containers are permitted during construction process and kept on driveway without blocking the sidewalk.

5.9 Portable Toilets:

Portable toilets shall be located on the Owner’s Lot, within the building envelope and must be screened from view. Portable toilets are permitted for the duration of the construction project.

Portable toilets shall be located as close to the Owner’s Dwelling Unit structure as reasonably possible; curbside placement is prohibited.

The structure shall be in reasonably good condition without exterior graffiti or major markings other than the Owner’s identification. Frequent cleaning and pumping are required to eliminate odor. The Mizner Country Club MHOA ACC, at its sole discretion, may deem the portable toilet a

nuisance and may require its removal or frequent pumping or cleaning at the Owner's expense.

5.10 Permit

A copy of a valid Palm Beach County Building permit shall be furnished to the ACC prior to the start of all construction related activities. Such permit shall also be displayed in the construction site in accordance with jurisdictional requirements.

5.11 Setbacks

Building setbacks shall be in accordance with Palm Beach County Zoning Ordinance requirements.

5.12 Lunch Wagons

Lunch wagons are not permitted within the Mizner Country Club MHOA community/property.

5.13 Parking

Parking on roads shall be minimized to the greatest extent possible, when necessary.

5.14 Damage

Damage done during construction to another homeowner's property of MHOA property shall be repaired within 72 hours or reasonably directed by the Mizner Country Club MHOA ACC, by the lot owner whose construction crew caused the damage. If not repaired within the allotted time, the repairs maybe be undertaken by the MHOA and the cost shall be the responsibility to the Homeowner and subject legal and community violations and fines..

5.15 Silt Barriers

Are required when major construction is taking place on the lot to prevent debris from entering in to the street.

5.16 Hurricane and Storm Preparation

All construction sites should be secured and prepared 24 hours before a hurricane or tropical storm makes landfall. Preparation for a storm must begin once a Hurricane or Tropical Storm Watch has been issued.