

judgment of hardship and/or community aesthetics and must be reasonable under the circumstances, and subject to any applicable provisions of the Declaration of Covenants and Restrictions.

G. WITHDRAWAL

In the event an appeal of a Denial decision is desired under the P.O.A. Declaration, an Applicant may request a formal meeting before the A.R.C. In the event of another Denial, the Applicant may request a formal meeting before the P.O.A. Board of Directors within thirty (30) days of the receipt of the time requirement.

The Board of Directors will make its decision within thirty (30) days of its meeting. The decision will be final and binding.

H. REMEDIES

In the event of commencement of construction or site improvement for items pertaining to a category of review for which Final Approval has not been granted, the A.R.C. may, through the P.O.A. Board of Directors, seek any available legal remedy, which could include injunctive relief.

I. FUTURE APPROVALS

Any work performed on a residence (repainting, roof replacement, landscaping, etc.) after the initial approvals is subject to all approvals required in this document.

V. REVIEW CRITERIA

A. SITE PLAN

1. Setbacks

- a. All setbacks shall be measured from the appropriate property line. Dimensions from the property line for any structural elements, e.g., buildings, patios, screened enclosures, fences, walls, equipment accessory structures, etc. must be shown.
- b. Minimum front yard setback is twenty-five (25) feet.
- c. Minimum front/side yard setback for buildings patios, screened enclosures and swimming pools/spas on corner lots is twenty-five (25) feet from the right-of-way line (property line) of each intersecting street, unless otherwise approved by the A.R.C.
- d. Minimum rear yard setback for buildings is twenty (20) feet unless otherwise designated on an individual lot.
- e. Minimum rear yard setback for patios with permanent decking and swimming pools/spas is seven and one-half (7 1/2) feet. Pool must be 5 feet away from the structure.
- f. Minimum rear yard setback for screen enclosures is fifteen (15) feet. of the rear property line.
- g. Minimum side yard setback for buildings, patios, swimming pools/spas and screened enclosures is eight (8) feet from one side and ten (10) feet from the other side. In no event can any of the above be extended beyond a line extended and aligned with the side walls of the residential structure. All

setbacks must be acceptable to the City of Rockledge.

- h. Minimum setbacks for decorative items and accessory structures will be determined by the A.R.B. on an individual review basis.

2. GRADE ELEVATION

- a. The site plan must show the minimum lowest finished floor elevation.
- b. The minimum finished first floor elevation must be not less than eighteen (18) inches or greater than thirty-six (36) inches above the crown of the road. No elevations are acceptable without approval by the A.R.B. Homes cannot be more than six (6) inches higher or lower than homes already constructed on contiguous lots.

3. DRIVEWAYS

- a. Roadway entries must be connected by a driveway. Nonconnected parking areas are prohibited.
- b. Driveways must be a minimum of three (3) feet from the side property line.
- c. Driveways may connect with the street at no more than two (2) points.
- d. No curb side parking areas may be created by extending any portions of the street pavement.
- e. All garages must connect to the street with paved driveways.
- f. Sidewalks must be constructed according to the specifications in Exhibit C.

- g. Sidewalks on corner lots must be installed on the diagonal the same as the property line.

4. RESIDENCE GRAPHICS

- a. All lot signage must be approved by the A.R.C.
- b. Except for signs utilized by the Developer and Builders to advertise the sale of lots or dwelling units for sale and except as otherwise permitted by the Association, no sign of any character shall be displayed or placed upon any Lot except "FOR RENT" or "FOR SALE" signs, which signs may refer only to the particular premises on which displayed. Said signs shall not exceed the normal and customary standard size for the local residential real estate industry, shall not stand higher than four (4) feet above the ground, shall be limited to one (1) sign per Lot, and shall be displayed only upon the Lot sought to be rented or sold. No signs may be attached in any manner to a tree.

5. FENCES AND WALLS

- a. The design, materials and height of any wall and/or fence must be shown, either on the site plan or by separate drawing.
- b. Privacy walls and fences must not exceed six (6) feet in height.
- c. No wall or fence may obstruct the drainage flow of water.
- d. Any combination of landscaping and fence or wall elements may be constructed by the A.R.C. in its sole discretion, to create an effect similar to a wall or fence. The appropriate A.R.C. provisions for walls and fences will apply in such instances.

- e. Green vinyl clad chain link fencing may only be used to enclose a tennis court area. Any other chain link fence is prohibited.
- f. No fences or walls will be allowed in the rear yard of lots located on the lake.

All fencing will age naturally with no stain or paint allowed.

6. ACCESSORY BUILDINGS AND STRUCTURES

- a. Aerials, antenna and satellite dishes are prohibited.
- b. Storage sheds & green houses are prohibited.

7. SWIMMING POOLS

- a. Required setbacks are previously described in Article IV, Section A of this chapter.
- b. Any exterior equipment must be concealed from view by a fence, wall or landscaping.

8. GARBAGE AND TRASH CONTAINERS

- a. During the construction period of the residence, a construction dumpster, or other approved container is required on the site.
- b. The residential garbage container must be concealed by a wall, fence, or adequate landscaping.

9. DRAINAGE

- a. A proposed surface water drainage plan must be shown on the landscape plan.

- b. The drainage plan must be compatible with the master community plan.
- c. All easements must be shown on the drainage plan.

B. SURVEY

1. Foundation (Tie-in, Stenwall)

- a. The A.R.C. reserves the right to request a survey of any questionable item during construction of the residence, at the expense of the applicant/builder.
- b. No lot may be cleared prior to obtaining Site Plan and Survey approval from the A.R.C. and a building permit from the City of Rockledge.

C. FLOOR PLAN AND ELEVATIONS

1. RESIDENCE SIZE

- a. A single story, or split level residence will have a living floor area not less than 1,500 square feet for all lots.
- b. A two story residence is to have a minimum of 1,000 square feet of living area on the first floor. With a minimum of a total of 1,800 square feet for all of said area of a two-story dwelling.
- c. All square footage measurements will be exclusive of garages, porches, covered walks, open and/or screened porches or patios and pool area. Square footage measurements will include the exterior walls.

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- d. Floor Plan drawings will use a 1/4" = 1' scale.
- e. For purposes of this review, it is the intent of the A.R.C. to review the floor plan as it relates to the exterior elevations submitted.

2. ELEVATIONS

- a. The height of any structure is not to be more than two stories.
- b. Elevation drawings will use a 1/4" = 1" scale.
- c. There must be at least five residences intervening between residences with similar elevations, as determined by the A.R.C. in its sole discretion.

3. ROOF, SHINGLE MATERIAL AND EXTERIOR ELEVATION

- a. No primary portion of straight gable or hip roofs may be built with a pitch lower than 5 to 12. All roofs shall be pitched except for those areas over porches and patios, which may be flat. Flat roofs must be constructed of approved framing, decking, tar paper and gravel; no metal or fiberglass roofs shall be permitted.
- b. The Committee must approve the type, color, and style of all shingle and roof covering materials. Shingles must be fungus-resistant 240 lb. architectural grade dimensional shingles, or higher quality. The Committee may reject any exterior elevation based on the roof line, shingle type or exterior elevation appearance that in its judgement is not in keeping with the character and standards of the Subdivision.

4. GARAGES

- a. Every garage is to accommodate at least two (2) full sized vehicles.
- b. Carports are prohibited.
- c. No garages shall be permanently enclosed.
- d. All garage doors shall remain closed when not in use.

D. EXTERIOR COLORS AND MATERIALS

1. EXTERIOR COLORS

- a. A color schedule must describe and include a sample of the roof, exterior walls, shutters, doors, trim, window and driveway. The A.R.C. reserves the right to review any other items that may affect the exterior appearance.
- b. The A.R.C. will consider the aesthetic harmony of the color schedule with the surrounding area.

2. EXTERIOR MATERIALS

- a. Brick, stone, wood, stucco or combination thereof are encouraged.
- b. Reflective (mirror type) window tinting material is prohibited.
- c. Installation of awnings must be approved by the A.R.C.

3. SCREEN ENCLOSURES

- a. Screen enclosures must be of anodized bronze finish or white finish and approved by the A.R.C.

4. TRIMWORK

- a. The use of decorative walls, planters, capping of walls, details and finishes is encouraged.
- b. All hurricane/security shutter designs and colors must be submitted and approved by the A.R.C. prior to installation.

E. LANDSCAPE AND IRRIGATION

1. LANDSCAPE PLANS

- a. Landscape plans are to be submitted not more than sixty (60) days after the building plans have been approved.
- b. The landscape plans are to include:
 1. Scale of 1/8" or 1/4" = 1 foot.
 2. All homes shall have a professionally designed landscape and irrigation system installed by a reputable contractor that is licensed.
 3. A minimum of five (5) trees must exist or be planted on each lot. A minimum of 3 of the 5 trees are to be planted in the front yard. Trees shall be planted in locations so as not to cause danger or interference with existing structures at the time of maturity.

The trees required for any lot shall be of the species listed in Appendix A and B (see attached). No less than fifty (50) per cent of the required trees shall be native trees from Appendix A. When planted, trees must be at least eight (8) to ten (10) feet in height.

4. All homes shall be sodded with Floratam Sod. All areas between property line and existing sod line.
5. All homes shall have an irrigation system that provides 100 percent coverage to all sod, plant and tree areas.
6. In the event that a lot is contiguous to a lake, the landscape plan must show installation of irrigation and sod to the water's edge.

2. IRRIGATION

- a. No water may be obtained from the lake.

3. EXTERIOR LIGHTING

- a. Outdoor lighting must be located so that it does not interfere with vehicular travel or become a nuisance to other residents.
- b. The light source of any exterior light must be shielded from public view.
- c. The A.R.C. reserves the right to enforce lighting provisions from a community aesthetics standpoint after the construction of the residence is completed.

VI. INSURANCE

A. CONTRACTOR'S LIABILITY INSURANCE

1. The Contractor shall purchase and maintain such insurance as will protect him from all claims which may arise out of or result from the contractor operations under the contract, whether such operations be by himself or by his Sub-contractors or by anyone directly employed by any of them, or by anyone for whose acts any of them may be liable.
2. The insurance required by Subparagraph VI.A (1) shall be written for not less than any limits of liability specified in the Contract Documents, required by law, or as specified herein, whichever is greater.
 - a. Insurance limits shall be as follows:
 - i) Comprehensive General Liability, including completed operations:
 - Bodily Injury - \$1,000,000 each occurrence
- \$1,000,000 aggregate
 - Property Damage - \$1,000,000 each occurrence
- \$1,000,000 aggregate
 - ii) Comprehensive Automobile Liability:
 - Bodily Injury - \$1,000,000 each occurrence
 - Property Damage - \$1,000,000 each occurrence
 - iii) Employer's Liability
 - Each Accident - \$100,000
 - Disease - \$500,000 policy limit
 - Disease - \$100,000 each employee
 - iv) Workman's Compensation coverage shall include Longshoremen and Harbor Worker's endorsement when applicable.

3. The insurance required by Subparagraph VI. A (1) shall include premises-operations (including explosion, collapse and underground coverage), elevators, independent contractors, products and completed operations, all including broad form property damage coverage, collision liability.
4. The foregoing policies shall contain a provision that coverage afforded under the policies will not be terminated, cancelled, not renewed or materially altered until at least thirty days prior written notice has been given to the Developer. Certificates Of Insurance acceptable to the Developer shall be filed with the Developer prior to commencement of the work. Upon request, the contractor shall allow the Developer to examine the actual policies.