



ARCHITECTURAL AND LANDSCAPE CONTROL RULES

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GENERAL ARCHITECTURAL AND LANDSCAPE CONTROL RULES
KINGS CREEK VILLAGE ASSOCIATION ARCHITECTURAL

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INTRODUCTION

These Kings Creek Village Association (KCVA) Architectural and Landscape Control Rules (“Rules”) are published for the purpose of providing Owners of record (herein Owners) with a collection of established general rules for obtaining approval for exterior architectural and landscaping within Kings Creek Village (Village). These rules do not supersede or replace the KCVA Declaration of Covenants and Restrictions for Kings Creek Village (the “Declaration”), the Articles of Incorporation (Articles), the By-Laws, or the Rules and Regulations (Rules) as amended from time to time (collectively, the “Association’s Governing Documents”), or actions approved by the KCVA Board of Directors or local, state, or federal laws, codes, ordinances, rules, or regulations.

While these Rules are intended to establish consistency of appearance within Kings Creek Village, it should be remembered that because of factors such as location, neighborhood characteristics, proximity to common areas, waterbodies, roads and the like, various properties may be treated differently to reflect those factors.

The KCVA Board is responsible for developing and maintaining these Rules. The KCVA Board reserves the right to periodically change these Rules as necessary to meet KCVA and Village needs, to comply with local laws, building codes, or to incorporate new technology/products. The Board may, at its sole discretion, also appoint an Architectural and Landscape Control Committee.

Communities within Kings Creek Village subject to compliance with these rules are Camino Circle Condominium Association, Inc.; Camino Court Condominium Association, Inc; Kings Creek Village Townhouse Association, Inc (KCVTA) ; Single Family Homes (SFH), Village of Kings Creek Condominiums Inc,(VKC) and Kings Creek Shopping Center, LLC. The KCVA Board may delegate the power to develop and maintain rules to Sub-association Boards subject to applicable Governing Documents, applicable law and KCVA Board approval. Sub-associations may have stricter rules, but at a minimum, the Sub-association rules must comply with KCVA rules. If any conflict exists between the Sub-association and KCVA rules, the KCVA rules supersede the Sub-Association rules.

RULES AND REGULATIONS

1. ARCHITECTURAL AND LANDSCAPE CONTROL GENERAL RULES

- 1.1. To maintain the consistent and uniform Village appearance that makes our Village unique, no temporary or permanent structural changes, alterations, major repairs, painting, roof work, tree removal or substantial landscaping changes are permitted on any private or common property without prior written approval from the KCVA Board of Directors. Approval must be obtained through the application and approval process provided in Section 2 of these Architectural and Landscape Control Rules.
- 1.2. All modifications, repairs, and landscaping must comply with Miami-Dade County Building and Zoning Codes and any other applicable federal, state, or county government environmental regulations. However, compliance with governmental codes and regulations shall not permit an applicant from making a modification, repair, or landscaping change without prior written KCVA Board approval.
- 1.3. The KCVA Board is responsible for developing and maintaining these Rules. This Board reserves the right to periodically change these Rules, as the KCVA Board sees necessary, to meet the Village needs, to comply with local laws and building codes, or to incorporate new technology/products.
- 1.4. To expedite frequently requested and routine maintenance, the KCVA Board may pre-approve styles, colors, materials and other architectural or landscape elements or procedures. Pre-approved elements will be available in the KCVA Office whenever practical.
- 1.5. Architectural and Landscape Control Requests (“Requests”) must be approved by KCVA Board at a duly noticed meeting. Requests related to architectural and landscape elements already approved at a duly noticed KCVA Board meeting, may be approved by the KCVA Manager and two KCVA Board Directors provided one is a KCVA Board Officer. These decisions will be ratified and recorded at the next duly noticed KCVA Board meeting.

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- 1.6. The KCVA Board may appoint an Architectural and Landscape Control Committee (“Committee”) to assist in making any decisions related to these Rules (as further described in Section 2). In addition, the KCVA Board, within its sole judgement, may empower the Committee, a sub-association and/or any other person or entity, to review and process and/or make determinations with respect to certain requests as that term is defined in this document.
- 1.7. KCVA Board may request samples at no cost to KCVA and utilize expert opinions for any Requests as the Board feels appropriate
- 1.8. The KCVA Board may delegate architectural and landscape control to sub-associations subject to applicable Governing Documents, Rules, and approval by the KCVA Board. A decision to delegate architectural and landscape control to a sub-association requires a request from the sub-association Board and majority vote from KCVA Board.
- 1.9. KCVA sub-associations who assume architectural and landscape control, must develop written architectural and landscape control Rules specific to their property. Sub-association Rules must be approved by KCVA Board prior to implementation or modification by the Sub-association Board. In the event of a conflict between sub-association Rules and these KCVA Rules, the KCVA Governing Documents, and Rules shall control.
- 1.10. Any architectural or landscape design changes that affects exterior appearance of a KCVA or a KCVA sub-association property must first be approved at a duly noticed meeting of the entire KCVA Board of Directors prior to proceeding with the change(s). Projects must be completed on all the sub-association units and/or surrounding property within a reasonable time defined and approved by KCVA Board.

2. ARCHITECTURAL AND LANDSCAPE CONTROL REQUESTS, APPROVAL AND CHANGE PROCESS

- 2.1. The private property Owner or a sub-association Board for sub-association projects, must submit a written Architectural and Landscape Control Approval Request Form (Request) to both the Sub-Association Board and then to the KCVA Board and must obtain written approval from both the Sub-Association and the KCVA Board prior to scheduling the commencement of any type of

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external architectural or landscape project, modification or undertaking. The Request must contain all supporting documentation and evidence of compliance with KCVA and/or Sub-Association Rules. Sub-Association property Owners must obtain sub-association Board approval prior to submitting the request form to the KCVA Board for review. Single Family Homes and the Kings Creek Shopping Center must submit requests directly to the KCVA office.

- 2.2. KCVA Architectural and Landscape Request Forms and Rules are available on the KCVA Website and in the KCVA and sub-association offices. (See Architectural and Landscape Control Request Form attached to this document).
- 2.3. The KCVA Board reserves the right to impose reasonable fees for processing requests and to request additional documentation or samples as necessary to approve or deny the Architectural and Landscape Request.
- 2.4. Any outstanding sub-association or KCVA violations or delinquent accounts must be resolved prior to KCVA Board approval.
- 2.5. If a plan changes after an original Architectural and Landscape Control Request is approved, the requesting party must submit a new Request Form and obtain written approval from both the KCVA sub-association Board and then the KCVA Board prior to implementing any changes to the original plan in the original approved Request.
- 2.6. Upon preliminary approval, and prior to commencing the project, the requesting party shall apply to Miami-Dade County or any other applicable government agency for required permits and provide legible copies of the permits, signed, and dated by the County or applicable government body, to the appropriate sub-association office within five (5) business days from the date on the form.
- 2.7. Upon completion of the project, the requesting party shall provide legible copies of all final inspection reports with the inspector's signature and date of final inspection within (5) business days after the project is completed to their sub-association office. SFH and Shopping Center will submit copies to the KCVA Office.

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2.8. The requesting party is responsible for any damages to common or neighbor's property, walkways, or sidewalks and any other liability associated with any type of architectural or landscape project or undertaking. It is strongly recommended that requesting parties use only appropriately licensed and insured contractors and workmen. If a project will impact KCVA common property, consideration should be given to having the contractor provide an insurance certificate naming Kings Creek Village Association as additional insured or loss party.

2.9. Architectural and Landscape Control Request Form must include the following information: (incomplete requests will not be accepted):

- 2.9.1. The purpose, size and scope of the structure, landscape feature, or other improvement.
- 2.9.2. The type of structure, landscape feature, or other improvement.
- 2.9.3. Location of the structure, landscape feature, or other improvement on the property.
- 2.9.4. Exterior color or colors including trim color.
- 2.9.5. Any renderings or plans associated with the proposed structure, landscape feature, or improvement for purposes of analyzing the structure, landscape feature, and/or improvement's appearance. This includes a copy of the architectural and/or landscape design plans, drawings, photographs, renderings, and tree removal plans (if applicable).
- 2.9.6. The setback and height dimensions from ground level must be expressed in feet and inches for the structure or improvement to ensure compliance with the setback and height requirements contained in this document.
- 2.9.7. Details of how the structure or improvement will be secured to the ground or building from ground level if applicable.
- 2.9.8. A request for construction vehicles or equipment, storage of construction materials, debris, or trash containers, to be placed on or allowed to have access to any KCVA or sub-association common property, walkways, or sidewalks must be included in the Request. The Request must include a description of how the owner plans to restore any common property to at least the original condition prior to the start of the project as a result of any damage to walkways, sidewalk or any other private or public property because of the work outlined in the Request. If the reason for the project is to restore, repair or improve the condition of the subject area(s) then the plan must comply with the rules outlined in this document.
- 2.9.9. A statement, signed by the requesting parties, that they have no outstanding unresolved violations or delinquent accounts, that they have read the KCVA Architectural, and

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Landscape Rules and they understand their responsibility for compliance and for any damages or other type of liability associated with this project or undertaking.

- 2.6 After all final plans, sub-association Board approval(s) and any additional information or samples requested are received by the KCVA office, the KCVA Manager will schedule a KCVA Board meeting to review the application and approve or deny the request or if the request is for pre-approved elements, notify the appropriate Board Members.
- 2.7 KCVA Board will provide the applicant with written notice of the KCVA Board's decision within thirty (30) days from the latest date that the requesting party submitted its application, or the date any additional information requested by KCVA was received.
- 2.8 Any party aggrieved by the KCVA Board decision shall have the right to submit a written request for review to the KCVA Board within thirty (30) days of such decision. KCVA Board determination is final.
- 2.9 Approval of requests for Architectural and Landscape modifications are valid for one (1) year from the KCVA Board approval date.
- 2.10 Record Keeping:
 - 2.10.1 The KCVA Board and sub-association Boards shall permanently retain, one (1) copy of the Architectural and Landscape request application bearing KCVA Board's approval or denial and any attachments and other information related to the project. . Requests related to individual owner properties shall be maintained in the Owner's address file at the applicable sub-association office. Requests from Single Family Homes and Shopping Center will be maintained in the KCVA Office. Requests from Sub-associations Boards to paint and/or change the association's appearance must be maintained permanently in the KCVA Office. Legible copies of these request documents must be provided upon request.

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2.10.2 A record of all Requests and KCVA Board action will be documented in the Kings Creek Village Board Meeting Minutes. Documentation of Request for pre-approved elements shall at least include the requesting parties address, brief description of the request, the Boards decision and rationale for denial.

3. CONSEQUENCES OF NON-COMPLIANCE WITH ARCHITECTURAL AND LANDSCAPE RULES

3.1. An Owner or sub-association Board who begin or completes a project or damages or removes trees or other landscaping, without prior written approval from KCVA Board, must restore the property according to KCVA Governing Documents, Rules and applicable law at the owner's expense. The offending party is financially responsible for any damage caused by the unapproved modifications or during the restoration process and assumes all liability for any injuries or other harm that may occur during that time as a result.

3.2. Restoration may include, but is not limited to, removing all unapproved changes, rebuilding structures, driveways, or landscape features to comply with KCVA Governing Documents. If the offending party fails to make the changes within ninety (90) calendar days (or such other reasonable time allowed by KCVA Board), KCVA or the appropriate sub-association Board may make the changes and charge expenses to the offending party.

4. FAILURE TO MAINTAIN PROPERTY AND GENERAL DISREPAIR

4.1. All Owners and Sub-association Boards must maintain their property and landscaping in good repair with an appearance that is satisfactory and in compliance with KCVA Governing Documents, Rules,

4.2. If property is not maintained according to KCVA Architectural and Landscape Rules or is allowed to visibly deteriorate, KCVA Board will notify the responsible party to complete the repairs. If the repairs are not completed to the satisfaction of KCVA Board within a reasonable time (not to exceed ninety (90) calendar days, the Board has the right to repair the property, and assess all the costs to the offending or responsible party.

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5. COMMON PROPERTY AND MAINTENANCE RESPONSIBILITY

- 5.1. Common Property is defined as any property within Kings Creek Village, that based on applicable law, KCVA Governing Documents, Rules agree is available for the benefit and enjoyment of all residents in KCVA or a sub-association. This may include some areas within private or common property lines dedicated to utility and other easements.
- 5.2. KCVA is responsible for maintaining common property and landscaping not specifically designated as sub-association property by KCVA Governing Documents, Rules, or other legal agreements.
- 5.3. Sub-association Boards are responsible for maintaining landscaping and structures on common property within the sub-association property subject to KCVA Board oversight and/or approval.
- 5.4. KCVA, sub-associations Boards, and residents of Single-Family Homes will maintain landscaping on easements owned by public entities.
- 5.5. For assessing operational and maintenance fees, KCVA and sub-associations' architectural and landscape Rules must define boundaries for KCVA, sub-association Boards and the owner's maintenance responsibility.

6. GREENBELT AND COMMON GREEN AREAS

- 6.1. No permanent or temporary structures of any kind may be constructed or erected on the Greenbelt or common green areas without prior approval from KCVA Board. A structure is defined as anything with a fixed location on the ground.
- 6.2. Kings Creek Village Townhouse Association (KCVTA) is responsible for maintaining the Greenbelt grass, trees, and recreational structures including courts by the West Pool area as common area according to KCVA and KCVTA governing documents.

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7. SHOPPING CENTER PROPERTY USAGE

7.1. The Shopping Center Property shall only be used in accordance with uses permitted by applicable governmental authority, and subject to KCVA Association's Governing Documents, Architectural and Landscape Rules, and use rights as approved by KCVA Board.

8. LOCATION, TYPE, AND APPEARANCE OF STRUCTURES OR IMPROVEMENTS

8.1. No material structure or improvement within Kings Creek Village, shall be permitted unless the location, type, and appearance of the structure have been approved by the KCVA Board."

9. MAXIMUM HEIGHT AND SETBACKS

9.1. Except for existing buildings and structures, height and setbacks for all buildings and structures within Kings Creek Village shall comply with approved Miami-Dade land use and zoning, building Rules and codes, and any other government entity applicable codes.

10. EXTERNAL STRUCTURES ON PROPERTY

10.1.1. External structures including utility sheds, playhouses, treehouses, animal shelters, dog runs, pergolas, awnings, docks, shade structures or screen enclosures may not be erected without prior architectural approval. All structures must comply with applicable Miami-Dade land use and zoning, building rules and codes and other governmental codes.

10.2. Utility sheds, playhouses, animal shelter or dog runs and similar independent external structures:

10.2.1. May not exceed ten (10) feet by ten (10) feet by seven (7) feet in height and must be properly anchored.

10.2.2. Must be laid on a concrete slab or in the alternate with suitable and secure tie downs.

10.2.3. May not be permanent in nature and must be moveable.

10.3. Canvas or other open style carports are not permitted.

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- 10.4. Canvas shade structures are permitted if anchored according to Miami-Dade and other applicable building codes and the design allows the canvas to be removed prior to windstorms.

11. ROOF REPAIR , NEW ROOF AND ROOF REPLACEMENT

- 11.1. All roof coverings, roofs and work must be in compliance with Miami-Dade County Building Codes and other applicable government regulations.
- 11.2. Roof or tile replacement, roof and tile painting, new construction roof, tear off and replacement roof, roofing over an existing roof, or any other tile or roof repairs must have prior KCVA Board approval.
- 11.3. Roofs must be maintained, cleaned, and painted on a regular basis. Severe discoloration, mildew, prolonged use of tarps, or roof coverings is not permitted. Special consideration on the length of time a tarp can be used may be given if damage is caused by a hurricane or other Act of God, and as a result, the Owner can provide proof of delays finding a contractor or supplies to do the work within a timely basis.
- 11.4. Roof coverings must be tile or flat roof in the original style of the structure.
- 11.5. Tile must be all one-color scheme using an approved KCVA/sub-association color scheme including new construction roofs, roof replacement and repairs.
- 11.6. Roof tiles, style and color must be compatible and harmonious throughout a structure or buildings units in a multi-unit sub-association and must have prior KCVA Board approval. KCVA Board pre-approved roof tile designs and colors may be maintained in the KCVA and/or sub-association office.
- 11.7. Positive drainage roof systems are recommended.
- 11.8. Ballasted, metal, shingle, or loose gravel roof coverings are not permitted.
- 11.9. Roof repair and replacement must be performed by a duly licensed roofing contractor who has appropriate insurance coverages including workmen's comp coverage.

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11.10. Asphalt and tar kettles are not permitted on any roofing project within Kings Creek Village including its sub-associations.

12. WALLS AND DECORATIVE WOOD

12.1. Walls must be stucco. Any wood or other decorative finish must be in the same or comparable design as the original structure unless KCVA Board approves style changes for all similar buildings in a multi-unit complex.

12.2. Wood used must be pressure treated or may be replaced with cement board, Hardie type board, or stucco finish in the same design as the original structure and wood being replaced.

13. PAINT AND PAINT COLORS

13.1. External paint colors must have prior KCVA Board written approval. Each color must be a color compatible with the external design and color of surrounding structures.

13.2. To expedite projects, KCVA Board may maintain a list of pre-approved colors and color schemes in the KCVA office. KCVA reserves the right to request a sample painted on an exterior wall with sun exposure prior to approval of a color.

13.3. To facilitate KCVA Board decision, the Board has the right to request that the party proposing the paint and paint colors put a physical sample of each proposed color and paint on an exterior wall subjected to direct sun light at the expense of the party requesting the Board's approval.

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14. FENCES AND GATES

- 14.1. Fences and gates must be in good repair. Sagging gates, missing or misaligned boards, rotting wood, peeling, or faded color, other signs of disrepair, or damage are not permitted.
- 14.2. New fences, replacement fences, fence repositioning, or fence repairs must first be approved by the sub-association Board and then by KCVA Board. All work, requiring permits and those that do not require permits, must comply with Miami-Dade Building Codes and any other applicable government regulations.
- 14.3. Pre-approved fence styles are any style of fence approved prior to the date of this document. Additional designs may be approved by KCVA Board if the Board agrees they are consistent with external appearance and color scheme of properties within Kings Creek Village.
- 14.4. Changes to fences that affect the appearance of a sub-association or KCVA must be approved in writing by KCVA Board prior to starting the project and must be implemented within one (1) project within a timeframe approved by KCVA Board.
- 14.5. Perimeter fences and walls of properties within Kings Creek Village (i.e., Along SW 87th Ave, Kings Creek Drive), and entrances to Single Family Homes, must be in the current style and color. Any variation requires prior KCVA Board approval.
- 14.6. Concrete wall fences are not permitted except for perimeter walls along S.W. 87th Ave and retaining walls around the KCVA Clubhouse. Concrete must be reinforced in compliance with Miami-Dade County Codes, painted on all sides, and maintained in good condition.
 - 14.6.1. Single Family homeowners and other sub-associations must allow KCVA to access perimeter fencing for maintenance.
- 14.7. Pool and recreational area fences, gates and gate locks must be constructed and maintained according to Miami-Dade County Guidelines.

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- 14.8. Fences and gates must be built within the Owner's property line.
- 14.9. Fence lines and position on a property may not be moved without prior written KCVA Board approval.
- 14.10. Fences on corner lots must be set back far enough to allow cars approaching the intersection to safely see oncoming traffic. See Miami-Dade County Code.
- 14.11. Fence construction, replacement and minor repairs must be completed in the same style and position as the adjoining fence.
- 14.12. Fences are limited to a maximum height of six (6) feet.
- 14.13. Fence posts must be set in two (2) feet deep concrete bases with at least forty-eight (48) inches between posts.
- 14.14. Wood fence posts must be four (4) by four (4) inches and pressure treated wood.
- 14.15. Wood fences, including those using the shadow box style, must use not less than six (6) inches by not less than three-fourths ($\frac{3}{4}$) inches pressure treated boards.
- 14.16. Gates and hardware must be consistent with the fence style, function, and weather exposure.
- 14.17. Fences must be finished when visible from outside the property.

15. DRIVEWAYS AND PARKING AREAS

- 15.1. Driveways and parking pads must be concrete slab, stamped concrete, asphalt, blacktop, brick, pavers, or an overlay in a KCVA Board approved color and style. For KCVA Board pre-approved colors, contact sub-association property manager for guidance prior to starting the project.

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- 15.2. Kings Creek Village's commercial, recreational, and sub-association parking lots must be asphalt and black top with appropriate striping for cars, loading and handicapped spaces.
- 15.3. Gravel or dirt driveways are not permitted.
- 15.4. Configuration of parking lots, parking pads, driveways, or private residential parking areas including entrance and egress from streets may not be altered from the original plan without prior approval from KCVA Board.
- 15.5. Parking lots, driveways and parking pads must be periodically pressure cleaned, resealed, colored, blacktopped and/or repaired or replaced.
- 15.6. Replacement, major repair of an existing driveway, parking pad, or parking areas that changes the appearance, material, configuration and/or requires heavy equipment requires prior KCVA Board approval.
- 15.7. Blacktopping, recoloring in the same color or pattern, and minor repairs do not require prior KCVA Board approval unless the use of heavy equipment or work on common property is required. Owners should consult with KCVA Board or the appropriate sub-association office for guidance.
- 15.8. Property owners are responsible for maintaining their parking areas and driveways in good repair, clean, and free of weeds, potholes, and unsafe or deteriorated conditions. This includes repairing potholes and cracked or chipped surfaces or replacing the entire parking area or driveway when necessary.
- 15.9. Owners are responsible for maintaining private parking pads and driveways out to the street on both side of walkways and sidewalks. KCVA or sub-associations are responsible for parking areas designated as common property.
- 15.10. KCVA may require Owners or sub-associations to repair or replace parking pads, stamped concrete, walkways, or driveways with major loss of color, cracks, crumbling or multiple patches.

16. SIDEWALKS AND WALKWAYS

- 16.1. Configuration of sidewalks, pedestrian walkways, or residential walkways may not be changed from the original design without KCVA approval.
- 16.2. Sidewalks and walkways must be kept in good repair, clean, free of debris, and other conditions that may be hazardous to pedestrians. This may include regular pressure cleaning to remove mold and other slipping hazards.
- 16.3. Owners within Single-Family Homes are responsible for cleaning debris, pressure cleaning and removing hazards within the home's property lines to the street.
- 16.4. KCVA, the appropriate sub-association Board, and owners within Single-Family Homes are responsible for cleaning debris, removing hazards, repairing and/or replacing pedestrian walkways as well as the sidewalks that are not Miami-Dade County owned.
- 16.5. Sub-association Boards are responsible for notifying the County and advising KCVA Board of County sidewalks that need repair or replacement. The KCVA Board will be responsible for reporting issues for Single Family Homes.

17. WATER RUNOFF MANAGEMENT

- 17.1. Gutters and downspouts are encouraged but do not require KCVA approval.
- 17.2. Gutters and downspouts installed after the date of this document should be seamless whenever possible and should be professionally installed to ensure safety during windstorms.
- 17.3. Splash blocks, French drains, or other measures must be used to carry water off or to allow water to percolate in the ground without flooding adjacent property or common areas.
- 17.4. Pool water or other type of water run-off may not be drained into streets or adjoining property.

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18. POOLS

- 18.1. New or renovated pools must be approved by the KCVA Board

- 18.2. Pools must be cleaned and maintained on a regular basis and may not be allowed to become stagnant. Non-operating pools must be drained and covered.

19. SOLAR ENERGY

- 19.1. Installation of solar energy or external water heating units must be approved by KCVA and the sub-association Board . Units may only be located on the roof.

20. SATELLITE DISHES AND ANTENNAS

- 20.1. Subject to applicable law all satellite or external antenna installations must be approved by KCVA and sub-association Board. The satellite or antenna installations must also comply with applicable local, state, and federal law.

- 20.2. The structure must be located on the roof and/or back of the property so that it is as unobtrusive as possible, and not visible from the street. The dishes must be secured in compliance with Miami-Dade Building codes and be able to withstand hurricanes so that all neighbors, guests, and their property are safe.

- 20.3. When the service is cancelled, the owner must remove the disc within thirty (30) days of the date cancelled.

21. AIR CONDITIONERS

- 21.1. No air conditioner units may be mounted through windows or walls unless prior written approval from KCVA Board is obtained.

- 21.2. Air conditioning units must be placed behind fences or shielded from view by other structures or landscaping. and installed in compliance with Miami-Dade County Building codes

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22. MAILBOXES

- 22.1. Mailboxes must be kept in good repair with legible house numbers. Approved styles include those styles already approved by KCVA and sub-associations as of the date of these Rules. KCVA and sub-association Boards must approve any new styles before they can be used.

23. HOUSE NUMBERS

- 23.1. House numbers must always be present and easily visible from the street.

24. BURGLAR BARS AND DOORS

- 24.1. Burglar bars and doors are not permitted.

25. WINDOWS AND DOORS

- 25.1. New windows and doors must be approved by the appropriate sub-association Board and KCVA Board prior to an prior to installation. They must also have Miami-Dade County permits.

26. HURRICANE SHUTTERS, IMPACT DOORS AND WINDOWS

- 26.1. Subject to applicable law, accordion, other types of permanently installed shutters, hurricane impact windows and doors must be approved by KCVA and the appropriate sub-association Board prior to installation. They must have Miami-Dade County permits.

- 26.2. Temporary plywood or panel type shutters do not require KCVA approval. Panel shutters and plywood must be stored out of sight when not in use.

- 26.3. Accordion or other shutters must be open unless a storm is threatening. Hurricane shutters may not remain closed or on the windows for periods beyond the threat of storm or more than ten (10) days, whichever is shorter. Owners who are absent for long periods may obtain KCVA written authorization to keep shutters closed for security reasons. Owners should include the number of a local person to unlock the shutters in a "Watch Order" in case of a fire or other emergency.

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27. ROADS

- 27.1. KCVA or the appropriate sub-association Board are responsible for maintaining private roads in good repair and free of hazards. Private roads are roads not dedicated to Miami-Dade County or the State of Florida.

28. CANAL HOMES AND SOUTH FLORIDA WATER MANAGEMENT (SFWMD)

- 28.1. South Florida Water Management District (SFWMD) controls the land along the canal. Any structure or landscape must be set back at least forty (40) feet inland from the top of the canal bank and must not interfere with the district's ability to access and maintain the area.
- 28.2. Nothing may be planted or constructed on SFWMD property without a SFWMD permit and prior KCVA Board approval. This includes docks, fences, trees, landscaping, and other permanent or temporary structures. A good rule of thumb is to use cable boxes as the dividing point.
- 28.3. KCVA, a sub-association, or owners of Single-Family Homes along the canal are responsible for keeping the grass mowed on SFWMD property to minimize risk from alligators, snakes, and other water wildlife. Owners or sub-associations who obtain permits for structures or landscaping on SFWMD property are responsible for maintaining the property according to SFWMD and KCVA rules.

29. SECURITY LIGHTS

- 29.1. Replacement of light fixtures KCVA and sub-association parking and recreational common areas must have prior written KCVA Board approval.
- 29.2. For security reasons, Owners are encouraged to install exterior lighting in front of individual units, that can come on at dusk and go off at sunrise.
- 29.3. Installed exterior lights must be maintained in good repair. Inoperative lights bulbs must be replaced immediately. Inoperative light fixtures must be removed, repaired, or replaced within 90 calendar days of the date they became inoperative. .

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- 29.4. KCVA and sub-association Boards are responsible for installing and maintaining security lights in common areas. KCVA is responsible for numbered security lights on the Greenbelt, perimeter roads, Kings Creek Village’s residential parking lots, and recreational areas. Sub-associations may install additional security lighting subject to KCVA rules and KCVA prior written approval.
- 29.5. Security and other external lighting must be bright enough to illuminate the intended area but may not produce an intrusive glare to neighbors.
- 29.6. Mercury and sodium vapor lights are not permitted.

30. SIGNS AND OTHER DISPLAYED ITEMS

- 30.1. No for sale, for rent, political or any other signs, flags, advertising, notices, or any other item may be displayed or affixed anywhere within KCVA property without prior written approval of the appropriate sub-association Board and KCVA Board. All real estate, political and other signs must comply with Miami-Dade County and other applicable laws or codes. Sub-associations may have stricter rules if they do not conflict with KCVA Rules or applicable laws or codes.
- 30.2. In the Single-Family Homes, for sale or rent signs must be a maximum of 40 square inches and on a five-foot stake placed in the front yard.
- 30.3. Political signs may be displayed in yards or on fences during any local district, county, state, or federal election cycle. The Owner is responsible for removing these signs no later than 30 days after the election cycle ends.

31. FLAGS AND FLAGPOLES

- 31.1. United States flags may be displayed with prior written approval of the appropriate Sub-Association and KCVA Board. The flag must be displayed respectfully, kept in good repair, and placed in an approved location according to the US Flag Code, other government regulations and KCVA Governing Documents, Rules, or other legal KCVA agreements with a sub-

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association. No flag may be larger than four and one-half (4.5) by six (6) feet. Flags must be flown according to the US Flag Code.

- 31.2. Sub-associations may develop additional Rules for displaying flags if it complies with US Flag Code, other government regulations, and KCVA Governing Documents, Rules, or other legal KCVA agreements with a sub-association.

32. CONSTRUCTION AND LANDSCAPE VEHICLES AND BUILDING MATERIALS ON KCVA PROPERTY

- 32.1. Owners or residents who schedule work that may impede traffic or require vehicles or heavy equipment including trucks and storing of building materials on KCVA common property, must obtain prior written approval from the appropriate sub-association and KCVA prior to allowing access to the common property. Workers must comply with any precautions the manager feels necessary to protect Association property.

- 32.2. The owner is responsible paying for any damage to KCVA property by work vehicles because of illegal parking, driving or work on KCVA property.

33. GARBAGE CONTAINERS AND GARBAGE

- 33.1. All garbage shall be kept in approved Miami-Dade County garbage and recycling bins. Bins shall always remain covered.
- 33.2. Garbage bins must be out of sight except when placed curbside on Miami-Dade County pick-up days.
- 33.3. Containers may be placed street side no earlier than dusk the day before garbage pick-up and must be removed by sunset the day of pick-up. Large items and landscape debris may not be left by trash cans or at street side for disposal.
- 33.4. Single Family Homes may place large items for disposal and landscape debris street side no more than 8 calendar days prior to a scheduled pick-up. Green space or other damage from large landscape debris sites must be restored by the Owner.

34. LANDSCAPING AND TREES

- 34.1. Owners and sub-associations are encouraged to plant and maintain healthy mature trees and landscaping that comply with KCVA Governing Documents, Rules, or other legal KCVA agreements with sub-associations.
- 34.2. **Owners must submit an Architectural and Landscape Control Request Form and obtain prior written approval from the appropriate sub-association Board and KCVA Board prior to beginning** landscaping projects requiring changes to the external appearance of the property, removal, relocation of trees and any project that involves the use of heavy equipment or trucks, plumbing, electricity.
- 34.3. KCVA may develop additional rules, guidelines and procedures for landscape, lawn maintenance, tree planting, tree trimming, and tree removal. All such guidelines, rules and procedures will comply with appropriate Miami-Dade County and other governing agency.
- 34.4. Sub-association Boards may develop and approve their own Landscape Control Plan and Rules to the extent that they are not inconsistent with these rules and only with prior written approval from the KCVA Board.
- 34.5. Owners of Single-Family Homes are responsible for maintaining lawns, trees, and other landscaping on private property out to the streets and to the edge of the canal on canal lots.
- 34.6. KCVA or the appropriate sub-association Board is responsible for maintaining lawns, trees, and other landscaping on designated common property out to the edge of the street and the canal on canal lots.
- 34.7. Maintenance includes lawn mowing and trimming, removal of leaves and other debris, routine tree thinning or trimming, root pruning, removal, and replacement of diseased or dead plants or trees, fertilizing, watering, and any other measures necessary to maintain a healthy landscape environment.
- 34.8. Concrete, rock, gravel, or artificial lawns are not permitted.

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- 34.9. Owners of property adjacent to KCVA perimeter fences, walls, and common areas, must maintain trees, vines, and landscaping so that branches, leaves, vines, roots, lawn clippings, vines or other landscape features do not obstruct, overhang, penetrate or otherwise damage or KCVA property. (See consequences of not maintain property)
- 34.10. Mature, live trees may not be removed without prior written Architectural and Landscape Control Request and written approval by KCVA, a Miami-Dade County Permit and an approved plan for replacing the tree with another environmentally appropriate tree that will produce the same potential canopy over an appropriate time frame. In the event another tree is required and cannot be replaced in the exact location as the one being removed, KCVA and owners may be required to provide documentation from a certified arborist and Miami Dade County prior to approving tree removal or relocation requests. Mature trees may not be removed for convenience or preference.
- 34.11. Requests to remove or relocate a live tree , must include an Architectural and Landscape Request Form detailing:
- 34.11.1. Location of the tree, type of tree, and reason for removal.
 - 34.11.2. A state or Miami-Dade County licensed and insured arborist plan compliant with this County's applicable codes for replacing the tree canopy
 - 34.11.3. A permit from Miami-Dade County or any other applicable governmental agency if applicable.
- 34.12. Owners who damage or remove trees and other landscaping without prior KCVA and appropriate Sub-association approval, will be responsible for all damages and may be required to restore the property at their own expense. See section on Consequences of Non-Compliance.

35. KCVA Architectural and Landscaping Control Request Form (Attached)