

SPRUCE CREEK ARCHITECTURAL REVIEW COMMITTEE
MODIFICATION APPLICATION

DATE RECEIVED BY POA: _____

Name of Subdivision: _____

Lot No: _____ Street Address: _____

Lot Owner: Name: _____ Phone No: _____

Address _____

City _____ State _____ ZIP _____

Contractor: Name _____ Phone No: _____

Company _____ Phone No: _____

Address _____

City _____ State _____ ZIP _____

Registered Professional: Name _____ Phone No: _____

Company _____ Phone No: _____

Address _____

City _____ State _____ ZIP _____

Copy of Contractor Insurance _____

Deposit Check _____ (See page 6 for amount)

3 Signed Applications _____ Mini Association Approval(if necessary) _____

3 Copies of drawings _____

3 Copies of Survey _____

SPECIFIC COLORS, MATERIALS AND FINISHES
(Furnish Manufacturer, paint I.D. number, Named sample for all colors)

Exterior Walls – Color _____
Stucco ____ Brick ____ Stone ____ Wood ____ Other ____

Trim – Color _____
Wood ____ Stucco ____ Other ____

Fascia – Color _____
Wood ____ Metal ____ Plastic over Wood ____ Other ____

Doors (House) – Color _____
Wood ____ Metal ____ Glass ____ Other ____

Doors (Garage) – Color _____
Wood ____ Metal ____ Other ____

Doors (Hangar) – Color _____
Wood ____ Metal ____ Other ____

Windows – Frame Color _____
Aluminum ____ Wood ____ Plastic ____ Other ____

Windows – Screening Frame Material _____ Frame Color _____
Screen Material _____ Screening Color _____

Shutters – Color _____
Wood ____ Plastic ____ Metal ____ Other ____

Pool/Patio Screened Enclosure
Frame Material _____ Frame Color _____
Screen Material _____ Screening Color _____

Wall or Fence – Color _____
Stucco ____ Wood ____ Metal ____ Plastic ____ Masonry ____ Other ____

Roof – Color _____
Roof Material – Fiberglass ____ Tile ____ Cement ____ Metal ____ Other ____

SPRUCE CREEK ARCHITECTURAL REVIEW COMMITTEE MODIFICATION APPLICATION

GENERAL PROCEDURES

This application shall be utilized when seeking approval for changes to an existing structure on the property **such as re-roofing, changing of texture and/or color of exterior finishes, doors and/or windows replacement, re-screening (with no change to the framing), fencing, and paving.** Changes to the existing elevations of the ground effecting drainage of the property require this application. Replacement of like for like required by repairs and routine maintenance do not require an application.

1. The property owner, contractor, registered professional and other interested parties should familiarize themselves with all **DEED RESTRICTIONS, EASEMENTS, COVENANTS AND RESTRICTIONS REGULATIONS, ETC.** that apply to and affect the modifications proposed for the property.
2. Some subdivisions within the Spruce Creek community have individual architectural committees. **Plans must be approved by these committees before being submitted to the Spruce Creek Architectural Review Committee (hereafter referred to as the ARC) for approval.**
3. All completed applications must be submitted to the POA office 24 hours in advance of the ARC meeting to assure proper scheduling and timely action. An incomplete application or withholding requested information can result in no action on the application or a delay in its approval.
4. Pertinent information shall consist of a complete application (specifically pages 1, 2 and 3), 3 sets of architectural plans depicting proposed modifications to the structure(s) and/or survey site and landscape plans depicting modifications and existing conditions to elevation affecting drainage of the property all as applicable.
5. Plans must be approved and stamped by the ARC before Volusia County will issue a building permit.
6. **All contractors must be qualified and licensed in the County of Volusia and the State of Florida, and must carry at least \$1,000,000 in Liability Insurance and required Workers Compensation Insurance.** A copy of the contractor's valid Licensure and a Certificate of Insurance naming the Spruce Creek Property Owners Association as a named insured must be submitted with the application.

7. The Architectural Review Performance and Damage Deposit, as explained on Page 6 of this document, shall be submitted with the application as a refundable deposit, and shall be submitted prior to the issuance of an approved application. In the event of claims in excess of the aforementioned deposit amount, then additional funds in the amount of these unfunded claims shall be tendered within seven (7) days by the property owners or his/her representative. The refundable Performance and Damage Deposit shall be returned to the property owner or contractor upon the project receiving a final inspection and approval by the ARC and the County of Volusia issuing a Certificate of Occupancy (C. O.) if applicable. The refundable deposit shall cover any and all costs or expenses incurred by the POA to cure actions or inactions by the property owner/contractor during the work on the project which leave any of the project under the jurisdiction of the POA in an incomplete or damaged condition. The deposit is to ensure conformity to the approved plans/Covenants and Restriction or to restore the property of the POA to the condition(s) that existed prior to project initiation.

8. Plans, material and color choices may be submitted to the ARC for preliminary approval or consideration if desired. This can sometimes assist in decision making prior to commitment of time, money and material.

9. The contractor shall erect/place in a prominent location at the front of the property the ARC's Approval Notice. Said Approval Notice will be furnished with all approved documents and should be posted prior to any commencement of construction.

10. **A Final "Sealed Survey" (record drawing) and the Volusia County Certificate of Occupancy (C.O.), if applicable, shall be furnished to the POA prior to the release of the damage bond.** The final survey shall be prepared by a registered land surveyor and will show the "as constructed" location of all structures and improvements including all finished elevations/grades as required by paragraph 1e. of specific requirements on page 4. Structures shall be dimensioned and offsets shown to the nearest 1/10 of a foot.

11. In the event of a denial of your application by the ARC, you have the right to appeal the decision by filing an appeal with the P.O.A. Board of Directors. The form for this appeal is available from the POA office.

12. **SUBMIT PAGES 1, 2 AND 3 ALONG WITH ALL REQUIRED SUPPORTING DOCUMENTATION AND MATERIALS TO THE ARCHITECTURAL REVIEW COMMITTEE (ARC), THROUGH THE POA OFFICE.**

**ACTION BY ALL THE DIRECTORS OF SPRUCE CREEK
PROPERTY OWNERS ASSOCIATION, INC.
BY UNANIMOUS WRITTEN CONSENT**

The undersigned, being all of the Directors of Spruce Creek Property Owners' Association, Inc., a Florida not-for-profit corporation (The Association), pursuant to Section 617.0821 of the Florida Statutes hereby adopt and consent to the following resolution:

WHEREAS, the Spruce Creek Property Owners' Association, Inc. Board of Directors, is amending the Resolution dated August 14, 2004 requiring a cash deposit to be posted at the time of Architectural Review approval, and

WHEREAS, the Board of directors unanimously approved the increased cash deposit schedule to be instituted on March 1, 2008

NOW, THEREFORE, BE IT RESOLVED:

1. The cash deposit shall be identified as the Architectural Review Performance and Damage Deposit and used by the SCPOA as a deposit to ensure the performance of the property owner and his/her agents to be in conformity with the approval(s) granted by the Architectural Review Committee, and also to protect any and all properties of the POA against any damages done thereto by any owner or his/her agents during the performance of the work approved by the Architectural Review Committee.
2. The Architectural Review Performance and Damage Deposit is hereby set as follows:
For all ARC approved work with a value-

Under \$5,000.00 – no Performance and Damage Deposit required.

\$5,001.00 - \$100,000.00 - \$1,000.00 Performance and Damage Deposit required.

\$101,000.00 - \$500,000.00 - \$7,000.00 Performance and Damage Deposit required.

\$501,000.00 and up - \$10,000.00 Performance and Damage Deposit required.

The value of the construction will be calculated on \$150.00 per square foot for new construction and \$200.00 per square foot for modifications to existing structures.

DATED: February 25, 2008

Signatures of five Directors on file in POA Office.

SPECIFIC REQUIREMENTS FOR APPLICATION

1. Materials

- a) Shall conform with all Covenants and Restrictions.
- b) Samples of roof material (not over 6" square) should be submitted with this application indicating manufacturer, identification number and color.
- c) Submit paint samples to be used on all exterior surfaces indicating manufacturer, identification number and color. Clearly identify where each paint sample will be used.
- d) Provide brick or stone samples, if appropriate.
- e) Submit manufacturers brochure(s) specifying material, color and dimensions of all fencing.

2. Landscape Plan (If Applicable)

- a) Professionally prepared by a registered landscape architect or licensed landscape contractor/designer.
- b) Drawn on a scale of not less than 1" = 20" unless otherwise stipulated in the covenants and restrictions.
- c) Plans should reflect all natural and improved landscaping as well as any man made features such as ponds, waterfalls, berms, swales, fences, walls, etc. Sufficient elevations shall be shown to indicate that the direction of flow does not adversely effect neighboring properties. Swale/slope grades shall be a minimum of 1%.
- d) A plant list and legend must be shown on the plan to identify all trees, shrubs and plants by name, size, quality and location, including all sodded areas.
- e) Submit 2 copies of the Landscape Plan.

3. Mail Box (If Applicable to Sub-division)

- a) Submit a drawing or picture of the mail box.
- b) Denote construction material and color.

CONSTRUCTIONS RESTRICTIONS

- 1) All contractors and their employees must enter and leave via the South Gate – No Exceptions!
- 2) Construction hours are from 7AM to 7PM. Monday through Friday. Saturday hours are 7AM to 3PM. Construction or any job site work is prohibited on Sundays and holidays.
- 3) No loud music, offensive language or activities will be permitted on the job site. The general contractor/developer or his representative is responsible for compliance with this provision.
- 4) Construction equipment, material and personnel access to the construction site is limited to the use of vehicular roads only. Use of or encroachment on adjoining property is prohibited except with the written permission of the adjoining property owner. If contractor personnel parking cannot be accommodated on the site, special arrangements for parking shall be made through the Property Management Office.
- 5) Use of any taxiway (except Lindy Loop, Delta, Echo and Cessna Blvd.) by motor vehicles is prohibited. The contractor/developer is responsible for compliance with this provision and is accountable for any damage to taxiway or adjoining lots.

- 6) Dumping of any material anywhere in Spruce Creek Fly-In Community is prohibited except at your job site. Concrete trucks and mortar boxes shall be washed on site only, with no run offs onto adjacent properties or streets.
- 7) A dumpster or trash and refuse container will be in place and used at the construction site. The site will be regularly policed for loose trash.
- 8) Personal occupancy of the premises is not permitted until sodding and landscaping has been completed and occupancy permit has been issued by Volusia County.
- 8) The contractor may erect one sign at the construction site. This sign can display the name of the contractor and/or owner and shall conform with specifications listed in the Covenants and Restrictions. Signs shall not be attached to trees.
- 9) Contractor's sign must be removed from the property when a Certificate of Occupancy is issued.
- 10) No subcontractor signs are permitted at any job site.
- 11) No signs of any kind are permitted on or along any taxiway, except Lindy Loop, Delta, Echo and Cessna.
- 12) No pets are permitted on the construction site at any time.
- 13) Parks and common areas of Spruce Creek Fly-In are intended for the use and enjoyment of residents and their guests. Use of these areas by contractors, subcontractors or their employees is prohibited.
- 14) All existing swales must be protected and maintained during the construction period and must meet ARC standards at completion of construction.

(Include “Exhibit A”)