

SPRUCE CREEK ARCHITECTURAL REVIEW COMMITTEE  
**NEW CONSTRUCTION** 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 \_\_\_\_\_

DATE [ ] Approved [ ] Disapproved by ARC. \_\_\_\_\_

**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 \_\_\_\_

Please describe nature of work and all unique architectural features and materials:

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**RIGHT OF INSPECTION:**

The property owner or contractor acting as the owner's agent grants to the ARC the right to inspect the construction site and property for compliance with the Approved Plans. These inspections will be made at a time and on a schedule convenient to the ARC. Inspections will not be considered a trespass.

**INDEMNITY AND RESPONSIBILITY CLAUSE:**

The property owner, contractor and registered professional, does hereby indemnify the ARC and the Spruce Creek Property Owners Association and/or its assigns from any and all liability arising from the approval or disapproval of these plans, By your signature below, you acknowledge that you have read, understand and will abide by the Covenants and Restrictions of the Spruce Creek Fly-In and/or Spruce Creek Property Owners Association, Inc., as their interests may appear as well as the provisions of this application.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Registered Professional

\_\_\_\_\_  
Date

## **SPRUCE CREEK ARCHITECTURAL REVIEW COMMITTEE APPLICATION FOR NEW CONSTRUCTION**

### **GENERAL PROCEDURES**

This application shall be utilized when seeking approval for all construction such as, but not limited to, **new building(s), lateral/vertical expansion of existing building(s), pool and/or spa, screen enclosure, enclosure of existing porch or lanai, installation of patio/deck, removal of trees, etc.**

1. The property owner, contractor/developer, registered professional and other interested parties should familiarize themselves with all **DEED RESTRICTIONS, EASEMENTS, COVENANTS AND RESTRICTIONS, REGULATIONS ETC.** that apply to and/or affect the proposed new construction 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. Plans must be approved and stamped by the ARC before Volusia County will issue a building permit.
5. Pertinent information shall consist of a complete application (specifically pages 4 thru 9), 3 sets of architectural plans depicting proposed new construction and survey not more than 10 years old depicting the site and 2 sets of landscaping plans. Such plans shall show existing and proposed conditions.
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 owner 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 bond 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/developer 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.) 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. Plat of survey (**three certified copies**), except in the case of a condominium where the condominium site plan shall be filed with the application for the initial unit to be constructed.

- a) Prepared by a registered land surveyor in accordance with the Florida Administrative Code.
- b) Drawn on a scale of not less than 1" = 20' unless otherwise stipulated in the covenants and restrictions.
- c) Must show gross square footage and net square footage (buildable) and percent of coverage. Net square footage shall be noted to clearly identify areas excluded, for example:  
Gross Area – 16,000 sq. ft.  
Net Area – 15,000 sq. ft., excludes all road and drainage easements.
- d) All property easements and setback lines must be clearly shown and include all dimensions. All setbacks shall be shown to the nearest 1/10 of a foot.
- e) Plat of Survey must accurately depict the location of the house, hangar, pool/spa, patios, including finished floor(s) slab(s) elevation(s), walls, walks, fences, driveways, and hangar aprons with finished elevations. Finished grades are to be shown for the property's topography as well as existing grades of adjacent property, roads, taxiways, etc. All to clearly show the finished drainage pattern of the property and its relationship to surrounding properties (See Attached A). All swale/slope grades shall be a minimum of 1%.

2. Construction Plans (**three sealed copies**)

- a) Prepared by a registered professional.
- b) Drawn on a scale of not less than ¼" = 1' unless otherwise stipulated in the covenants and restrictions.
- c) Must show square footage of house, hangar, porch/lanai(s), garage(s), entranceway(s), etc. as well as total square footage and buildable coverage.
- d) Must accurately show all pertinent inside and outside dimensions.
- e) Elevations of all structures must be shown including front, sides and rear views. Include any special or unique architectural features.

3. Materials

- a) Shall conform with all Covenants and Restrictions.
- b) Samples of roof material 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.

Revised 11/6/06

#### 4. Landscape Plan

- 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.

#### 5. Mail Box

- a) Submit a drawing or picture of the mail box, if applicable to Sub-division.
- 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.

Revised 11/6/06

- 9) 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.
- 10) Contractor's sign must be removed from the property when a Certificate of Occupancy is issued.
- 11) No subcontractor signs are permitted at any job site.
- 12) No signs of any kind are permitted on or along any taxiway, except Lindy Loop, Delta, Echo and Cessna.
- 13) No pets are permitted on the construction site at any time.
- 14) 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.
- 15) All existing swales must be protected and maintained during the construction period and must meet ARC standards at completion of construction.

Revised June, 2006  
(Include "Exhibit A")