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**BARTON FARMS DEVELOPMENT STANDARDS**

**AND**

**ARCHITECTURAL CRITERIA**

Adopted by the Barton Farms Architectural Review Board and the Barton Farms Community Association, Inc., on \_\_\_\_\_, 1996.

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Barton Farms Architectural Review Board

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BARTON FARMS COMMUNITY ASSN., INC.

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BARTON FARMS INC.

## SECTION 1

### General Information

1.01 Statement of Purpose. The purpose of the BARTON FARMS Development Standards and Architectural Criteria is to produce an aesthetically pleasing community of high quality balancing the existing environment with compatible and complimentary single-family home designs, all combining to protect and enhance the property value of each resident. Specifically, the Development Standards and Architectural Criteria is the definite guide for development and construction within the community of BARTON FARMS. Among the objectives of this document are the following:

(1) To outline and designate the responsibilities of the community developer, the Builder and the lot buyer, regarding the purchase, design, construction, and use of the home site.

(2) To establish the standards and criteria for efficient, high quality, well-designed and implemented development and building plans.

(3) To establish procedures for the processing and review of all plans by the Barton Farms Architectural Review Board, including but not limited to plans for new construction, remodeling, additions, expansions, or renovation.

(4) To encourage professional working relationships and coordinate the interaction between the Developer, Builder, Designer, Broker, and Buyer to insure the compatibility of design and construction with the community and with the existing environment.

All homesites within BARTON FARMS are conveyed subject to the Development Standards and Architectural Criteria pursuant to the Master Declaration of Easements, Covenants, and Restrictions for BARTON FARMS. Each homesite owner, his successors and assigns, employees, agents, invitees, and licensees shall be bound by and meet and comply with the stipulations, requirements, terms, and conditions contained in this document. Thus, the Development Standards and Architectural Criteria shall provide guidelines in order to eliminate misunderstandings, misinformation, and misrepresentations during the development and building process in BARTON FARMS and provide uniform standards to insure the common goals and mutual benefits will be met.

1.02 Procedure for Design Review. Specific review procedures have been established by the Barton Farms Architectural Review Board to provide uniform and equitable administration of the Plan Review Process. In order to uniformly apply these Development Standards and Architectural Criteria, these procedures must be strictly followed and submittals must be made on a timely basis.

Attached hereto as Addendum "A" is a Standard Application Form and Fee Schedule for each submittal. Both the application and applicable fee must accompany any submittal prior to the Board's review. The review fee is Three Hundred Dollars (\$300.00) and subject to change.

The intent of the Barton Farms Architectural Review Board is to uniformly and objectively review submittals to determine whether they meet the Development Standards and Architectural Criteria of BARTON FARMS. The Design and Development Board has in its sole discretion the power to reject any submittal for any reason whatsoever, including purely aesthetic grounds. However, the Barton Farms Architectural Review Board shall not arbitrarily or unreasonably deny approval.

The Design and Development Board shall have 30 days within which to review a submittal and either approve, disapprove, or request additional information. Should the Barton Farms Architectural Review Board fail to disapprove or request additional information within the 30 days, it shall be conclusively presumed that the Barton Farms Architectural Review Board has approved such submittal. Upon the approval of any submittal, the applicant must begin construction within 120 days, or at the Barton Farms Architectural Review Board's discretion, forfeit the approval and submit a new application.

In those instances where strict compliance with the specific term, conditions, or criteria provided in the Development Standards and Architectural Criteria would create and undue hardship by depriving the owner the reasonable use of his lot or where, in the opinion of the Barton Farms Architectural Review Board, there are unusual characteristics which affect the property or use in question and which make strict compliance with the Standards unfeasible, the Barton Farms Architectural Review Board may grant a variance from the Standards as long as the general purpose and intent of the Standards are maintained. All variance requests and approvals shall be in writing. Any variance shall be considered unique to the specific lot and conditions for which it was granted and shall in no respect constitute a change in or affect the terms and conditions as set forth in the Standards, nor set any precedent for future decisions.

1.03 Application Procedures. The purpose of the application phase is to determine if the proposed structure meets the general Development Standards and Architectural Criteria. The Barton Farms Architectural Review Board will review the submittal to determine its consistency with the Development Standards and Architectural Criteria and not with any building, plumbing, or other codes in effect in Sarasota County. Approval by the Barton Farms Architectural Review Board indicates acceptance of the plans and design, and allows the builder to commence construction. Required to be submitted with the application are the following:

- (1) Final construction plans.
- (2) Material specification for all exterior surfaces, showing type and sample of roofs, walls, fascia, and trim; windows, doors, and garage doors; patios, decks, pool tile, and enclosures; driveways, and building headlights, eyebrows, coining, and other accent materials.
- (3) Exterior color plan, showing color samples and textures of all exterior surfaces.
- (4) Pool drawings.
- (5) Mechanical equipment, solar panels, trash containers, etc. — location and screen details.
- (6) Final landscape plan, to include plant list showing quantity, plant names and sizes.

(7) Final irrigation plans showing source of water supply.

(8) Exterior lightening plan.

(9) Three Hundred Dollars (\$300.00) as compensation for Architectural service to be provided.

The Barton Farms Architectural Review Board will also accept preliminary plans and design prior to completion of final construction plans so as to render a preliminary and advisory opinion as to the consistency with the Development Standards and Architectural Criteria. Application fee for Preconstruction Plan Review shall be One Hundred Dollars (\$100.00) which shall be credited towards the Three Hundred Dollars (\$300.00) Final Plan Review. Required to be submitted for preliminary review are the following:

(1) Site plan showing: (a) property lines, easements, and setbacks, (b) placement of structures including structure, (c) existing grade, fill, finished elevation and proposed drainage.

(2) Floor plans, elevations, and building sections showing: (a) elevations all sides, (b) detailed wall sections, detailed roof sections, pitch, (c) minimum finished floor elevation.

1.04 Enforcement Provisions. In order to insure all development and construction within BARTON FARMS adhere to the Development Standards and Architectural Criteria and that all builders and lot owners fully comply with their approved plans throughout implementation, and that the adopted rules, regulations, and other procedures are strictly upheld, any violations must be properly noted and forcefully pursued to its conclusion. The Barton Farms Architectural Review Board is charged with the duty of enforcement.

In the event any owner or builder violates or breaches any Development Standards and Architectural Criteria or other rule or procedure, such person shall be notified to correct the infraction. A continued violation shall result in the Barton Farms Architectural Review Board or the Community Association, its designees, and other parties having the right to enforce, to seek all available remedies at law or in equity to compel compliance in enforcement of the Development Standards and Architectural Criteria. The cost and attorney's fees incurred in such proceedings by the party having the right of enforcement who prevails in such action shall be borne by the person in violation. The remedies shall include but not be limited to injunctive orders to stop construction, imposing a lien on the property, revoking prior approvals, withholding necessary or requested approvals, and other like remedies.



## SECTION 2

### Architectural Standards and Criteria

2.01 Application of Standards and Criteria. The following standards and criteria have been adopted by the Barton Farms Architectural Review Board of the BARTON FARMS ASSOCIATION, INC., and shall apply to any and all construction, improvement, or alterations of any structure, to any change to the exterior of any structure, and to grading, excavating, tree removal, landscaping or any other change to the grounds of a lot within BARTON FARMS. The Architectural Standards and Criteria are minimum allowable requirements and are in addition to any contractual obligations contained in the agreement for Sale and Purchase at BARTON FARMS and are in addition to any other standards or criteria contained within this document.

2.02 Approval Required. No construction, improvement, alteration or change to an structure or lot shall commence in any manner or respect until written approval by the Barton Farms Architectural Review Board of BARTON FARMS has been obtained.

2.03 Size of Residence. The living area of each residence shall contain a minimum One Thousand Eight Hundred (1,800) air conditioned square feet, exclusive of garages, porches, patios and terraces.

2.04 Setback Criteria. With the exception of driveways, walks, and mailboxes, no structures shall be allowed on any lot outside the building setback lines. Minimum building setback requirements for a typical standard lot are as follows:

|       | MIN | MAX |      |
|-------|-----|-----|------|
| Front | 20  | 30  | Feet |
| Side  | 6   | --  | Feet |
| Rear  | 35  | --  | Feet |

Setbacks for corner lots, cul de sac lots and those that have an irregular shape may require different minimum setbacks and, where appropriate, a variance from the minimum building setback requirements may be granted by the Barton Farms Architectural Review Board to account for those lots.

2.05 Placement of Residence. The placement of the buildings within the setback limitations shall be in the most advantageous position to insure that no trees are unnecessarily disturbed, that visual continuity and structural alignment is maintained and, that the view and privacies of surrounding residences are not adversely affected. The placement of the building within the set back limitations shall also be in the most advantageous position to insure solar efficiency.

2.06 Grading and Drainage. No grading shall be commenced until the site plan showing the nature and location of work has been submitted and approved by the Barton Farms Architectural Review Board.

All buildings will be constructed at a minimum finished floor elevation as established by the developer's engineer.

Existing trees and vegetation shall not be disturbed by grading unless otherwise approved by the Barton Farms Architectural Review Board. Cuts and fills shall be designed to compliment the natural topography of the site. Existing drainage structures shall not be altered or affected in any way.

The flow of water shall be directed to existing draining structures in such a manner as not to allow run-off onto adjacent property nor allow puddles or ponding in paved or swale areas.

2.07 Design and Elevations. Each architectural design shall be considered on an individual basis with specific emphasis on impact and harmony with surrounding homes and styles. Elevations that are similar in appearance are prohibited on any four (4) adjacent lots, any three lots immediately across the street, or any two lots on a cul-de-sac. Notwithstanding the above, similar elevations in the same phase development of BARTON FARMS shall be limited to a maximum of eight (8).

Elevation approval shall consist of a review of front, side, and rear elevations. All elevations treatments shall follow the common architectural design these of the residence as closely as possible.

2.08 Foundation and Fill. All structures shall utilize a concrete masonry block stem wall or monolithic construction to bring the finished floor to the established elevation. The elevation of the natural grade of the residential lot shall remain undisturbed and a minimum of fill should be used for landscaping purposes.

2.09 Exterior Materials and Colors. Artificial, simulated or imitation materials (i.e., plywood, aluminum siding, simulated brick, vinyl siding, etc.) Are not permitted on the exteriors of a residence. The following exterior materials, in most cases, are acceptable and appropriated:

- a. Stucco
- b. Masonry — stone or brick
- c. Wood — timbers, boards, tung and groove, solid  
Wood siding, rough-sewn lumber
- d. Metals — factory finished endurable anodized  
Or baked on enamel

A materials sample board and color plan to include stucco, fascia, soffit, interior pool tile, decking, pavers, roof tile, and any building highlights, exit materials, eyebrows, etc. will be required to be submitted and shall conform to the natural color scheme of the development. Exterior colors and textures that in the opinion of the Barton Farms Architectural Review Board, would be inharmonious, discordant or incongruous shall not be permitted. The colors of roofs, exterior walls, doors and trims shall be integral to, and harmonious with, the exterior color scheme of the residence.



2.10 Roofs. Cement tile, clay tile, slate shall be the only roof materials permitted on all pitched roofs. The proportions of roofs shall be consistent with the architectural style of the residence and generally shall consist of at least two distinct levels. A minimum pitch of 5/12 on all roofs is recommended. All roof stacks, vents, flashing and chimney caps shall be painted to match the approved roof colors. Roof stacks and vents shall be the approved roof colors. Roof stacks and vents shall be placed on rear slopes of the roofs and shall not be visible from the street unless determined to be absolutely necessary.

Flat roofs and tar and gravel surfaces are not recommended in the rear, and are prohibited in the fronts and sides of the buildings. A parapet roof may be allowed if it is not a dominant feature of the building and it is consistent with the architectural style of the residence. Individual treatments shall be the determining factor.

Gutters and down spouts shall be painted to blend with the exterior color scheme. Storm water flow must be directed to, and conform with, the approved drainage plan and requirements. Solar water heating panels shall be reviewed on an individual basis, and if approved, shall not be visible from the street.

2.11 Windows, Doors, Awnings and Shutters. Unfinished aluminum, bright finished, or bright plated metals on exterior doors, windows, frames screens, louvers, exterior trim or structural members shall not be permitted. Metal frames shall be either anodized or electrostatically painted, and be in harmony with the exterior color and texture of the residence. Dominant awning or jalousie windows are not allowed. Awnings, canopies, and shutters shall not be permitted or affixed to the exterior of the residence, except where it is an integrated and architectural design feature and only when approved by the Barton Farms Architectural Review Board.

2.12 Garages, Driveways, and Sidewalks. Each residence must have a private, fully enclosed garage for not less than two cars. Garages shall be attached and part of the main dwelling and in keeping with the architectural style of the residence. Double garage doors shall be a minimum of 16 feet in width. Automatic garage door openers are required.

All residences shall have a poured-in-place driveway of at least sixteen (16) feet in width at the garage entrance. Finished, pattern concrete, bominite, pavers, and impregnated stone finishes are permitted. Driveways may also be constructed of brick or interlocking pavers but must be of a stable and permanent construction. Asphalt, blacktop, and painted concrete are prohibited. Driveway aprons must be patterned in the same manner as the driveway. Circular driveways shall not be permitted except by written approval of the Barton Farms Architectural Review Board.

Sidewalks, where required, are to be installed during the construction of the residence and completed prior to the issuance of the Certificate of Occupancy. The installation and all associated costs shall be the responsibility of the residence owner or builder. Sidewalks will conform to the requirements of the plat for BARTON FARMS governing the particular lot. Driveways shall be continuously constructed through each sidewalk where they intersect except when approved in writing by the Barton Farms Architectural Review Board.

2.13 Fences and Walls. Decorative entry walls, entry gates, courtyard walls, and privacy walls surrounding and abutting pool decks are considered structures appurtenant to the residence but may be allowed within the building setback. Said structures, if approved, may not exceed an average height of four (4) feet exclusively of pillars or ornaments and shall in no instance exceed six (6) feet in height, and shall be designed and constructed of material identical or compatible with materials, colors, finishes, textures, and architectural style of the principal structure. Individual treatment shall be a determining factor of any approval.

2.14 Swimming Pools and Enclosures. All swimming pools must be in ground. Pools shall not be permitted on the street side of the residence and no screening of a pool may stand beyond a line extended and aligned with the side walls of the dwelling. No portion of any pool, decking or enclosure shall be permitted to extend outside the building set back lines. All screen framing, doors, door frames, and structural members of enclosures shall be anodized or electrostatically painted a color in harmony with the exterior color and texture of the residence.

2.15 Electrical and Mechanical Equipment. All electrical, electronic and mechanical equipment, including air conditioning compressors and condenser, swimming pool equipment, transformers and meters, and sprinkler controls shall be properly housed within an enclosure constructed with the residence or landscaped (minimum of 80% coverage when installed) in a manner that will blend with the site. No window nor wall air conditioning not heated units shall be permitted.

2.16 Antennas. All antennas of any type (including satellite dishes) must be concealed and installed either inside the residence or not visible from the road or adjoining residences. In no case shall any type of exterior mounted antenna be installed without written approval of the Barton Farms Architectural Review Board.

2.17 Accessory Structures. No swing sets, backboards or basketball hoops permanently affixed to the home are not permitted (only portable units that can be wheeled into the home after use are allowed), dog houses, tool sheds or structures of similar kind or nature shall be constructed on any part of a homesite except when approved in writing by the Barton Farms Architectural Review Board. No decorative objects such as sculptures, bird baths, fountains, flag poles and the like shall be placed or installed on the street side of any lot without approval of the Barton Farms Architectural Review Board.

2.18 Mailboxes and House Numbers. To insure a uniform theme through BARTON FARMS no mailbox, newspaper box or other receptacle of any kind for use in the delivery of mail, newspaper, magazines, or similar materials shall be of a type other than the design that will be made available by the Developer at the Builders expense. The fee for this is \$250.00 subject to change without notice. The location of the mailbox is determined by the United States Postoffice.

House numbers must be legible, simple-designed, in an appropriate scale, and of "professional" quality. They should be placed to be read left to right with Arabic numerals. The material and color shall be compatible with the architectural style of the residence to which they will be attached.

No house numbers shall be affixed to the exterior of the residence without prior approval of the Barton Farms Architectural Review Board.

2.19 Exterior Lighting. All exterior lightning must be approved by the Barton Farms Architectural Review Board prior to installation of said lighting. Exterior fixtures with sodium-vapor bulbs will not be permitted due to the color of the light and its relationship with the typical ambient residential lighting. Proposed exterior lighting shall be detailed on an electrical plan and/or landscape plan identifying wattage, aiming angle, and isofoot candle curves. Exterior lighting, which in the opinion of the Barton Farms Architectural Review Board would create an nuisance to the adjoining property owners, will not be permitted. All exterior lighting shall be buffered from surrounding residences and shall not be directed to any streets or roadways. Colored lighting is prohibited

The lighting fixture design must be compatible with the architectural design and appropriately located. The lights must be directed downward, defused, shielded, or of low-wattage. Indirect landscape lighting may be permitted if approved by the Barton Farms Architectural Review Board.

2.20 Landscaping. A landscaping plan must be submitted to an approved by the Barton Farms Architectural Review Board prior to the commencement of construction and shall meet in all respects the landscaping requirements of Section 4 hereof.



### SECTION 3

#### Development and Construction Standards and Guidelines

3.01 Applicability of Development and Construction Standards and Guidelines. The following standards and guidelines have been adopted by the Barton Farms Architectural Review Board of the BARTON FARMS ASSOCIATION, INC., and shall apply to any and all construction, improvement, addition or alteration of any structure, alteration of any lot, to any change to the exterior of any structure, and to grading, excavating, tree removal, landscaping or any other change to the grounds of a lot within BARTON FARMS.

3.02 Portable Toilets. Prior to commencing work, a portable toilet must be placed on the lot site and in a manner so as to least disturb other residents and other construction.

3.03 Site Clean-Up. All construction sites must be maintained in a neat and orderly fashion. Trash from construction work will be contained in a trash dumpster or removed from the job site on a routine basis. The builder is responsible for trash that blows off the site and shall retrieve such trash immediately.

3.04 Working Hours. The construction working hours shall be from 6:30 A.M. to 6:00 P.M. Monday through Friday and from 8:00 A.M. to 6:00 P.M. on Saturdays. Additional hours may be provided upon written approval of the Barton Farms Architectural Review Board.

3.05 Parking. No vehicles shall be parked on any private streets within BARTON FARMS, nor shall any such vehicle park on other home sites under construction or completed.

3.06 Speed Limit. The maximum speed limit within BARTON FARMS is 15 miles per hour and shall be strictly observed at all times. It is recognized that the heavy loads exceeding 10 miles per hour are deleterious to the roadway and the BARTON FARMS ASSOCIATION, INC., and the developer reserve the right to restrict the use of the private roadways to any contractor or subcontractor who has violated the BARTON FARMS speed limit.

3.07 Clearing of Site. Every plant, vegetation or tree of the building site shall be preserved where at all possible. Only plants vegetation and trees directly within the planned structure, roof overhangs, or driveways shall be removed, and only then with the written approved of the Barton Farms Architectural Review Board. Any plants, vegetation or trees uprooted or cut down on the building site shall be removed from the job site and from BARTON FARMS as soon as is practicable but not later than five working days.

3.08 Erosion, Sedimentation and Site Drainage. Every effort shall be made to prevent erosion and/or sedimentation of building site. In the event erosion occurs during construction, the builder shall take the necessary steps to confine and control the erosion. During construction storm water shall not be allowed to pool or pond on the job site and shall substantially comply with the drainage requirements of Section 2.06 hereof.

3.09      Noise.      Construction noise shall be kept to a minimum. No radios or music shall be played that can be heard off of the building site.

3.10      Alcohol.      Absolutely no alcoholic beverages of any kind are permitted on any job site.

3.11      Animals.      Absolutely no animals are permitted to be brought into BARTON FARMS by anyone other than on owner of a residential home site in BARTON FARMS.

3.12      Damage to Private and Community Property.      It is the responsibility of each builder, contractor and sub-contractor to inspect the curbs, sidewalks, gutters, roadways, landscaping, street signs and other community or private property around the building site prior to construction or lot closing to determine if there is any damage. If damage is noted, the contractor shall immediately notify the developer so determination for repair/replacement can be made. Damage to curbs, sidewalks, gutters, roadways, landscaping, street signs and other community or private property noted after construction has begun is the responsibility of the builder, contractor or sub-contractor and shall be immediately repaired/replaced at the contractor's costs.

3.13      Builder's Signage.      During construction and subsequent to the approval of builders' plans by the Barton Farms Architectural Review Board, one sign may be placed within the front setback of the lot to help sub-contractors and others locate the particular lot within the development. This sign must be removed upon issuance of the Certificate of Occupancy or once the Barton Farms Architectural Review Board has determined that the construction activities have ceased.

Upon completion of the construction, one sign may be allowed for purposes of identifying the house for sale.

No signage of any kind, except as approved by the Barton Farms Architectural Review Board, will be allowed on a vacant lot.

In each case, all signage must be approved in writing by the Barton Farms Architectural Review Board.



## SECTION 4

### Landscaping Standards and Criteria

4.01 Applicability of Landscaping Standards. The following landscaping standards have been adopted by the Barton Farms Architectural Review Board of the BARTON FARMS ASSOCIATION, INC., and shall apply to any and all homesites within BARTON FARMS. The Barton Farms Architectural Review Board has adopted the landscaping standards as an integral part of the BARTON FARMS Development Standards and Architectural Criteria. No new home construction or addition, alteration or change to any structure or lot which affects any exterior elevation, or portion of a lot, shall commence in any manner or respect until the Barton Farms Architectural Review Board has approved the landscaping plan thereof.

4.02 Landscape Plan. A landscape plan shall be submitted to the Barton Farms Architectural Review Board prior to any and all installation of plant material, irrigation system, sod and any other improvement that shall alter or modify the landscape of the homesite.

4.03 Sod. All lots shall be completely sodded so that the only areas not sodded will be areas receiving other landscaping or areas receiving constructed improvements and areas that the Barton Farms Architectural Review Board deems unnecessary for sod due to its existing natural character (e.g. environmentally sensitive areas). The limits of sodding must be shown on the Landscape Plan for Barton Farms Architectural Review Board approval.

All lots must be sodded with St. Augustine sod, and must be carried to the edge of pavement of all adjacent public or private roads as well as the waters edge on lake front lots.

4.04 Sprinkler Systems All homes are required to have a fully-automated underground irrigation system for irrigation of the sod and landscaping. The Builders will be required to connect to the Reclaim Water Distribution system as the source for said irrigation system. There is a connection fee of \$1,000.00 payable to Barton Farms, Inc. Payment will be due on or before *Dri-in Draw*.

All lots must provide irrigation spray coverage so as to overlap with adjoining properties and extend to the edge of street pavement. The system shall be designed so that no spray pattern shall extend within the sidewalk or the street.

4.05 Perimeter Landscaping of House. The entire perimeter of the house (including pool cages) shall be landscaped with appropriate hedge-type planting.

4.06 Hardwood Trees. Each lot shall have a minimum of three (3) hardwood trees not less than twelve (12) feet in height and three to four (3-4) inches in diameter at time of planting, with a minimum of two (2) trees in the front of the home and one (1) tree in the rear of the home. Lots already having two (2) trees in the front and two (2) tree in the rear will not need additional trees. Lots not having the requisite trees in the front and rear must be planted with the appropriate number of trees.

4.07      Flowering Bushes. Each homesite must have at least two (2) flowering bushes in the front and two (2) flowering bushes in the rear. A flowering bush would be of a bougainvillea, oleander, hibiscus tree standard, or equivalent.

4.08      Planting Beds. A condition of the Landscape Plan will be a planting bed and shrub planting program requiring each lot to provide a determined amount of planting bed area and shrubs within the front and rear yard area. The program requires a minimum of five percent (5%) of the total lot area to be made up of planting bed area in shrub planting. The front yard must have a minimum of forty percent (40%) of the proposed planting bed area and a minimum of thirty percent (30%) to be located in the rear yard area.

All planting beds will be maintained to be free of all weeds and unsightly materials. The ground cover of the planter bed must be that of gravel/stone, mulch, bark chips, and/or plant material. Builders will be required to install landscaping in the minimum amount of Three Thousand Five Hundred Dollars (\$3,500) exclusive of sod.