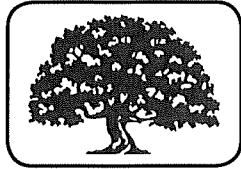


JOHN'S ISLAND ARCHITECTURAL CONTROL STANDARDS



Prepared by the
Architectural Review Committee

Established
August, 1985

Revised
April, 2013

Revised
June, 2015

Revised
April, 2016

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June, 2018

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When contemplating any home remodeling project, please first consult the John’s Island Property Owners Association **Architectural Control Standards** outlined in this section. The standards will determine the process and/or required applications and deposits that are to be filed with the JIPOA office. Homeowners generally need to engage the services of a local architect to guide in the design and submissions to the Architectural Review Committee for approval before any construction occurs. The **Architectural Control Standards** may also be found on our website.

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PURPOSE

The John's Island Property Owners Association, Inc. (referred to as JIPOA) desires to maintain a prestigious private residential community of superior quality homes within John's Island in the Town of Indian River Shores, Florida.

JIPOA has determined that the clearest and most efficient way of assuring that the overall aesthetic values and improvements within John's Island remain in conformity with its desire is by the appointment of an Architectural Review Committee (referred to as the ARC). The ARC has the authority to create, enforce and amend Architectural Control Standards when necessary.

The ARC shall review all plans for construction on any of the property in John's Island. No construction shall be permitted without the express written approval of the ARC. This review and approval process applies to any and all exterior home or property modifications or additions as well as new construction within the John's Island community.

JIPOA and/or the ARC shall assume no responsibility as to the adequacy, reasonableness, safety or fitness for intended use of any plans submitted for approval. Any approval that may be given shall be in compliance with the JIPOA Covenants and Restrictions, as well as recognized aesthetic and quality values. The ARC may deny any application for design and/or aesthetic reasons. The ARC reserves the right to change, alter and/or add to these standards at its discretion. Property owners will be advised of such changes.

ARCHITECT

For the purposes of these Standards, "architect" is defined to mean a person who is licensed in his own name by the State of Florida as a building architect. An architect approved by the ARC is able to display sufficient knowledge of the style and quality of design prevalent within John's Island and has signed an affidavit agreeing to uphold and abide by the JIPOA Covenants and Restrictions and Architectural Control Standards currently in effect.

The architect must bring to the attention of the ARC any elements of design or construction that deviate from the ARC Standards or approved ARC plans.

The ARC reserves the right to require the owner, at the owner's expense, to retain the architect who prepared the plans to perform, as a minimum, monthly inspections of work in progress to assure plan compliance, reporting any deficiencies to the owner and the ARC. (See additional requirements for as-built surveys under Fees & Deposits.)

RESTRICTIONS

JIPOA Covenants and Deed Restrictions have been recorded in Indian River County Public Records and may be amended from time to time. Additional covenants and restrictions may have been included by the developer in subdivision plats.

Restrictions also refer to these Architectural Control Standards. The Covenants and Deed Restrictions are not superseded by these Standards, but rather, these Standards act as a supplement to them. In the event a conflict exists between any Covenant, Restriction and/or Standard, the more restrictive statement as determined by the ARC in its sole and absolute discretion, shall prevail.

PRELIMINARY PLAN

Six (6) sets of sealed preliminary plans are required. Submission must be prepared by a state certified architect on behalf of the property owner and be submitted to the ARC for approval. They must contain:

- A properly completed Architectural Control Standards Checklist.
- A site plan (to be prepared by a state certified land surveyor) including topography, tree locations and existing utilities, along with the standard lot lines, set back (per JIPOA Covenants and Deed Restrictions, and the Town of Indian River Shores Restrictions), easements, mean high water lines where applicable, square footage, percentage of lot coverage and cubage calculations as per paragraph 1 of Basic Design and Planning Criteria. When requested by ARC, areas and volume shall be certified by a state certified land surveyor selected by the ARC with expenses paid for by the owner.
- Site Plans (of a reduced scale, if necessary) are to include the profile of any neighboring house on adjacent properties with respect to their side wall locations, front and back corner locations.
- A floor plan showing finished NAVD (North American Vertical Datum) floor levels.
- All four elevations of the improvements. The front (street) elevation shall show elevation profiles of adjacent homes.
- All plans shall be in compliance with applicable zoning codes, ordinances, Architectural Control Standards, and Restrictions of record.
- Plans for exterior structural expansion of an existing home shall include a certification (including appropriate calculations) from a state certified land surveyor that the proposed improvements shall:
 - a. Rest totally within the governing construction set back lines
 - b. Conform to square footage, lot coverage and cubage calculations as per paragraph 1 of Basic Design and Planning Criteria.

Absent the above information, a submission will be considered conceptual and for advance information only. While a limited review may be undertaken and comments rendered, a complete preliminary submission remains a requirement for preliminary approval.

Preliminary review and approval is preliminary in nature. Additional comments or requirements may also be generated during the final plan submission.

In the event plans are disapproved, the ARC will explain the reason(s) for the denial. The applicant may make the necessary changes and resubmit the plans for review.

FINAL PLANS

Six (6) sets of sealed final plans are required and must be complete construction drawings prepared by a state certified architect or surveyor as appropriate and be in compliance with applicable zoning codes, ordinances, Architectural Control Standards, and restrictions of record. They are to include all information as contained in preliminaries and additionally:

- A properly completed ARC Checklist
- Architectural, structural, mechanical, electrical, and plumbing drawings
- Window and door schedules
- Cross section details
- General hardscape details sufficient enough to gain conceptual approval so that concrete grades can be established early.
- Drainage plan

Driveways, sidewalks, site walls, mechanical equipment, patios, pools, and pool decks should be shown. Finished floor and grade elevations (NAVD) need to be shown. Final approval of these items will be by separate submission at a later date for final hardscape, landscape, exterior color and material approval.

Final hardscape details, exterior lighting, exterior landscape illumination, landscaping, roof and exterior color selections are welcome at the time of final plan submission, but with the exception of hardscape as it pertains to establishing finished grades, all will be received for information purposes only. Because selections are more easily made by the owner at a later date, these submissions must be submitted within thirty (30) days following the dry-in period. Hardscape plans are to be submitted separately from landscape plans.

A final plan application which receives the ARC's approval in most cases is complete and the proposed project may commence, upon issuance of permit. An approval containing certain contingencies which must be satisfied does not imply that construction may begin, but rather is subject to said contingencies first being met.

VARIANCE

When plans contain elements which deviate from these ARC Control Standards or if a variance to these standards is required, specific written approval must be secured from the ARC.

It is the applicant's responsibility to secure this approval by purposely calling to the ARC's attention the elements involved. This can be done in the letter of transmittal accompanying the submission or by a call out on the plans requesting "specific" approval for a variance. The mere presence in the plans of an element which requires specific approval will not satisfy the requirement, and at the discretion of the ARC, shall not be considered. The applicant must obtain letters from the immediate neighbors stating that they have seen the plans and object or do not object to the variance.

COMPLETION DATE

Any construction commenced upon a lot must be diligently pursued to completion, within a reasonable time, and without delay, and in strict accordance and conformity with the plans, drawings, and specifications approved by the Architectural Review Committee, including, but not limited to, the plans for site clearing, lot grading and landscape plans.

PERMIT

The ARC permit is granted for a period of 18 months from the date of issuance. Projects not completed within 18 months are subject to an additional fee of 1/2 percent.

SUBMISSION REQUIREMENTS

Six (6) sets of all plan applications and building documents shall be submitted for approval seven (7) business days prior to the ARC meetings and shall be accompanied by a non-refundable fee as shown in the following schedule contained herein. Submit to the ARC at 1 Turtle Beach Road, Indian River Shores, Florida 32963.

All approvals, disapprovals, or conditional approvals of preliminary and/or final plans shall be in writing from the ARC and generally be given thirty (30) days or less after submission to the ARC. No verbal applications will be accepted nor approvals given.

A John's Island permit shall be issued by the ARC upon approval of the final building documents and drawings and receipt of all fees and deposits as shown herein. Permits shall be issued only to builders approved by the ARC.

The ARC's approval is effective for a period of up to six (6) months. In the event the project does not commence within this period, the ARC approval shall be considered withdrawn and the plans must be resubmitted for the ARC's approval before construction can begin. The ARC may require that another application fee be charged in the event the plan or its design has changed substantially.

REVIEW

Plans that require ARC review for changes after final approval may be subject to additional fees of \$100 for each review.

BUILDER

For the purpose of these standards, "builder" is defined to mean a person who is licensed in his own name by the State of Florida as a General Contractor. A builder approved by the ARC can demonstrate sufficient ability to complete a project with the quality of construction and attention to detail prevalent within John's Island and has sufficient financial strength to insure completion of each project. Permits shall be issued only to builders that have signed an affidavit agreeing to uphold and abide by the JIPOA Covenants and Restrictions and Architectural Control Standards currently in effect.

The builder must bring to the attention of the ARC any elements of design or construction that deviate from the approved ARC plans. Properly completed

Architectural Control Standards checklists are required at the time of permit and upon completion of job (prior to refund of deposits).

FEES AND DEPOSITS

Deposits are refundable and shall be held by the ARC until satisfactory completion of all construction, including hardscape and landscape. In the event damage to neighboring properties, roads, or curbs occurs, or if the construction deviates from the approved plans, or if the construction site, after warning is given, continues to be kept in a disorderly fashion, the deposit may be used for repair or correction and, therefore, forfeited in part or in whole to the ARC. Deposits may also be forfeited in part or in whole for failure to comply with approved plans or other violations of the Architectural Control Standards. The ARC will make this decision at its sole and absolute discretion.

Plan review fees, permit fees, and building compliance deposits vary in amount according to the scope of work planned. Prior to the return of any deposits, the owner (or his architect) may be required to submit an as-built survey of the improvement prepared by a state certified land surveyor to determine the setbacks, area, coverage, volume, heights, elevations, and other dimensional information.

The surveyor shall be selected by the ARC, and the expense of the survey shall be paid by the owner.

Fees and Deposits are listed as follows:

For **Class I and Class II Projects** (as defined below) the owner shall submit deposits in one of the following forms.

1. A letter of credit issued by a bank chartered to do business in the State of Florida and having an office in Indian River County, or
2. A properly executed promissory note secured by a mortgage against the subject property, forms for which will be provided by JIPOA (in the event the mortgage is recorded on the Public Records, the owner shall be responsible for paying the cost of recording the mortgage including, but not limited to, any charges for the intangible tax, documentary stamp tax, and recording),
or
3. Cash or certified check.

IMPACT FEE

Classes I through IV Projects are subject to an Impact Fee and will be reflective of one (1%) percent of the total value of a project as determined by the Town of Indian River Shores on their building permit(s), and all subsequent permits issued to same within a 12 month period.

Class I

New homes and related landscape/hardscape:

Plan Review	\$1,000
Building Permit	\$2,000
Contractor Deposit	\$15,000
Owner Deposit	\$100,000
Impact Fee	See Above

Class II

Major building additions and related exterior alterations including landscape/hardscape:

Plan Review	\$750
Building Permit	\$1,500
Contractor Deposit	\$15,000
Owner Deposit	\$75,000
Impact Fee	See Above

Class III

Minor building additions and/or alterations:

Plan Review	\$500
Building Permit	\$750
Contractor Deposit	\$5,000
Owner Deposit	\$10,000
Impact Fee	See Above

Class IV

Major exterior changes or modifications, re-roofing, new pools, patios, docks, driveways, terraces, and/or extensive hardscape changes:

Plan Review	\$500
Building Permit	\$750
Contractor Deposit	\$3,000
Owner Deposit	\$5,000
Impact Fee	See Above

Class V

Other minor changes or modifications to the exterior, patios, driveways, docks, boatlifts, generators, and fences:

Plan Review	\$100
Building Permit	\$200
Contractor Deposit	\$1,000
Owner Deposit	\$1,000

Class VI

Demolition of an existing building:

Plan Review	\$0
Building Permit	\$1,000
Contractor Deposit	\$10,000
Owner Deposit	\$5,000

A major building addition occurs when more than twenty-five (25%) percent of the area of the existing home is added to the structure. A minor building addition would be equal to or less than 25% of the area of the existing home. Calculations of the areas will be shown in the preliminary and final plan submissions.

In lieu of individual deposits per job, a lump sum deposit of thirty thousand (\$30,000) dollars held in an escrow account will be accepted from builders who are working on more than two projects in John's Island.

Interest will be accumulated on funds deposited in escrow from contractor/owner deposits for Class I and Class II projects. Deposits required under all other project classifications will not accumulate any interest. Federal 1099 forms will be issued for all interest bearing deposits where appropriate.

HOURS OF CONSTRUCTION

All construction, repair or maintenance shall be between the hours of 7:30 a.m. and 5:00 p.m. Monday through Saturday. However, there shall be no work performed which emits noise on Saturdays. Construction and service personnel shall not be permitted on the property on Sundays or holidays.

SITE PREPARATION AND MAINTENANCE

No trees or shrubs other than nuisance material shall be moved on or removed from the lot without the prior approval of the ARC. Any trees or shrubs to be moved or removed shall be indicated on the Preliminary Plans and any approval, if given, shall be given at the time of approval of Final Plans unless otherwise granted by the ARC.

All construction materials, vehicles, equipment, supplies, temporary facilities and construction activities must be contained entirely within the lot. No site trailers or equipment may be located on property prior to the issuance of a John's Island ARC permit. Site trailers and port-o-lets must be located where approved by ARC and screened from off-property view by an approved fence. In an unavoidable event that vehicles must be temporarily parked on the street in such a way that 2-way traffic is not possible, the builder will provide flagmen as appropriate to insure safe passage around the vehicles. The builder and the owner shall be equally responsible for any damage during construction to subdivision improvements or neighboring property. All damage shall be repaired promptly by the builder or owner at their expense and to the satisfaction of the ARC. All building debris must be placed in an approved container, and it must be removed when the container becomes full. No debris shall be placed or buried on any lot. The lot shall be kept clean and safe at all times during construction. Neither construction activity nor the placing of materials or debris shall take place beneath the canopy of oak trees.

In the event a severe storm or hurricane warning is issued for Indian River County, the site shall be inspected and secured by the builder so as to prevent any loose building material from being blown from the lot.

No signs shall be erected by the builder, his subcontractors or his suppliers. However, for the sole purpose of site identification, the builder may post on one side of the tool/materials shed or on a stake no more than four (4) feet high, a sign no larger than 16" x 24" bearing only the builder's name, phone number, owner's name, and lot number of the job site.

The John's Island ARC Permit shall be posted adjacent to the Town Building Permit and shall remain on display for the duration of construction.

BASIC DESIGN AND PLANNING CRITERIA

1. SIZE OF RESIDENCE

The living area of each residence shall contain a minimum square footage, exclusive of garages, porches, patios and terraces as stated in the Covenants and Restrictions of the John's Island Property Owners Association.

- a) In addition to the required lot setbacks as stipulated in the Covenants and Restrictions of JIPOA, the area of the footprint (including but not limited to house, garages, cabanas, porches, loggias and all covered open areas) shall not be more than thirty (30%) percent of the dry property area (as determined by sea wall or mean high water line, hereinafter referred to as mhw). Attention shall be given to building area and its placement, orientation and grade level on the lot particularly when constructed next to or between existing residences.

No point within a single-family dwelling, but more than sixteen (16) feet above the main finished floor, shall be located closer than six (6) feet inside the nearest setback line (this includes dormers, gable ends, second stories, chimneys, etc.).

- b) Volume or cubage of a residence shall be aesthetically proportionate to the area of the building site particularly as cited above when the residence is next to or between existing residences. As stated in the Covenants and Restrictions of JIPOA, residences shall be limited to two (2) stories (excluding basements).

The exterior walls of every residence must be a minimum of eight feet, six inches (8'6") in height as measured from the finished floor to the top of the beam. On lots that have less than twenty-five thousand (25,000) square feet of dry property area, as measured by a Florida licensed surveyor, one foot shall be added to the lot's side and front set-back minimums for every six inches (6") of exterior wall height above eight feet, six inches (8'6"). In no case shall an exterior wall of a one-story house be permitted to exceed ten feet (10') exclusive of gables. The eave height cannot exceed the beam height.

For two story homes, the maximum height shall be twenty-four (24) feet as measured from the first floor to the underside of the eave. The maximum height of any home shall not be more than thirty (30) feet as measured from the first floor to mid-point of the roof.

- c) Maximum allowable cubage is calculated at 3.0 cubic feet (2.5 cubic feet for any home with a full or partial second story on a lot of less than 25,000 square feet) per square foot of dry property area (as determined by seawall or mhw line).
- d) Actual cubage is calculated by multiplying footprint (as defined above) times height of finished floor to top of beam.
- e) Building area coverage, placement, orientation, grade levels, building height and volume need to be sufficiently detailed in preliminary and final drawings and documentation for review and approval by ARC.

2. FINISHED GROUND ELEVATION

All ground elevation treatments shall follow the common architectural plan of the residence. Substantial changes in the elevation of the land in order to raise the finished floor level of the residence requires special attention to the appropriate restrictions as well as the local ordinances.

3. EXTERIOR MATERIALS AND COLORS

- a) Artificial, simulated or imitation materials shall not be permitted without approval of the ARC.
- b) The use of smooth troweled stucco, natural stone, real brick, and wood as exterior materials shall be expected. Samples of proposed exterior materials may be required at the time the plans are submitted.
- c) Non-obtrusive pastel colors have always been the norm within our community. Dark or too bold house colors will not be well received. In addition, consideration is to be given to complementing existing neighboring colors, while avoiding similar schemes.

Early during construction, colors and texture are to be submitted for preliminary approval on a letter size manila folder and need to include color samples of:

- The body of the house
- Wood and stucco trim
- Window, door framing, and trim (Note: charcoal screening only)
- Shutters
- Roof selection as well as color.

At the appropriate time, an 8' x 8' sample of the house color is to be painted on the front of the home along with the adjacent wood and stucco trim painted their tones. A sample of the shutter color is to be placed on an actual shutter or a 6' x 1' board laid-up against the house color. The ARC will make an on-site final review and determination when notified by the builder.

4. ROOFS

- a) No building roof overhang may extend into any building setback in excess of three (3) feet. No building roof overhang may extend into any utility or dedicated easement.
- b) The main roof of the residence shall have a pitch of not less than 6 to 12 unless approved by the ARC. Additions requiring installation of a roof system shall contain a roof pitch matching the existing residence wherever possible. The use of flat roofs is specifically discouraged in new and alteration construction.
- c) Roof material colors shall be aesthetically correct. All roof stacks, vents, solar panels and metal chimney caps shall be low profile in type, painted to match roof color, and except for chimneys, shall be placed on the rear portion of the roof so as not to be visible from the street.
- d) Cedar shakes, slate, concrete and barrel tiles are permitted. Simulated wood shingles, asphalt shingles, fiberglass shingles and concrete tiles over nine (9") inches in width are not permitted. Rake tiles are not to be used. Bermuda design homes demand Bermuda white smooth tile.

5. WINDOWS, DOORS, SHUTTERS, AND AWNINGS

- a) Windows placed on the front of the home shall be in keeping with the Georgian theme and have the appearance of true divided light construction.
- b) Brightly finished metal doors, windows, screens, louvers, exterior trim or structural members shall not be permitted. Metal window, door and porch framing and trim shall be painted white or off white unless specifically approved by ARC.
- c) All screened areas must be of dark color material.
- d) Window reflective filming shall be submitted for approval. Brightly colored or shiny materials shall not be permitted.
- e) Sliding glass doors are not permitted except on rear elevations not visible from the street.
- f) Awnings, canopies and shutters shall not be attached or affixed to the exterior of the residence without prior approval of the ARC. Striped or patterned awnings or canopies are not permitted.
- g) Fixed shutters are inappropriate for John's Island homes. They do nothing to protect window openings in the event of a storm. All shutters need to be operable.
- h) Storm shutters installed during new construction should be of the roll-down type which conceal into a pocket built into the header or of the accordion type which pocket into side compartments built into the side walls.

- i) For existing construction, special shuttering consideration needs to be given. Exterior mounted hoods over doors and windows detract from the overall design of the home. Accordion shutters attached to the outer side of an opening are just as unsightly. The least offensive system would be removable corrugated panels of matte finished aluminum or clear polycarbonate resin, both as approved by the State of Florida building code, latest edition. Plywood paneling is not permitted.

6. GARAGES, DRIVEWAYS, WALKWAYS AND EXTERIOR LIGHTING

- a) All new residences shall have minimum garaging for two (2) cars but not more than four (4) cars.
- b) Conversion of garage space to living space will not be allowed unless a new garage of equal size is provided on the property and is included as part of the alteration project.
- c) Garage doors facing any street shall not be permitted without a variance.
- d) Carports shall not be permitted.
- e) Automatic overhead garage door operators are required.
- f) Garage doors of material such as fiberglass, plastic or glass shall be prohibited.
- g) Adequate space for cars to back out of garage and turn is required.
- h) Driveways and walkways of asphalt and stamped concrete are not permitted. Loose gravel drives may be permitted but must be approved by the ARC and bordered by brick, curbing or steel edging. In addition, a twelve (12) foot or greater apron of stable material must be installed where drive adjoins the street. Pavers must be approved by the ARC and be rectangular or square blocks vs. other geometric shapes, no smaller than 6" x 6" or larger than 12" x 12". Driveways must be held back 3'-5' from side yard property lines. All drives must have flares and proper radii. Where the drive joins the street, a 12" – 18" return is required. Aprons with brick or paver inlay shall be 6' to 8' overall dimension. Cool deck or simulated keystone are not acceptable hardscape alternatives for the street side of homes. Use in rear areas is permissible.
- i) Exterior fixtures which are to be mounted to the home need to be submitted for consideration at any time during construction. Note should be made that even though the final plans contain exterior electrical and lighting information, it does not mean that the location or fixture will be approved.
- j) Landscape and landscape lighting plan criteria is discussed in detail in the Landscape Control Standards and thus will not be covered here, but is part of the approval process.

7. FENCES AND WALLS

All proposed fences and walls must be approved by the ARC prior to installation. Fences and walls shall be in keeping with the exterior design of the residence and shall comply with the applicable JIPOA restrictions. As to height, said structures installed adjacent to existing homes must not exceed the restricted height of six (6) feet relative to existing neighboring grade. All other applications will become site specific.

Chain link fences are discouraged; but if allowed, they must be vinyl clad black and set back 3' from the property line. In addition, the outer perimeter must be fully shielded by landscape material at the time of fence installation.

Total perimeter fences or walls shall not be permitted. Fences or walls outside the front set back line shall not be permitted.

8. AIR CONDITIONERS, TRASH CONTAINERS, SOLAR, POOL AND HEATER EQUIPMENT

- a) Air conditioning and pool equipment shall be set within the construction setback lines, unless specifically approved by the ARC due to special circumstances involving lot shape or size. All such equipment shall be shielded by a minimum four (4') foot high masonry wall and landscaping, so it is not visible from any street or adjacent property and so as to deaden sound from neighboring property.
- b) Window air conditioning units shall not be permitted. Wall air conditioning units may be permitted with specific approval from the ARC, but shall not be placed above the first floor level of a two-story home.
- c) Trash containers shall be of underground type and be shielded so that they are not visible from the street or adjacent property.
- d) Solar equipment is allowed subject to the ARC's approval and must not be visible from off the property. A variance to this visibility requirement as it affects a neighbor may be granted subject to a letter of no objection from the said neighbor.

9. GENERATORS

- a) Submissions must include the proposed generator manufacturer and model, its rated running noise level, size, location of both the generator and the propane tank, anchoring method for the tank and slab specifications for mounting the generator. The full load running noise level shall not exceed seventy-five (75) decibels (A Scale) at nearest property line.
- b) Submissions must include a current signed and sealed survey by a licensed Florida land surveyor showing the placement of the generator and the tank.
- c) Manufacturer's requirements for generator placement relative to buildings and walls, clearances, venting and access must be strictly observed and provided with the submission.

- d) The generator will be within the building setback line; the tank must be buried and meet the Town of Indian River Shores requirements.
- e) The maximum allowable height for all generators shall be fifty (50") inches. Generators (including exhaust pipes) must be enclosed with a masonry wall at least six (6") inches higher than the equipment but not to exceed six (6') feet and be completely screened by landscaping from all public views.
- f) The generators weekly run time shall be limited to weekdays, between the hours of 10:00 a.m. to 2:00 p.m.
- g) Owner shall obtain the opinion of the neighbor nearest the generator.
- h) Fees and deposits shall be for a Class V permit.

10. MAILBOXES, SIGNS, ANTENNAS AND FLAGPOLES

- a) All mailboxes and address signs shall be in the size, style and color approved by the Association.
- b) No signs of any kind may be erected on the property, except for:
 - i. The standard mailbox nameplate and number plaque (to remain visible at all times)
 - ii. The builder identification sign and construction permits
- c) Outside antennas shall not be permitted without written permission of the ARC as stated in restrictions.
- d) While eighteen (18") inch satellite dishes are allowed, they still require the ARC's approval and must not be visible from off the property. A variance to this visibility requirement as it affects a neighbor may be granted subject to a letter of no objection from said neighbor.
- e) Permanent flagpoles are discouraged. If allowed, they shall be set in the rear yard and in the middle one-third of the lot.

11. SWIMMING POOLS, SPAS, TENNIS COURTS, ACCESSORY STRUCTURES, PLAY EQUIPMENT AND DECORATIVE OBJECTS

- a) Above ground swimming pools or spas shall not be permitted. Pools shall not be permitted on the street side of the residence unless designed as to be incorporated within the building confines of the home and approved by the ARC. Swimming pools and outdoor spas including walkways, decks and any structure utilized with the swimming pool shall not be nearer than ten (10') feet to any lot line. Overhead screen pool enclosures are not permitted. architects must fully delineate on both preliminary and final plans methods used to comply with the Florida Building Code/RSPSA. Nylon mesh fencing (baby fence) is not allowed as a permanent solution.

- b) LP gas tanks must be buried but shall not be placed within any utility easement.
- c) Tennis courts are normally not permitted. In special circumstances involving estate-size lots, a tennis court could be considered, but only after specific ARC approval. Lighting of courts will not be permitted.
- d) Outdoor drying yards or clothes lines shall not be permitted.
- e) Accessory structures such as playhouses, tree houses, permanent tool sheds, doghouses, arbors, gazebos or uninhabitable buildings shall not be permitted. Pergolas and trellises are only permitted if attached to the house.
- f) Boat houses shall not be permitted. Boat docks and lifts shall be approved by the ARC followed by the necessary Army Corp of Engineers and/or DEP permits included with the application.
- g) All docks shall be located in the center one-third of the property and shall be of a pre-established style and size with only one lift system. Specific restrictions exist for the "Island" and must be followed prior to dock construction or lift installation.
- h) Playground equipment including basketball backboards and pool slides shall not be permitted without specific design and location approval by the ARC in writing.
- i) Greenhouses are discouraged. The ARC will exercise careful review of such structures and will require exacting detail.

12. PORCH ENCLOSURES, ADDITIONS AND EXTERIOR ALTERATIONS

- a) Enclosures or alterations must be compatible with the existing detail and design of the home.
- b) The use of a flat roof system on structures where a pitched roof would be possible is prohibited.
- c) Modifications involving condominium property or cluster homes must receive approval from that Association prior to submitting to ARC. Many Associations prohibit exterior alterations of any kind, while all require approval in advance of commencement.
- d) Applications for condominium properties involving terrace enclosures, additions, and exterior alterations must be in accordance with an overall architectural plan for the entire condominium. The plans must have been approved by the condominium association and the ARC before individual owners' changes are submitted.

13. OTHER

- a) Deviations from approved plans must be submitted to and approved by the ARC in advance of their implementation.

- b) Any and all other items not enumerated within these Control Standards may be contained within the appropriate restrictions. In the event of conflict between documents, the more restrictive shall prevail.
- c) The ARC has sole and absolute discretion with respect to plan approval or disapproval. The JIPOA Board of Governors has the ultimate decision making power in any dispute between the ARC and a property owner.
- d) Circumvention of the ARC process for obtaining a building permit or receiving other approval will be subject to a fine of \$1,000.00.

