

JOHN'S ISLAND LANDSCAPE CONTROL STANDARDS



Prepared by the
Landscape Review Committee

Established
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When refurbishing more than 25% of your exterior landscaping or making any external changes to your hardscape, these modifications must be reviewed and approved in advance by the Landscape Review Committee through submissions to the JIPOA office. They must also comply with the **Landscape Control Standards**, which are also located 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.

All properties and improvements should consider and enhance all adjacent natural features, golf course, rivers, lakes and neighboring views of adjacent properties.

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 desires is by the appointment of a Landscape Review Committee (referred to as the LRC). The LRC has the authority to create, enforce, and amend Landscape Control Standards when necessary.

The LRC shall review all plans for landscaping on any of the property in John's Island. No landscaping shall be permitted (refer to requirements for landscaping, page 10) without the express written approval of the LRC. This review and approval process applies to any and all landscape modifications or additions as well as new installations within the John's Island Community.

Early and considerate discussion with adjoining neighbors on various potential problems, such as overhanging tree trimming, position and shielding of pool equipment and generators, access and egress from work site, timing and magnitude of scraping of lot (ie. try to allow landscape privacy to abutting neighbors as long as possible) is recommended.

JIPOA and/or the LRC 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 LRC may deny any application for design and/or aesthetic reasons. The LRC reserves the right to change, alter, and/or add to these standards at its discretion. Property Owners will be advised of such changes.

LANDSCAPE ARCHITECT

For the purposes of these Standards, "Landscape Architect" is defined to mean a person who is licensed in his own name by the State of Florida as a landscape architect. A Landscape Architect approved by the LRC 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 Landscape Control Standards currently in effect. The Architect must bring to the attention of the LRC any elements of design or construction that deviate from the Landscape Control Standards or approved landscape plans.

The LRC reserves the right to require the Owner at the Owner's expense to retain the Landscape Architect or Landscape Designer who prepared the plans to perform regularly monthly inspections of work in progress to assure plan compliance, reporting any deficiencies to the Owner and the LRC.

LANDSCAPE DESIGNER

For the purposes of these standards, "Landscape Designer" is defined to mean a person who is experienced in Florida Horticulture & Landscape design practices. A Landscape Designer approved by the LRC 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 & Deed Restrictions and Landscape Control Standards currently in effect.

LANDSCAPER

For the purpose of these standards, "Landscape" is defined to mean a person who is licensed in his own name by the State of Florida for the purpose of landscape installation. A Landscaper approved by the LRC must 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 Landscapers that have signed an affidavit agreeing to uphold and abide by the JIPOA Covenants and Deed Restrictions and Landscape Control Standards currently in effect.

The Landscape Architect, Landscape Designer or Landscaper must bring to the attention of the LRC any elements of design or construction that deviate from the approved LRC plans.

LANDSCAPE 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 Landscape 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 LRC in their sole and absolute discretion shall prevail.

SURVEY

Landscape plans shall be overlaid on a property survey by a licensed surveyor showing in detail existing trees/vegetation including size, existing "protected" species locations and any adjacent property plant materials including: existing hedge, overhanging trees and bed lines.

The survey must include locations of drainage structures, pipes, swales and retention areas indicating all horizontal and vertical locations and all above and below grade utilities, existing and proposed, and their connections to the common utilities systems. Existing and proposed contours are required to be indicated on an appropriate grading plan.

Standard lot lines, building setbacks, finished elevations as measured NAVD, easements and mean high water lines, where applicable, should be shown.

DRAINAGE

The Owner is responsible for directing water in a proper manner to the master drainage system for the neighborhood. Water must be directed away from adjacent properties and waterway.

Proper drainage will be required for all plants. Care should be taken to ensure the plants' ability to survive in the environment provided. It should be understood that certain areas of John's Island drain or percolate well, while others need special design attention to sub soil drainage.

CONSERVATION AREAS/RESTRICTED PLANT SPECIES

At the water's edge (on most lots and inland where applicable) plant species may exist that are protected by the State of Florida or Town of Indian River Shores. These plants should be identified by trained professionals and clearly marked for protection according to Town requirements during design and development of the site. A line extending ten (10) feet from the edge of the drip line of these plants needs to be established. No work or parking, including changes to existing grade, will be permitted within the confines of this restricted area. Some of the native plant species on John's Island which are protected are:

- Black Mangrove (*Avicennia germinans*)
- Red Mangrove (*Rhizophora mangle*)
- White Mangrove (*Languncularia racemosa*)

For further information and a comprehensive list of protected plant species, contact the Florida Department of Environmental Protection.

FINAL PLANS

Eight (8) sets of Final Plans are required and must be complete landscape drawings prepared by a state certified Landscape Architect or accepted Landscape Designer as appropriate and be in compliance with applicable zoning codes, ordinances, Landscape Control Standards and restrictions of record. They are to include all of the following:

- Plan form – a scaled (1" = 10' minimum) landscape plan or a landscape design in a detailed form that will be clear enough

- The name of the Owner and job site address, including plat and lot identification
- Proper plant list and key for easy identification
- Specifications: height, width, spread, caliber, the flower color, identification of all plant materials
- Xeriscape tree and shrub requirements
- Lawn area calculations
- Site lighting plan
- Irrigation plan
- Drainage plan (as previously submitted to ARC)
- Hardscape related walls
- Budget (approximate)

It is very difficult for the LRC to determine what would be an adequate cost for landscaping. Existing vegetation reduces the expenditure that some lot Owners will have to provide to properly landscape their home to meet the standards of John's Island. However, on average the landscaping budget, including mulch and soil preparation shall be a minimum of 10% of lot price or 5% of house price, whichever is greater. This sum is for greenscape only and does not include hardscape, irrigation, design fees, landscape lighting, etc.

A Final Plan application which receives the LRC's approval is complete, and the proposed project may commence upon issuance of permit.

VARIANCE

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

It is the applicant's responsibility to secure this approval by purposely calling to the LRC'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 or 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 LRC, 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.

SUBMISSION REQUIREMENTS

Eight (8) sets of all plan applications shall be submitted for approval seven (7) business days prior to the LRC meetings and shall be accompanied by a non-refundable fee as shown in the following schedule contained herein. Plans shall be submitted to the LRC at 1 Turtle Beach Road, Indian River Shores, Florida 32963.

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

A landscaping permit shall be issued by the LRC upon approval of the final documents and drawings and receipt of all fees and deposits as shown herein. Permits shall be issued only to Landscape contractors approved by the LRC.

The LRC'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 LRC approval shall be considered withdrawn and the plans must be resubmitted for the LRC's approval before the project can begin. The LRC may require that another application fee be charged in the event the plan or its design changes substantially.

FEES & DEPOSITS

Deposits are refundable and shall be held by the LRC until satisfactory completion of all construction, including hardscape and landscape.

In the event damage to neighboring property, roads or curbs occurs, or if the project deviates from the approved plans, or if the project 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 LRC. Deposits may also be forfeited in part or in whole for failure to comply with approved plans or other violations of the Landscape Control Standards. The Landscape Review Committee will make this decision at its sole and absolute discretion.

Plan review fees and 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 drawing if planting varied from the approved plan.

Fees and deposits are listed as follows:

Major Landscaping

- Review fee \$500
- Landscaper deposit \$1,500

Minor Landscaping

- Review fee \$300
- Landscaper deposit \$1,500

COMPLETION DATE

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

An applicant must provide a planned completion date consistent with the standards of the paragraph above.

HOURS OF CONSTRUCTION

All construction and or landscaping repair and 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 National Holidays.

PERMIT POSTING

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

No sign shall be erected by the Landscaper, his subcontractors or his suppliers.

SITE PREPARATION

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

Trees being relocated, after LRC approval, should be acted upon in a timely manner to allow the tree to be moved successfully, i.e., a mature oak tree requires six (6) weeks for root pruning and watering before moving.

The saving of Australian pines, Melalucas, and Brazilian pepper trees is not permitted and their installation is prohibited. If practical, crib walls and/or appropriate retaining walls or tree wells shall be used to assure preservation of existing vegetation.

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 landscape permit. Site trailers and port-o-lets must be located where approved by the LRC 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

Landscaper will provide flagmen as appropriate to insure safe passage around the vehicles. The Landscaper 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 Landscaper or Owner at their expense and to the satisfaction of the LRC.

All 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 landscaping construction activity nor the placing of materials or debris shall take place beneath the canopy of oak trees. In the event of a severe storm or hurricane warning is issued for Indian River County, the site shall be inspected and secured by the contractor so as to prevent any loose building material from being blown from the lot.

BASIC DESIGN AND PLANTING CRITERIA

The landscaping plan must show the proposed general design for the property.

IRS Town Ordinance 163.08-D-2 requires that plant material shall consist of:

- At least 50% very drought tolerant
- Up to 40% moderate drought tolerant
- Up to 10% not drought tolerant

IRS Town Ordinance also limits grass (sod) to a maximum of 50% of the total landscaped area. Type and total square footage of sod shall be shown on materials list showing method of soil preparation for sod, plant beds, and trees. Bahia sod shall not be permitted unless specifically approved by LRC.

All plant materials used on site shall be Florida Grade A Number One or better, in accordance with "Grades and Standards for Nursery Plants" published by the Florida Dept. of Agriculture.

Adequate spacing of plants is required to allow for healthy growth and to extend longevity of the plant material.

Use plant material requiring minimal pesticides.

All air conditioning and pool equipment shall be shielded by a minimum four foot high wall and appropriate cold tolerant material so it is not visible from any street or adjacent property. Screening shall be 100% at time of installation.

The height of fences, walls and hedges, in the area from the rear setback line to the rear lot line will be considered with the neighbors in mind. They may not exceed four (4) feet in height within the sight triangle.

No trees shall be maintained on any lot having substantial foliage lower than ten (10) feet from the ground within twenty-five (25) feet of the rear property line, mean high water line or bulkhead and twenty-five (25) feet perpendicular to the side lot line to create a line of sight triangle. (see illustrations, page 13)

Lots with unique shapes or where the property has been extended or elevated will be reviewed on a case by case basis taking into consideration the hardship on both the owner and neighbor.

Areca/multi-stem palms must be set back a minimum five (5) feet from property lines and not be used as a hedge between homes.

All canopy trees must be placed no closer than ten (10) feet to the home and at least five (5) feet from the side property lines.

All plant materials within four (4) feet of the road/curb shall be maintained at a maximum height of three (3) feet for visibility and safety.

All shrubs and planted areas shall be mulched with a two (2) inch layer of natural cypress or pine mulch. Any deviation will require LRC approval.

Sod areas should be a minimum of four (4) feet wide. Garage doors shall be significantly shielded from the street.

All statuary or sculptures including fountains shall be shown on the plan and a rendering shall be submitted for approval by the LRC, if the item will be visible from outside the property.

Streetscape entry statements such as decorative columns, lamps or bridges shall not be permitted.

Trees with aggressive surface root systems such as ficus or cassia are not permitted within thirty (30) feet of street edge.

Citrus trees are not considered desirable material for street side or ornamental planting in front of a residence. The growth habit and high maintenance make citrus more appropriate for rear and side of properties only.

All landscaping shall be completed according to the approved landscaping plan. Any additional landscaping to be installed after occupancy of the residence needs to be approved by the LRC.

Deviation from approved plans must be submitted and approved by LRC in advance of implementation. This includes owner-driven changes at the time of installation.

Unacceptable Plant Species (botanical names in parentheses):

Arborvitae	(Platycladus orientalis)
Asparagus Fern	(Sprengeri deniflorus)
Australian Pine	(Cassaurina spp)
Brazilian Pepper	(Schinus spp)
Camphor Tree	(Cinnamomum camphora)
Carrotwood	(Cupianopsis anacardiodes)
Chinaberry	(Melia azedarach)
Chinese Elm	(Ulmus parvifolia)
Ear Pod	(Enterolobium Cyclocarpum)
French Mulberry	(Morus alba)
Mimosa	(Albizzia spp)
Punk Tree	(Melaleuca spp)

The above represents a partial list of unacceptable plant species; others may be included at the discretion of the LRC.

LRC may inspect all work in progress and give notice of non-compliance. Absence of such inspection or notification during the installation period does not constitute approval of work in progress or compliance with the provisions of improvements for which final plan approval had been given by LRC.

All pre-approved planting, i.e. large trees in the rear of the property must be cleared through LRC. The Owner or agent shall be given written notice of improvement completion to LRC. Within a reasonable time, but in no case exceeding fifteen (15) calendar days after receipt of such notice, an LRC representative will inspect the improvements.

When it is found that work has not been completed in strict compliance with the final plan and approved revisions, LRC shall notify the Owner and the Landscaper in writing of such non-compliance within ten (10) days from the date of inspection, specifying in reasonable detail the particulars of non-compliance and shall require the Owner to remedy same.

If, upon expiration of thirty (30) calendar days from the date of such notification by LRC, the Owner has failed to remedy such non-compliance, LRC shall notify the Owner and may, at the Owner's expense, take such action to remove the non-complying improvements. If after receipt of written notice of completion from Owner, LRC fails to notify Owner within the period provided above, the improvements shall not necessarily be deemed to be in accordance with the plan.

In the event plans and specifications submitted are disapproved or a disagreement between plans and the as-built is discovered on inspection and LRC and Owner cannot resolve the differences, the Owner may appeal to the John's Island Property Owners Board of Governors. This form of appeal must

be within thirty (30) days following the written disapproval by LRC. The Board must render a decision within thirty (30) days from the date the appeal was made.

REQUIREMENTS FOR LANDSCAPING RENOVATIONS AND/OR ALTERATIONS

An Owner will be required to seek approval in written and plan form from the LRC whenever any of the following situations occur:

- Any alterations to the landscape that is in public view from off the property that consists of more than the replacement of twenty-five (25) percent of existing front or rear yard plant material for any reason whatsoever.
- Any changes to an approved landscape plan and/or a new landscape plan.
- Any changes to an approved landscape lighting plan or new landscape lighting system.
- Any changes to an approved garden sculpture or garden objects and additions of new garden sculptures or garden objects. Garden objects are defined herein as any non-plant item that is introduced to a site.
- No approval is necessary if the changes or alterations are not visible from outside the property.

When the project qualifies as a full-scale renovation, i.e. more than twenty-five (25) percent of existing plant material, the Owner shall be required to bring the renovation up to the standards of the community. In other words, if the property purchased no longer meets JI standards the new Owner will be expected to upgrade the landscaping to community standards.

LIGHTING PLAN

An LRC approved lighting designer must be retained to incorporate exterior lighting into the landscape plan.

The location of all lights or fixtures that affect the exterior environment needs to be indicated showing size, illumination specifications and total wattage. Identify style and materials as well as model numbers. These plans shall be at 1" = 10' minimum scale.

Landscape lighting plans are to reflect major landscape plantings and trees in relationship to the lighting fixtures. Fixtures are to be color coded on the plan referring back to the specification sheet which contains planned wattage detail and a picture or legible drawing of each fixture.

Light sources must be shielded from public view and light pollution onto neighboring properties avoided. Colored lights are not to be used, and the

mix of incandescent along with white lights such as mercury vapor, are to be avoided where the flooding of the two might overlap or be seen together. All lighting plans will be subject to an onsite approval after installation.

IRRIGATION SYSTEM

An automatic underground zoned irrigation system for all properties is required. Plan must show 100% coverage with minimum 20% spray overlap. The system shall include a fully operating rain shut-off control.

All irrigation design and installation must be prepared by a LRC accepted contractor in conformity with the Town of Indian River Shores requirements. Two (2) copies of the proposed irrigation system shall be submitted along with the landscaping plan.

Irrigation plans shall identify all heads, valves, backflow preventers, if required, including controller and meters, indicating size, location and other characteristics or features of equipment necessary for complete interpretation of system. Plans shall be 1" = 10' minimum scale.

The irrigation system shall be designed and operated to prevent or minimize run-off and discharge of irrigation water onto roadways, driveways, adjacent properties, and any area not under control of the user.

The irrigation system shall be monitored and controlled by Owner so as to conform to accepted water conservation standards and restrictions imposed by the State of Florida and local government agencies.

MAINTENANCE

The Owner shall be responsible for the maintenance and upkeep of all landscaping on their property and shall insure that all plantings are kept in a healthy, neat and orderly appearance, free from disease and pests. Refuse and debris shall be removed promptly and overgrown, unkempt, and unsightly conditions will not be allowed to persist.

Maintain the width of grass areas at four (4) feet minimum. Maintain the shape of beds to accommodate edging.

Maintain and replace mulch as needed.

Maintain layering and spacing of plants to allow for proper pruning. Maintain proper trimming and thinning of trees and palms.

Plant material between neighboring homes should be properly maintained and kept within the property lines and at a maximum height of ten (10) feet unless both parties agree to share the responsibility.

When an Owner has allowed their landscape to deteriorate over time and wishes to upgrade by altering twenty-five (25) percent or more, they will be expected to upgrade to community standards.

When an Owner has allowed their landscape to deteriorate below community standards, LRC may elect to contact them in order to affect an upgrade.

Local realtors should be apprised of these Quality Control Standards so as to educate sellers and buyers before the time of closing. This will assure that an Owner desiring to sell their property would then upgrade landscaping prior to selling in order to avoid adverse action at the closing of a sale.

**INSIDE
BACK COVER**

BACK COVER