

---

# Architectural Review Committee (ARC)

---

Architectural Control  
Criteria Rules and  
Regulations

---

Established by:  
Homeowners Association of Sisson  
Meadows, Inc. Board of Directors  
Approved on:  
January 26, 2023

---

## INDEX

Homeowners Association of Sisson Meadows Architectural Review Committee

### Contents

Section 1 .....	5
Introduction .....	5
Section 2 .....	6
General Guidelines.....	6
Compliance with City, State, and Federal Regulations .....	6
Permits.....	6
Changes to Plans.....	6
Concerns with Neighbor’s Property.....	6
Section 3 .....	8
Architectural Review Process.....	8
Preliminary Review .....	8
Final Review .....	8
Denial of Application .....	9
Incomplete Application.....	9
Conditional Approval.....	9
Final Approval.....	10
Drawings and Diagrams .....	10
Where to Send Application.....	10
Notification of When an Application is Received .....	10
Notification of When an Application is Approved .....	10
ARC Meetings.....	11
Section 4 .....	12

Regulation of Improvements .....	12
New Home Construction .....	12
Construction Time .....	12
Grades.....	12
Accessibility for Disabled Residents.....	13
Antennas.....	13
Cable Television System .....	14
Damaged Buildings .....	14
Driveways.....	14
Exterior Building Materials .....	14
Exterior Lighting.....	14
Fences, Walls, and Hedges .....	15
Garages and Carports .....	16
Inoperable Vehicles .....	17
Junk and Debris.....	17
Landscape Maintenance .....	17
Mailboxes and Other Delivery Boxes.....	18
Outbuildings, Sheds, and Accessory Structures.....	18
Planting Considerations/Resources .....	19
Reflective or Mirrored Glass.....	22
Roofs and Roof Structures .....	22
Screening of Equipment.....	22
Setbacks - Building Location .....	22
Sidewalk Installation .....	23
Swimming Pools.....	23
Swimming Pool Location.....	24
Temporary Structures and Outbuildings .....	24
Tree and Dirt Removal, Landscaping .....	25
Use of Front Yard .....	26
Underground Utilities .....	27

Vehicle Parking ..... 27

Window Security Bars..... 28

# Section 1

## Introduction

All residents benefit from the planning and design that have been an important part of the development of Sisson Meadows.

The purpose of design controls is to assure that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment. The ARC Rules and Regulations (ARCRR) are designed to address exterior alterations made by homeowners to their property.

The authority for maintaining the quality of design in the community is founded in the *Declaration of Covenants, Conditions and Restrictions* that are a part of the deed to every property. The Covenants establish both a Homeowners Association and an Architectural Review Committee.

The ARC Rules and Regulations are binding on all current and future homeowners and should be fully understood by each homeowner.

In the event the improvement you seek to make is not listed in the ARCRR, refer to the Declaration of Covenants. If you still cannot find an answer, contact the President of the Board of Directors or the ARC Chairperson for guidance.

The ARC and the Board of Directors may periodically review and vote to make applicable changes or revisions to the ARCRR.

The ARC and the Board of Directors reserve the right to deviate from these rules and regulations, upon a majority vote of the Board of Directors as long as it does not contradict the CCRR of the Association.

NOTE: Article IV, Section 4.2 of *the Declaration of Covenants* makes the provision for the ARC to implement its powers to control the design, construction, and installation of building improvements, setbacks and landscaping on each Lot. Homeowners should refer to this document to avoid making *exterior* changes that are not permitted.

## **Section 2**

### **General Guidelines**

#### **Compliance with City, State, and Federal Regulations**

All construction and installation of any improvements shall comply with city, state, and federal building and land use regulations. Compliance with these regulations is the responsibility of the homeowner. ARC review and approval is NOT a review, nor an approval, for compliance with any local, state, or federal building or land use regulation.

#### **Permits**

Building, electrical, or plumbing permits may be required. The determination of the necessity of any permits is the responsibility of the homeowner. The acquisition of any necessary permits is the responsibility of the homeowner. Permits are necessary and protect both the Homeowner and the Association. They can be arduous to obtain, but inspection sign off from inspectors will help ensure that contractors / homeowners have completed the project to standard.

#### **Changes to Plans**

Changes to the proposed plan necessitated by permits or compliance with local, state, or federal building or land use laws are subject to additional review by the Architectural Review Committee (ARC).

#### **Concerns with Neighbor's Property**

It is the strong desire of the Board of Directors of the Sisson Meadows HOA that homeowners with concerns regarding their neighbor's property, first discuss with their neighbor and try to resolve the issue and/or concerns. If this does not resolve the concern or if you desire some guidance/help setting up a discussion, then please contact the ARC Administrator or the HOA President who can assist with clarifying issues and what the Declaration of Covenants and ARC Rules and Regulations provide for guidance.

Any concerned homeowner may wish to communicate with the Board of Directors for further assistance, either in writing or in person at Board of

Directors scheduled meetings. Special meetings may be called if two or more directors determine a need.

## Section 3

### Architectural Review Process

The Architectural Review Process at Sisson Meadows begins with the initial application and submittal. This submittal can be either for Preliminary Approval Review or for Final Approval Review; the required drawings and their due dates are listed below. Even after the house is constructed and exterior lighting has been installed, the ARC, acting on behalf of the Home Owners Association, continues to review all remodeling, additions, and landscape revisions. The following describes the process and outlines the steps to be taken by the Applicant.

No construction may begin before Final Approval has been granted by the Architectural Review Committee.

#### Preliminary Review

The purpose of a Preliminary Application is to allow for review of any sketches or drawings at an early stage in the planning process to ascertain if the general proposal conforms to Sisson Meadows' architectural philosophy. Preliminary reviews are encouraged so that modifications that might be required by the ARC are taken into consideration before final engineering is completed and construction permits are granted. The Applicant may skip this step and apply directly for Final Review if this is desirable for scheduling reasons or if plans are already complete.

NOTE: Preliminary Approval does not confer the right to file for construction permits or to begin construction. Final Review is required of all projects. Failure to receive final approval before beginning construction will result in fines and other sanctions being imposed.

#### Final Review

The Committee will review all required documentation and the application will receive one of the following: "Denial," "Incomplete," "Conditional Approval 'Subject to'," or "Approval." There are no fees associated with this process at this time.



## **Denial of Application**

If the application is "Denied," the Applicant may submit a new proposal which incorporates changes to the original proposal. Resubmitting an identical application to the one that was denied will be of no force and effect, as well as rejected and denied.

No construction permits may be applied for, nor may any construction begin, unless the Owner first obtains written approval for the construction, building, structure and /or other improvements. Any change or deviation from an approved proposal shall require a new application.

## **Incomplete Application**

If the application is "Incomplete," additional information must be presented to the ARC. No construction permits may be applied for, nor may construction begin. The Applicant is given 30 days to present the additional information before the application is closed. Once closed, the Applicant is required to submit a new application.

## **Conditional Approval**

If the application is given "Conditional Approval 'Subject to'," the Applicant may file for building permits and may begin construction, but some matters may require further review by the ARC and/or the Applicant may be required to submit additional information. In the case of new home construction, certain information, such as staked building corners, will be required before construction begins, while other information, such as paint color samples and exterior lighting, can be submitted after construction has begun. Information such as landscape plans can be submitted after construction has been completed. A form will be returned to the Applicant listing additional information required, issues not approved, and the dates when requirements must be satisfied. If the requirements are not satisfied by the deadline set by the Committee, the application will be closed and the Applicant is required to submit a new application. The Applicant may not proceed with construction of any aspect of the project before that aspect has been reviewed and approved.

## **Final Approval**

Final approval may be given if the following required information has been submitted and approved: satisfactory landscape plans, lighting plans, and exterior paint color samples. Approvals will be valid for one year, after which plans must be resubmitted if approved work has not been initiated.

## **Drawings and Diagrams**

All drawings and/or diagrams must be legible and large enough to see clearly. Be sure to list the Lot and block numbers, plat name, and the name, address, and telephone number of the contact person.

## **Where to Send Application**

**Submissions are to be mailed to the Sisson Meadows ARC c/o Sentry Management 597 Haverty Ct, Suite 110, Rockledge, FL 32955, or  
EMAIL TO: Community Care < [communitycare@sentrymgt.com](mailto:communitycare@sentrymgt.com) >  
SENTRY MANAGEMENT PHONE: (321)638-8880**

## **Notification of When an Application is Received**

The Association shall endeavor to provide you with a receipt indicating when the application/proposal has been received by the Association. If you do not receive receipt within 15 days after submission, contact the Community Manager as soon as possible.

## **Notification of When an Application is Approved**

A formal response will be mailed or emailed, depending on the method of communication you choose, within 15 business days of receiving your request. In the event the ARC fails to approve, modify, or disapprove an application, in writing, within 30 days of receiving an application, approval will be deemed granted.

## **ARC Meetings**

The ARC endeavors to meet on a monthly as-needed basis. The ARC will try to review Applications received by 5:00 PM Friday at its next meeting. If desired, the Applicant may request a 15-minute conference or special meeting with the ARC to discuss any special circumstances of the application. Contact the ARC Chairperson at [SissonMeadowsARC01@gmail.com](mailto:SissonMeadowsARC01@gmail.com) to set up an appointment. While Owners may attend ARC meetings in person, we recommend each Owner attend virtually. As such, please send an email to the ARC Chairperson at [SissonMeadowsARC01@gmail.com](mailto:SissonMeadowsARC01@gmail.com) to get the Meeting Id, Passcode, and Time, if you wish to attend the meeting.

# **Section 4**

## **Regulation of Improvements**

### **New Home Construction**

Builders should refer to the Declaration of Covenants, Conditions, Restrictions, and Reservations for specifications on all new home construction. The erection, placement, construction and installation of all improvements on all Lots shall be subject to and governed by the Declaration of Covenants, Conditions, Restrictions, and Reservations (CCRR).

No building or structure or improvement shall be constructed, erected, placed, altered, maintain or permitted, or changes in the design after original construction on any Lot until construction plans and specifications are approved as set forth in Article IV of the CCRR.

### **Construction**

The construction of all residential dwellings and other improvements on all Lots must be performed by such builders, general contractors, and subcontractors as are licensed by the State of Florida or the County to engage in the business of residential building and construction. Contractors must be insured.

#### **Construction Time**

All construction shall be completed in a timely manner. Work shall be performed continuously until the project is complete and at no time will construction exceed 12 months. The ARC has the authority to grant an extension of time per Article III, Section 3.4.

### **Grades**

No owner shall be permitted to alter the grade of the Established Drainage Plan for any Lot or change the direction of, obstruct or retard the flow of surface water drainage. Any variation from this requirement must be approved by the St Johns River Water Management District (SJWMD).

All storm water from any lot shall drain into or onto contiguous or adjacent street right-of-way, drainage easements, retention areas or the Common Area in accordance with the recorded Plat for Sisson Meadows as approved by the City or plans (the "Established Drainage Plan") filed with the SJWMD. Storm water from any Lot shall not be permitted or allowed to top drain or flow unnaturally onto, over, under, across or upon any contiguous or adjacent Lot unless the drainage easement shall exist therefor.

## **Accessibility for Disabled Residents**

The ARC shall fully comply with the Americans With Disabilities Act (ADA) of 1990, and any and all of its revisions, prior to taking action on ARC requests that may apply to residents with disabilities.

<https://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm>

Wheelchair accessibility requirements may be found at

<https://www.adawheelchairramps.com/wheelchair-ramps/ada-guidelines.aspx>

ADA Ramp Specifications Require a 1:12 ramp slope ratio which equals 4.8 degrees slope or one foot of wheelchair ramp for each inch of rise. For instance, a 30-inch rise requires a 30-foot handicap wheelchair ramp to be compliant with handicap accessibility laws.

ADA Guidelines Require a Minimum 5' x 5' Flat, unobstructed area at the top and bottom of the ramp for wheelchairs.

ADA Standards Require wheelchair ramps to have a Minimum width of 36 inches of clear space across the wheelchair ramp. Massachusetts and California ADA code now require 48 inches ramp width to be an ADA compliant ramp.

ADA Code Compliance Require a Minimum Turn Platform size of 5' x 5'. California ADA ramp code now requires a minimum 6-foot (in the direction of travel) platform size.

ADA Guidelines for Wheelchair Ramps allow a Maximum run of 30 feet of wheelchair ramp before a rest or turn platform.

ADA Ramp Guidelines Require ADA Ramp handrails that are between 34" and 38" in height on both sides of the wheelchair ramps.

## **Antennas**

The ARC adheres to the regulations as set forth in the CCRR regarding antennas.

## **Cable Television System**

Each single family residential dwelling shall include the installation necessary for individual cable television systems.

## **Conservation Areas.**

Dumping anything into, disturbing in any way the area beyond Unit-owner's property line into a conservation area is prohibited. This includes clearing, installing sod, mowing, etc. Questions and issues should be directed to the St. Johns River Water Management District (SJRWMD).

## **Damaged Buildings**

Any building destroyed partially or totally by fire, storm or any other means shall be repaired or demolished within a reasonable period of time and the land restored to an orderly and attractive condition. Any repair, rebuilding, or reconstruction on account of casualty or other damage on any Lot or any part or parts thereof, shall be substantially in accordance with the plans and specifications for such property and areas as originally constructed or with new plans and specifications approved by the ARC

## **Driveways**

The ARC adheres to the regulations as set forth in the CCRR regarding driveways.

Driveways shall be maintained and kept in a neat and clean condition, and free of refuse and debris. Excessive stains shall be removed. Driveway stains will be reviewed on a case by case basis.

## **Exterior Building Materials**

The ARC adheres to the regulations as set forth in the CCRR regarding exterior building materials. All exterior building materials must have ARC approval in advance.

## **Exterior Lighting**

Exterior lighting must be approved in writing by the ARC and should be installed as to avoid visible glare from the street and road right-of way or any adjacent Lot.

## **Fences, Walls, and Hedges**

All fences must be approved in writing by the ARC prior to beginning installation. The ARC reserves the right to deviate from the ARCRR, upon written request by the lot owner, by providing a written variance. Variances shall not infringe upon the rights, as set forth in the CRRR, of adjacent lot owners. In the event a variance will encroach upon an adjacent lot, written and notarized permission from the affected lot owner must accompany the ARC request.

Approved fence materials include: aluminum, vinyl, or pvc

Approved styles include: privacy, shadowbox, and picket

Fence colors must be approved prior to installation.

Fence Height shall be between three (3) feet and six (6) feet in height.

Fences shall not encroach upon adjacent lots and must be installed within the property lines of the requesting lot owner. In the event adjacent lot owners are splitting the cost of a fence that is to be installed and centered on the lot lines, both lot owners are required to submit an ARC request.

Fences must be setback a minimum of 10 feet from the front corners of the house on either side, unless otherwise approved in writing by the ARC. Variances are permitted, and must be requested in writing, in the event an adjacent fence is forward of the 10-foot setback requirement.

Properties adjacent or abutted to common area property may request a variance from this rule so long as the variance does not create a violation of any other lot owner's rights as set forth in the CRRR.

Waterfront Lots may not install a fence that will obstruct the view of the lake or pond from any adjacent property or the street. Fences on waterfront Lots may be no taller than 4 feet and may not be a privacy or a shadow box style fence.

The ARC, at its' sole discretion, may require landscape buffers on the outside of any privacy fences and walls.

All fences must be installed with the posts on the inside and must have landscape buffers when required by the ARC.

Fences shall be kept clean and straight with gates hung squarely. Fences requiring repainting, cleaning, straightening, or replacement of damaged components or sagging gates are prohibited. Turf shall be trimmed at the base of fences.

## **Flags, Flagpoles & Wall-mounts**

Homeowners may install a wall-mounted bracket or erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement.

The homeowner may further display in a respectful manner from that flagpole, one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.

## **Garages and Carports**

No carports shall be placed, erected, constructed, installed or maintained on any Lot.

## **Gutters and Downspouts.**

Gutters and downspouts shall be at least 4 inches in size and shall be white or match the color of the home. Splash blocks and gravel should be used at the base of downspouts unless the downspouts drain onto a sidewalk or driveway.

## **Holiday Decorations**



Outdoor holiday decorations shall not be put up more than 30 days prior to the holiday and shall be removed within 30 days after the respective holiday.

## **Inoperable Vehicles**

### **In accordance with Titusville Code of Ordinances (Section 13-73)**

An inoperable motor vehicle is a vehicle that does not display a current license tag and/or is not equipped with all the parts that are required to legally and safely operate on public streets and/or cannot be driven under its own power (whether or not designed for use on public streets)

An inoperable vehicle cannot be stored on a property for more than seventy-two (72) hours, except in a fully enclosed structure (i.e. garage).

## **Junk and Debris**

### **In accordance with Titusville Code of Ordinances (Section 12-23)**

Junk, trash, and debris cannot be left in the yard and must be properly disposed of. This includes junk such as auto parts, appliances, furniture, building materials, and tires; trash such as discarded paper, cardboard, plastics, etc.; and debris such as tree trimmings and fallen limbs.

## **Landscape Maintenance**

### **Maintenance of Landscaping**

Owners shall maintain all landscaped areas on their property and to the paved public right of way. Landscape maintenance shall include care of trees, shrubs, ground cover, annuals, turf grass, and irrigation systems. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses and removal of trash. Turf areas shall be regularly cut to maintain a consistent appearance of quality. Grass shall be kept neatly trimmed around all stationary objects. Causing yard clippings, debris, etc. to go down storm drains or inlets is against City Ordinance and prohibited. If a lawn contains weeds, bare ground, or dying grass, it shall be restored. Once the Association has sent a notice to a homeowner to restore their lawn, that restoration shall be done or the Association will pursue the violation in

accordance in the Declaration of Covenants.

All damaged plant material, including ground cover and sod, shall be removed and replaced with similar, sound, healthy plant materials.

Maintenance of Landscaping to Public Right of Way and Water's Edge  
Homeowners are responsible for the maintenance of landscaping between their property line and the street; this area is called the streetscape.

All streetscape trees shall be trimmed so that the limbs do not impede pedestrian traffic on the sidewalks. However, to avoid disfiguring trees shorter than 18 feet, just the lower limbs shall be removed up to around 7 feet. New limbs growing out of the bottom of trees shall be removed.

## **Mailboxes and Other Delivery Boxes**

The ARC adheres to the regulations as set forth in the CCRR regarding mailboxes and other delivery boxes.

## **Outbuildings, Sheds, and Accessory Structures**

No outbuildings or accessory structures shall be allowed, unless approved in writing by the ARC along with city permits if required.

**Sheds** approved by the ARC must have shingled roofs, be no taller than eight (8) feet in height, and be of the same color as the dwelling on the Lot. Sheds on fenced Lots will be placed inside the fenced area. Sheds on unfenced Lots will be in the backyard, close to the dwelling. No shed will be constructed in side yards or front yards. Homeowners may request in writing a variance to this requirement for the ARCs consideration.

## **Ornamentation (Non-Living).**

ARC approval shall be obtained prior to the installation of non-living ornamentation. Only ornaments that, in the sole judgment of the ARC, are compatible with the “look and feel” of the neighborhood and accent the yard without overwhelming it, will be approved. Only a few ornaments are permitted, the number permitted depending on size and other visual impacts. Non-living garden borders, such as cement or stone, and accent stones are not considered ornaments. This guideline applies only to ornamentation that is visible from the street.

## **Painting, Exterior**

ARC approval shall be required only for changes in paint color. Only paint color combinations defined in the Sisson Meadows paint color books shall be used; the books may be inspected upon request to the ARC.

Front doors shall be the color defined in the chosen color scheme Garage doors shall be the same color as the home or trim.

If requesting color schemes not in the color book a variance must be requested in writing for ARC to review.

## **Planting Considerations/Resources**

**Perennials & bedding plants** - this list could be greatly expanded with seasonal color but these are some of the more durable ones.

African iris - durable but needs well-drained soils

Alternanthera – colorful foliage plant that should be tried - warm season

Bulbine - durable in well-drained soil in sunny locations - yellow and orange varieties

Bush daisy - blooms year-round, cold tolerant, moist soil but not wet.

Caladiums - popular and durable Florida bulb with great warm season color for warm months

Coleus - doing well in Vista Lakes plantings - warm season

Cool season annuals to include petunias, dianthus, snapdragons

Cuphea – good for sun areas, several types

Farfugium - Leopard plant – limited use but good for filtered sun to shade – yellow fall flowers

Lantana – wide selection, needs sun, well-drained soil. Doing well in Vista Lakes communities.

Pentas – doing well in Vista Lakes plantings - warm season

Torenia – good for sun or light shade - warm season

Wax and similar begonias – obtain sun resistant types - warm season

Yellow alder - durable plant to 2 feet tall, year-round color, well-drained soil

### **Ground covers**

Asiatic jasmine – tends to be overused but durable for sun or shade

Beach sunflower - tolerates poor soils, needs full sun, well-drained sites.

Bromeliads – would be good for shady sites where root competition is heavy.

Cast iron plant – must have shade, durable and survives most winters

Confederate jasmine - rambling vine but can be trimmed to ground cover

Coontie - doing well in all but overly wet soil.

Flax lily – rust is the major problem but still used a lot - spray program will be needed.

Holly fern – good for filtered sun to shade.

Liriope – very durable if not over watered

Mondo grass - good for the shade and dry spots - slow growing

Peacock ginger - has the hosta look - grows during the warm months

Philodendron Xanadu – good for the shade - tolerant of winters under trees

Purple queen setcreasea - grows in sun to filtered sun, tolerates poor soil but not wet soil

**Ornamental grasses** – most are durable and long lived. Will need seasonal maintenance with trimming in February.

Fakahatchee Grass - tolerates wet soils

Lomandra - several varieties - seems to be doing well in local tests - try a small planting

Muhly grass - doing well and colorful in well drained soils.

Pampass grass - still a good attention getter - durable

Sand cord grass - very durable with good green color - tolerates wet conditions

## **Shrubs**

Camellias – all types of japonica and sasanqua - best in filtered sun – dwarfs available

Chinese hollies - Burfordii variety commonly used as a low planting

Copperleaf shrub - performing well - good foliage color - can take some wet soil.

Croton – many varieties and color.

Downy jasmine – doing well in well drained soils.

Dwarf firebush - often called Mexican firebush - good in most areas but like a well-drained soil

Dwarf powderpuff-red and pink available-grow to 5 feet in sun to part shade.

Dwarf schefflera variety Trinette - has performed well- best used in shade or filtered sun.

Dwarf Walter viburnum - use in moist to damp soils  
Dwarf yaupon holly - Schillings variety most used – tolerates damp soils  
Feijoa – doing well as shrub in Vista Lakes in all but wet soils.  
Gallberry - a native holly tolerates wet soil - Ilex glabra  
Glossy abelia - full sun to part shade, selection like Edward Goucher & Rose Creek, moist soil  
Gold mound duranta - soil well in well drained soils - is cold sensitive  
Loropetalum - select dwarf varieties for naturally low growth - does not take well to shearing  
Oakleaf hydrangea - good for moist soils and filtered sun  
Philodendron selloum - good for shade and full sun if given acid and moist but not wet soils  
Plumbago – still a good choice - use with good air movement and well-drained soils.  
Shining jasmine - been a good performer in all but really wet soil  
Thryallis - good summer color - medium shrub often used as a natural hedge  
Torulosa juniper - doing well in sunny well-drained sites - good accent plant  
Viburnum suspensum - good low growing hedge  
Viburnum odoratissimum – tall growing - often used as a tall hedge – called sweet viburnum  
Virginia willow - tolerates wet soils.

### **Small trees or tree forms of shrubs**

Bottlebrush- full sun, doing well in Vista Lakes in well-drained soil  
Chaste tree - full sun to light shade  
Crape myrtles – all types - select proper size and variety for the location  
Elaeocarpus - doing well in most Florida plantings and Vista Lakes.  
Fringe tree - tolerates poor drainage, sun to filtered sun  
Junipers varieties Spartan, Torulosa or Brodie - full sun, well-drained soil  
Ligustrum – good for hedges and small trees - may need spray for cercospora leaf spot  
Podocarpus - good hedge plant for shade to full sun - good for small spaces.  
Red bud -good spring color-tolerates moist soil-25 year tree but good accent.  
Simpson Stopper - small evergreen native tree, tolerates damp soils  
Southern wax myrtle – good for wet sites, would continue to use  
Tree feijoa - full sun, doing well in Vista Lakes as a shrub  
Tree ligustrums - full sun to light shade  
Winged elm - tough native deciduous tree

**Palms** - it is becoming hard to select good obtainable palms for landscapes due to

pest problems including insects and diseases. Below are some that appear to be good survivors at this time. This list includes some cycads.

Cabbage palm - our state tree - usually does well in moist to dry soils  
Cardboard plant - palm like cycad doing well - tolerant of full sun to light shade - shrub-like  
Chinese fan palm - medium size palm with good green fan fronds – no problems at this time  
Coontie - a cycad used as a ground cover - durable in moist to dry soils  
European fan palm - small palm often planted with multiple trunks – no major problems  
Lady palms – good for the shady sites - moist and dry soil tolerant  
Pindo palm - large palm with blue green fronds

## **Reflective or Mirrored Glass**

No reflective or mirrored glass shall be used on, in, or for the windows or doors of any buildings or other improvements constructed on any Lot.

## **Roofs and Roof Structures**

The ARC adheres to the regulations as set forth in the CCRR regarding all roofs and roof structures.

## **Screening of Equipment**

All heaters, pool equipment, water softeners, air conditioning compressors and other ancillary or mechanical equipment located outside of a residential dwelling shall be screened from the view of street and road rights-of-way and adjacent Lots. Absolutely no window or wall air conditioners are permitted unless approved in writing by the ARC and screened from view of adjacent Lots and the street.

## **Setbacks - Building Location**

Each dwelling, unit, or structure shall comply with the City setback requirements in effect at the time application is made to construct the dwelling unit or structure.

## **Sidewalk Installation**

All current and future Lot Owners are required to install a sidewalk, as approved by the City, within one year from the date of purchase and closing of the Lot or at the time of construction of the dwelling, whichever time or event occurs first.

Lot owners who own more than one Lot, must install a sidewalk on each Lot they own in order to maintain a continuous flow of the sidewalk.

In the event a Lot owner refuses to install a City approved sidewalk, the ARC, without notice to the Lot owner, has the authority to have a sidewalk constructed at the sole cost and expense of the Lot Owner. The expense shall include construction costs plus twenty (20%) percent as and for contracting supervision and other related costs of the ARC.

To maintain the integrity of the architectural design of the neighborhood painting of sidewalks is not allowed.

## **Solar Panels**

Solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the building architecture.

To that end, solar panels shall be flush mounted to the roof and will be framed in black, solar panels framed in silver or natural aluminum color are not permitted. Solar panels shall be located on the rear or side roof of a home whenever possible. Exposed pipes extending up the sides of the Unit shall be painted the same color as the walls. Roof pipes shall be black or match the color of the roof insofar as possible.

## **Swimming Pools**

All swimming pools must have prior ARC approval before breaking ground. No above ground swimming pool is permitted.

All below ground pools must be fenced according to the rules set out in the ARCRR regarding fences, City and State ordinances.

Access of construction machinery and personnel to the pool site shall be via the property of the homeowner installing the pool. If access is needed using property other than the homeowner's and/or common area of the Association, a written permission of the other property owner shall also accompany ARC application.

All storage tanks, chemical feeders, heating equipment, and any other aboveground apparatus shall be shielded within fifteen days from the date of completion of the pool so that such equipment or apparatus is not visible to neighbors or from the street. The shielding shall be by an approved fence or shrubbery which is large enough at planting to provide a substantial screening effect,

### **Swimming Pool Location**

A swimming pool or its patio, deck and enclosure may be constructed to within five (5) feet of a rear Lot line. A swimming pool may not be located in the front yard of any Lot, nor past the building on a side street Lot line. The ARC may approve in writing an alteration of the rear swimming pool setbacks as long as such alterations do not conflict with Brevard County regulations or any other governmental regulations.

### **Temporary Structures and Outbuildings**

See CCRM, Article III, Section 18 for use of and prohibition of Outbuildings. Anyone wishing to construct any type of temporary structure or outbuilding must first contact the ARC, in writing, for approval.

### **Trash and Trash Containers**

When trash is put curbside on trash pick-up days, trash and recycling material shall be placed in the containers supplied by the City.

Refuse Disposal - There shall be no usage of any commonly owned property, (including lakes) for the disposal of or dumping of any type of refuse, biodegradable or non-biodegradable, under any circumstance.

No lumber, metals, bulk materials, refuse, lawn clippings, lawn debris or



trash shall be kept, stored, or permitted to accumulate on the properties except building materials during the course of construction of any approved structure.

Trash containers shall be removed and kept out of view from the street by the end of the day collected. If the regularly scheduled pickup date is canceled due to a holiday or any other reason, then containers shall be removed and kept out of view from the street until after sunset of the night before the next regularly scheduled pickup date.

## **Tree and Dirt Removal, Landscaping**

All landscape plans and tree removal must be approved through the City of Titusville Tree and Landscape Ordinance. The ARC emphasizes strongly that each Lot comply with this ordinance, as the Tree and Landscape Ordinance is very specific and must be followed.

The digging or removal of dirt is prohibited except as necessary in conjunction with the landscaping or construction of approved improvements. No trees may be removed and no Lot cleared without ARC approval, in writing. A landscape design that designates specifically those existing trees will be retained and preserved must be submitted to the ARC for approval.

### **(a) Trees and Shrubs Required**

The landscape of each Lot must include a minimum of one (1) Magnolia tree (Crepe Myrtle trees may be substituted), a minimum of eight (8) feet or greater in height, planted in the front yard between the sidewalk and the curb. If the City of Titusville does not allow for planting of a tree between the sidewalk and the curb, the magnolia tree should be planted in the front yard as close to the center of the Lot as possible if the Lot size permits such placement. All other landscaping should comply with the City of Titusville Landscape Ordinance or other governmental agency landscape requirements. After the ARC approved landscaping plan is implemented on a Lot, no trees shall be cut without the prior written consent of the ARC. The term “tree” shall mean and be defined as any tree eight (8) feet or greater in height.

**(b) Sod** All Lots shall have entire sodded front, side, and rear lawns of Flortam sod or such substitute sod as approved by the ARC, except in approved landscape areas as submitted on the landscape plan.

### **(c) Wells and Reuse Water Lines**

\*Note: All wells are optional as all Lots will have City of Titusville reuse lines and irrigation system should be tied into City of Titusville reuse water lines. Irrigation wells shall be set back from the front of the property and placed within landscaped screens so as not to be visible from any adjacent or neighboring property.

### **(d) Owner's Expense**

Each owner must submit a Lot landscape plan for approval by the ARC. The Owner shall, at the Owner's expense, design and install all landscaping on the Lot in accordance with these provisions. If, within thirty (30) days of the time construction on a dwelling is completed, as evidenced by the issuance of a Certificate of Occupancy, the Owner has not installed landscaping, the ARC or the HOA may, at the expense of the Owner, design and install all landscaping on the Lot, which expense shall constitute an Individual Assessment against the Lot on the right-of-way between his Lot and the street, including any trees. The ARC shall have the power to approve the modification of any landscaping for any Lot's landscaping plan.

### **(e) Artificial Vegetation**

No artificial vegetation shall be permitted on the exterior of any building on any Lot.

## **Use of Front Yard**

No portion of any front yard on any Lot shall be used for any purpose other than that of a lawn. The front yard consists of the portion of the Lot between any street and the building set-back line or lines shown upon the Plat.

Nothing shall prevent the use of such portion of Lots for walks, (and drives if otherwise permitted), the planting of trees or shrubbery, the growing of flowers, or ornamental plants, or for statuary, fountains and similar ornamentations, for the purposes of beautifying said Lot. No vegetables or grains of the ordinary garden or field variety shall be grown upon such portion of any Lot. Any changes to the front portion of any Lot must be made in writing and approved by the ARC.

## **Underground Utilities**

All utility lines and facilities shall be located and installed underground or concealed under or within a building or other on-site improvements approved by the ARC; provided, however, that the foregoing restriction shall not be deemed to prohibit the following:

- (a) Temporary electric power and telephone service poles and water lines, which are incident to the ongoing construction of approved permanent improvements, and provided further, that the same are, removed immediately following the completion of such construction.
- (b) Above-ground electric transformers, meters, and similar apparatus properly and appropriately screened.
- (c) Permanent outdoor safety light poles located and installed as approved by the ARC.

## **Vehicle Parking**

Overnight parking or storage of commercial vehicles is prohibited. No unregistered or inoperable motor vehicle or trailer of any kind may be disassembled, serviced or repaired on the Properties in such a manner as to be visible from any point on adjacent property or the street.

No vehicle shall be parked on any lawn, landscaped portion of the Common Properties or Common Areas, roadways or other portions of the Properties which are not specifically designed and intended for the parking of vehicles.

No disassembly or repair of motor vehicles shall be made in any roadway, driveway, or parking area, except in the case of emergency breakdown. This rule does not include the changing of flat tires, checking or changing of oil or other maintenance checks. This rule will only apply to vehicles that are dismantled.

The intent of the Association is to restrict on-street parking for a more aesthetic streetscape and safer vehicle access. Vehicles of residents and their guests are to be parked in garages and driveways. The blocking of sidewalks with parked vehicles is prohibited. Short-term visitor parking on roadways is limited to six hours. No vehicles with commercial lettering are allowed to be parked in any areas other than garages except for short-term delivery.

Exceptions to the provisions of this Section may be granted by the Board at its sole discretion.

## **Window Security Bars**

Window bars of any material are not permitted on the exterior.