

Arbor Trace Homeowners Association, Inc.  
Operating Manual

Revised 4/14/00

Exhibit 'A'

ARCHITECTURAL GUIDELINES  
ARBOR TRACE SUBDIVISION

BUILDING POLICIES AND GUIDELINES

- A) Building Setbacks
  - Front: 20 feet
  - Rear: 25 feet
  - Side: 10 feet
- B) Easements: No permanent structures to be built within any easement.
- C) Minimum square foot air-conditioned space: 1,800 S/F.

ARCHITECTURAL STANDARDS

- A) Materials, Colors, and Finishes
  - 1) Exterior wall finishes
    - Recommended:
      - Stone
      - Stucco
      - Brick
    - Not Allowed:
      - Vinyl Siding
      - Exterior Plywood Siding
      - Asphalt Siding
      - Painted Lap Siding
      - Metal Siding
  - 2) Exterior Colors shall be approved by the Architectural Review Board.
- B) Roofs and Roofing Material
  - 1) Minimum roof slope is 6:12
    - Recommended Material:
      - Cement Tile
      - Architectural (Dimensional) Shingle
      - Metal Seam
- C) Doors, Windows
  - 1) Front: Single with side panels, single with glass or double doors required.
  - 2) Garage, minimum two car.
  - 3) Louver windows are not permitted.
- D) Driveways

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- 1) Minimum width 12 feet (excluding motor court area) with 3- foot minimum setback from side property lines and 10-foot radius where drive meets the curb.  
Recommended Materials:  
Concrete  
Concrete with Brick Bands  
Stamped Concrete  
Tabby Concrete  
Locking Brick Pavers  
Not Allowed:  
Asphalt  
Gravel, loose stone
- E) Garages - All garages must accommodate at least two cars.
- F) All exterior elevations to be approved by the Architectural Review Board.

**ADDITIONAL ITEMS:**

- A) Location of Solar Heaters must be approved by the Architectural Review Board.
- B) Screen Enclosures are permitted.
- C) Fences on lakes are permitted between the rear of the house and the rear set back line. They must be a 4' high chain link green vinyl clad with a minimum 2' high shrubbery screen. Color of fence must be approved by ARC as well as plant material. Fences on non lake lots are permitted between the rear of the house and the rear property line provided they are no more than six (6) feet high.  
Fence style and material must be approved by the ARC.
- D) Mailboxes must be mounted on a white 4' X 4" post approved by ARC.
- E) All homes must have a front post light on a photoelectric cell approved by ARC.
- F) Above ground pools are not permitted.
- G) Aluminum patio roofs are not permitted.
- H) 18' dish antennas are permitted as long as they are screened from the street or any adjacent home site.
- I) Parking of recreation vehicles, boats, campers, etc. is permitted only in the enclosed garage.
- J) A four (4) foot concrete sidewalk located within the road right-of- way, one foot off the front property line shall be constructed from side lot line to side lot line in conjunction with the home construction on all lots.
- K) No temporary basketball structures are allowed. Permanent basketball structures allowed provided they receive approval from the ARC.

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**ENGINEERING REQUIREMENTS**

- A) Minimum finish floor elevation shall be 18 inches above the crown of the adjacent roadway, or the minimum floor elevation as established by F.E.M.A. or Indian River County which ever is greater.
- B) The maximum finish floor elevation shall be I foot above the minimum.
- C) Lot grading shall be in accordance with the St. Johns River Water Management District Permit.

**LANDSCAPE REQUIREMENTS**

The mission of Arbor Trace will be in keeping with the natural beauty that is there. The following requirements will be used only as a guideline. **ALL LANDSCAPE AND CLEARING PLANS MUST BE APPROVED BY THE ARC.**

- A) Each home shall have a minimum of two Live Oak Trees, 12 to 14 feet high with a 2 inch caliper not closer than 15 feet or further than 20 feet from the front property line at least 25 feet apart. This requirement may be modified at the discretion of the ARC based on a survey of the exiting trees on the property.
- B) Total lot area including road right-of-way and to the edge must be sodded or landscaped.
- C) Automatic irrigation systems are required.
- D) All sod must be St Augustine, Floratam
- E) Front yards must have a minimum of 250 square feet of planter beds.
- F) Two (2) Palm trees, six (6) foot minimum truck height must be planted on each lot within fifteen (15) feet of the water edge. This requirement may be modified at the discretion of the ARC based on a survey of the exiting trees on the property. No bald cypress trees.
- G) Prior to clearing a tree survey must be approved.

**ARCHITECTURAL REVIEW COMMITTEE (ARC)**

- A) Purpose  
The ARC does not seek to restrict individual taste or preferences. In general, its aim is to avoid harsh contrasts in architectural themes and maintain harmony between all residences.
- B) Scope of Responsibility  
The ARC has control over all construction within the community.  
All construction must first be approved by the ARC.
- C) Enforcement Powers  
Should an architectural violation occur, the ARC has the right to injunctive relief to require the owner to stop, remove, and or alter any improvement in a manner, which complies with the standards established by the ARC. Approval by the ARC does not relieve the owner of his/her obligation to receive any additional governmental approvals, if required.
- D) Limitation of Responsibilities  
The primary goal of the ARC is to review the application, plans, specifications, materials and samples to determine if the proposed structure conforms to the design criteria and

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guidelines as set forth by the ARC. The ARC does not assume responsibility for such things as structural adequacy, conformance with local or state building codes, safety requirements, or governmental laws and ordinances.

- E) **Committee Members**  
The ARC shall consist of individuals appointed by the Arbor Trace Property Owners Association.
- F) **Variances**  
All variance requests pertaining to an ARC decision must be made in writing to the ARC. Any variance granted shall be considered unique and will not set any precedent for future decisions.
- G) **Appeal**  
If an applicant has been denied, or approval subject to conditions which the owner feels are unacceptable, the owner may request a hearing before the ARC to justify their position. The ARC *will* review its decision and notify the owner of its final decision within (10) days of the hearing.
- H) **Construction Inspections**  
Periodic inspections may be made by the ARC while construction is in progress to determine compliance with the approved plans and specifications.
- I) **Modification to the Design Guidelines**  
The ARC may at any time request a change or modification to the design guidelines. These changes must be approved by the homeowners association with a 2/3 majority vote.

### ARCHITECTURAL REVIEW PROCESS

- 1) The builder and/or owner makes an application to the ARC. The application should include a site plan, floor plans, elevations, specification for the proposed residence and tree survey, (landscape plans may be submitted at a later date but also must obtain ARC approval)
- 2) A member of the ARC reviews the application and submitted data to determine its completeness. If sufficient information exists to enable the ARC to evaluate the proposed project a meeting of the full board is called. If not, the board member may request additional information from the applicant.
- 3) The ARC reviews the proposed project within thirty days and the owner is notified that the application has been approved, approved with stipulations or disapproved. Reasons for stipulations of disapproval are cited. If the ARC does not notify the owner within thirty days the application is deemed to have been approved. A simple majority of the ARC is required to approve or disapprove any project.

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### CONTRACTORS AND SUBCONTRACTORS

#### RULES AND REGULATIONS

- 1) There will be no job seekers or salespersons admitted to ARBOR TRACE unless those people have made appointments with the contractor and the contractor has properly notified the Association that a person is expected. All others will be turned away.
- 2) The ARBOR TRACE speed limit is 15M.P.H. All traffic directional signs are to be followed. Security has been directly to void the construction pass of violators.
- 3) Contractors must confine their activities to the lot under construction. All vacant lots are private property and unless permission has been obtained, in writing, from the owner with a copy to Association, any use of such lots is prohibited. Association will not be responsible for vacant lots, but call the proper authorities if trespassing is observed.
- 4) No fill, construction materials or trash may be dumped or stored on adjacent lots.
- 5) Construction sites must be kept neat. There will be no burning of trash. Each site will also be furnished with a 'Port-O-Lets or like equivalent.
- 6) No dogs will be permitted in ARBOR TRACE other than those owned by ARBOR TRACE property owners.
- 7) No subcontractors signs may be placed on construction sites.
- 8) Any damages to adjacent lots, especially swales, must be repaired by the contractor, regraded and reseeded.
- 9) Parking is permitted during construction on the road right-of- way. No overnight parking vehicles or construction equipment is permitted without approval.

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10. Each contractor, prior to commencement of construction, is to ascertain from the appropriate authority the exact location of all underground public utilities. Such utilities are to be effectively marked with flags and/or paint in order that service to adjacent private properties will not be disrupted by construction.
11. All contractors must carry liability insurance.
12. Each contractor will be required to meet with a designated member of the Association prior to the start of construction to review all aspects of the project, including its impact on the community.
13. The Association reserves the right to deny the services of any contractor who previously has not been in compliance with the foregoing.
14. No radios, phonographs or tape decks are permitted.
15. No construction work of any kind will be permitted on Sundays or holidays. Saturday work will be permitted only with approval of Association. Work may not begin before 7:30 am and all employees must be off the property by no later than sunset.
16. Heavy vibrating tamping roller equipment may not be used for compacting fill.
17. Vehicles with noisy mufflers are not permitted.
18. Turning around in property owners driveways will not be permitted.
19. The following will also not be permitted:
  - a) Drinking of alcoholic beverages
  - b) Firearms
  - c) Fishing

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**ARBOR TRACE HOMEOWNERS ASSOCIATION**

**ARCHITECTURAL REVIEW APPLICATION**

Date Received: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_ Landscaping Plan

\_\_\_\_\_ Fence Plan and Detail (attach copy of plan and materials to be used)

\_\_\_\_\_ Pool Plan and Detail (attach copy of plan, proposed screening, etc.)

\_\_\_\_\_ Screen Room or Addition (attach copy of plan and materials to be used)

\_\_\_\_\_ Other (list details and attach copy of plan)

Date: \_\_\_\_\_ Owner's Signature: \_\_\_\_\_

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Your application is hereby ( ) Approved ( ) Disapproved, subject to the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ ARC Committee: \_\_\_\_\_