

# Saint Johns – Six Mile Creek West (Heritage Landing)

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PROPERTY OWNERS ASSOCIATION, INC.

## **RULES AND REGULATIONS ARCHITECTURAL GUIDELINES Amended and Approved on March 21, 2016**

**WHEREAS**, Article VI, Section 9 of the Bylaws for Saint Johns – Six Mile Creek West (Heritage Landing) Property Owners Association, Inc. authorizes the Saint Johns – Six Mile Creek West (Heritage landing) Property Owner’s Association Inc. (“Association”), through its Board of Directors (“Board”), to promulgate rules and regulations with respect to the Association as it determines to be in the best interests of the Association and the Homeowners;

**WHEREAS**, the Board has deemed it necessary to establish appropriate rules and procedures for the Association;

**WHEREAS**, the Board, by not less than a majority of the Board, at a Duly called Meeting of the Board, at which quorum was present, affirmatively voted to adopt the foregoing Rules and Regulations, in addition to those restrictions already provided in the Declaration of Covenants and Restrictions, more specifically found in Article V and Article IX.

### **ARCHITECTURAL**

Nothing herein shall be construed to supersede, waive, void or amend any requirements of any applicable governmental zoning or building law, regulation or ordinance, all of which must be complied with by each owner of a lot, improved, or unimproved, within the Community (each, an “Owner”), at the Owner’s sole cost and expense.

No landscaping improvement or structure of any kind shall be made without the submission and approval of an application, to the Architectural Review Committee, accompanied by any relevant plans, specifications, photographs or drawings, and an official site survey. Submission of an application is free of charge. Failure to submit the appropriate application PRIOR TO commencement of work will result in an automatic review by the Enforcement Committee a possible fine and an administrative fee of \$50 - \$250, depending on the type of change involved.

#### 1. PROCESSING

- a) **PLANS SUBMITTAL REQUIRMENTS:** Unless otherwise exempt pursuant to the applicable covenants, conditions, and restrictions of record, the homebuilder or

homeowner will submit comprehensive construction plans and specifications. No application will be approved if a homeowner has an outstanding balance or an active outstanding violation according to Association's records.

- b) The homebuilder shall make one (1) submittal for each model to be sold. Plans must include the items and information listed below:

1) Architectural Construction Plans:

- a. Plot Plan: Indicate the location of the house on the lot. Indicate all easements, setbacks building restriction lines, drives, walks, patios, mechanical equipment, also walls, pools and fences when applicable. Indicate the percentage of total lot coverage.

b. Square Footage:

- i. Heated and cooled living area.
- ii. Garage (minimum two (2) car)
- iii. Patios or enclosures
- iv. Total over all square footage:

<u>Lot Width</u>	<u>Minimum Home Size</u>
40'	1200 Sq. Ft.
50'	1400 Sq. Ft.
60'	1600 Sq. Ft.
70'	1800 Sq. Ft.
80'	2200 Sq. Ft.

c. Dimensioned Floor Plans at ¼" scale:

- i. Mechanical equipment

d. Dimensioned Elevations at ¼" scale:

- i. Roof pitch (minimum 4/12)
- ii. Height of structure (maximum 35 Ft.)
- iii. Pattern of window mullions

e. Typical wall section

f. Window and exterior door schedule

2) Specification and Color Package Submittal:

a. Maser Color Book :

- i. Stucco body colors
- ii. Trim colors

- iii. Accent colors for doors and shutters
  - b. Roof Color Samples (no blues and greens):
    - i. Manufacturer and warranty specifications
    - ii. Material (asphalt shingle, tile, etc.)
  - c. Building Material List of Specifications and Manufacturers:
    - i. Windows (style and color)
    - ii. Exterior door styles
    - iii. List of brick colors and manufacturer
    - iv. List of stone colors and manufacturer
- 3) Basic Architectural Standards:
- a. HVAC and irrigation equipment must have opaque screen enclosure wall, a minimum of 48" in height, which matches the body of the house in color and material. Enclosure must, at a minimum, enclose from both the front and side yard (L-Shaped) or from front, side and lake for lakefront lots ("C" or "U" Shaped).
  - b. Metal eave drip and all other roof penetrations must be painted the color of the roof. Pre-painted dark brown and black may be used to closely match the roofs color.
  - c. Painted metal chimney caps must match the color of the chimney.
  - d. A top row of window lights must be added to the garage door, regardless of the orientation of the door.
  - e. All houses should be full stucco or have full treatment of the chosen siding for all elevations. Elevations may include brick or stone veneer accents and/or panels. Both brick veneer colors shall be in the beige/tan/cream color palette. Vinyl lap siding is not permitted.
  - f. Architectural feature requirements (i.e. features not clearly shown) shall be no more restrictive and/or costly than the architectural features proposed by other builders within Heritage Landing.
  - g. Minimum of thirty (30) year or greater architectural roof shingles must be used.
  - h. Each front elevation corner shall be wrapped a minimum extensions of two (2) feet alongside elevations with any of the front elevation embellishments such as veneers or banding details. The corner wrap shall be terminated and/or combined with a raised panel/vertical element extending the full height of the side wall.
  - i. House colors must be from the approved Sherwin Williams color palette or similar palette. The same elevation and color

section package cannot be used on side by side lots or directly across the street from one another.

j. Garage door color must match either the body or trim color of the home.

c) REVIEW PROCEDURE FOR PLANS. The ARC's approval of the plan shall not be construed to supersede, waive, void or amend any requirements of any applicable governmental zoning or building law, regulation or ordinance, all of which must be complied with by the Owner at Owner's sole cost and expense.

## 2. SITE

a) ZONING: Existing zoning requirements we be considered as per County Zoning Ordinance as well as approved PUD, if any.

b) SITE CONDITIONS: Existing pavers and drainage may not be altered in any way. Owners shall refer to site development drawings for any information about these areas. Prior to construction, no tree shall be removed from any lot without the Associations written consent.

c) PARKING: No parking is permitted in areas where the subdivision's drainage flow may be interrupted. Additional driveway parking is subject to review and approval.

d) SETBACK REQUIREMENTS:

1) Lot setback requirements are measured in accordance with the County Land Development Code. Corner lots shall permit one vehicular access only. The frontage on the road used for access shall be considered the front yard and shall have the required minimum front yard setbacks.

2) Pools and pool/patio enclosures:

- I. Front – No pool, pool deck or patio enclosures may be located within the front yard.
- II. Side – Subject to County permitting requirements.
- III. Rear – Subject to County permitting requirements.

3) Pool Decks:

- I. Front – No pool, pool deck or patio enclosure may be located within the front yard.
- II. Side – Subject to County permitting requirements.
- III. Rear – Subject to County permitting requirements.

### 3. LANDSCAPING:

- a) REQUIREMENTS: All landscaping will be in accordance with the requirements of the County Land and Development Code. Driveways and walks shall be four inch (4") poured concrete. Patterns or alternative paving surfaces may be used subject to approval. Asphalt pavement is not permitted. Front, side and rear elevations on lakefront lots shall comply with minimum hedge, shrub and tree requirements.
- b) PLANT MATERIAL: Florida No. 1 grade or better. Yards shall be completely sodded with St. Augustine Floratam, Bermuda Zoysia or Cenipede sod or plugs. Shrubs and hedges shall be a minimum height of twenty-four inches (24") immediately after planting. Tress shall be a minimum height of eight feet (8') when planted. Species whose root systems are known to cause damage to improvements such as roadways, foundations, driveways and the like shall not be used within fifteen feet (15') of those improvements. Trees with invasive root systems, however, can be used in large open yards far from any improvements. **Replacement of sod using an approved sod type does not require ARC approval.**
- c) IRRIGATION: All lake lots shall extend irrigation coverage to the water's edge. The irrigation system may utilize reclaimed water, and shall be automatically controlled by a time clock.
- d) LANDSCAPING LIGHTING: Lighting is to be low-key and should be used to accent entrances and special features. Intensity should be no greater than require for pedestrian safety, other than on accent landscape. The scale of this lighting should be at pedestrian level. Exterior lighting must be shielded from adjacent properties.
- e) MULCH BEDS: Mulch beds must be finished with landscaping rock, pine straw, bark, cypress or rubber mulch. Color and style must be approved by the Architectural Review Committee.
- f) RECOMMENDED LANDSCAPE MATERIAL: Minimum of three (3) to seven (7) trees, depending on the lot size; or the minimum required by County land Development Code, whichever is greater. At least one (1) of the trees must be hardwood located in the front yard of each home (front yard includes first 8 feet on either side of the home). Consider: (1) native species and evergreens ;(2) resistance to insects and diseases; (3) cold hardiness; (4) adaptability to existing soil conditions; and (5) life expectancy.

g) Recommended PLANT LIST. Consider: soil conditions and preparation for adequate drainage.

Botanical Name	Common Name
<b>1. Ground Covers</b>	
a) <i>Asparagus Sprengeri</i>	Asparagus Fern
b) <i>Liex Cornuta Rotunda</i>	Dwarf Holly
c) <i>Juniperus</i>	Various Juniper Ground Covers
d) <i>Liriope</i>	Lily Turf
e) <i>Pyracantha Walderii</i>	Walders Dwarf Pyracantha
<b>2. Evergreen Trees</b>	
a) <i>Cilmamomum Camphora</i>	Camphor
b) <i>Eriobotrya Japonica</i>	Loquat Tree
c) <i>Ligustrum Japonicum</i>	Wax Leaf Privet
d) <i>Ligustrum Lucidum</i>	Glossy Privet
e) <i>Magnolia Grandiflora</i>	Magnolia
f) <i>Magnolia Viginiana</i>	Sweet Bay
g) <i>Pinu Elliottiif</i>	Slash Pine
<b>3. Palms</b>	
a) <i>Livistona Chinensis</i>	Chinese Fan Palm
b) <i>Dutia Capitata</i>	Pindo Palm
c) <i>Chamacrops Humilis</i>	European Fan Palm
d) <i>Sabal Palmetto</i>	Cabbage Palm
e) <i>Phoenix Robenimum</i>	Pigmy Date Palm
f) <i>Washingtonia Robusta</i>	Mexican Fan Palm
g) <i>Cycas Revoluta</i>	Sago Palm
<b>4. Shurbs</b>	
a) <i>Raphiolepis Indica</i>	Indian Hawthorne
b) <i>Cocculus Laurifolius</i>	Snail Seed
c) <i>Cortaderia Selloana</i>	Pampas Grass
d) <i>Eleagnus Pungens</i>	Silver-thorn
e) <i>Llex Burfordii</i>	Burford Holly
f) <i>Llex Vomitoria</i>	Yaupon Holly
g) <i>Jumiperus Spp.</i>	Various Juniper Shrubs
h) <i>Ligustrum Lucidum</i>	Glossy Privet
i) <i>Mahonia Bealei</i>	Leatherleaf Mahonia
j) <i>Myrica Cerifcra</i>	Wax Myrtle
k) <i>Nandina Domestica</i>	Heavenly Bamboo
l) <i>Neriuln Oleander</i>	Oleander
m) <i>PhotiniaGlabra</i>	Red Photinia
n) <i>Pittosporum Spp.</i>	Various Pittosorum
o) <i>Pyracantha Coccinea</i>	Firethorn

p) Trachelospermum Jasminoides	Confederate Jasmine
q) Viburnum Suspensum	Sweet Viburnum
r) Viburnum Odoratissimum	Sandankwa Viburnum
<b>5.Shade Trees</b>	
a) Quercus Virginiana	Live Oak
b) Quercus Laurifolia	Laurel Oak
c) Acer Rubrum	Red Maple
d) Betula Nigra	River Birch
<b>6.Ornamental Trees</b>	
a) Pyrus Calleryana	Bradford Pear
b) Photinia Fraseri	Tree Phontinia (Red Tip)

4. STRUCTURES:

A. ROOF, ROOFING, GUTTERS AND DOWNSPOUTS: Roof forms must be designed to provide similar character on all elevations and this character shall be carried out through the pitch, material, color and applied features.

- i. STRUCTURE: Roof structure shall be built out of conventional frame construction or pre-manufactured wood trusses.
- ii. STYLE: Suggested roof styles are gabled, hip and flat with parapets on limited applications. Homebuilders should be aware that the same type of roof style may not be repeated in consecutive lots, in any one side of the street. Mansard, Gambrel and Dutch Hip roof styles are not allowed. Conical type of roof may be considered, depending on its application, by the ARC.
- iii. MATERIALS: Finish materials for pitched roofs must be consistent throughout the Community. These can be flat or barrel cement tile, standing seam galvanized aluminum, cedar shake, or architectural fungus resistance shingles with 25- year warranty or better. Copper may be used only on roof features like cupolas, dormers, bay windows, etc. Neither Flat shingles nor gravel roofs shall be used within the Community. Other materials not specifically mentioned are subject to review and approval by the ARC. Light, green or blue colored composition shingles shall not be used in the community. All patio and lanai roofing must match the roofing material of the main structure. After-market patio enclosures with pan type roofing will not be allowed.
- iv. PITCH: The minimum roof pitch in the Community shall be 4/12.

**B. FEATURES:**

- i. **CUPOLAS:** Cupolas with fixed panes or louvers may be used. Shapes and sizes will vary according to the size of roof and shall be reviewed by the ARC.
- ii. **DORMERS:** Gable and hip dormers are allowed on roofs. Other types may be considered but are subject to review and approval by the ARC.
- iii. **CHIMNEYS:** All chimney stacks shall be the same color as the base of the chimney structure and when located at an exterior wall it shall extend to grade and shall be supported by foundation. The material shall be stucco, stone, brick or incombustible lap siding to match the exterior of the residence. Chimney caps may incorporate stone, metal or clay.

**C. ACCESSORIES:**

- i. **VENTS AND PIPES:** These types of roof accessories extending through the roof shall be painted to match the color of the roof.
- ii. **VALLEYS AND FLASHINGS:** These types of roof accessories attached to the roof shall be painted to match the color of the roof.
- iii. **DOWNSPOUTS AND GUTTERS:** These types of accessories attached to eaves and walls shall be painted to match the color of the surface to which they are attached or to the color of the house trim.
- iv. **EQUIPMENT:** Roof top mechanical equipment must be located so it will not be visible from the street, sidewalk or adjacent property.
- v. **LOCATION:** A.C. equipment, irrigation or pool pumps located at ground level shall be shielded by landscape or masonry walls.

**D. EXTERIOR WALLS:**

- i. **STRUCTURAL WALL:** All exterior structural walls shall be constructed to concrete masonry units (CMU), wood or steel framing systems pursuant to building codes established by the County. The following requirements apply to all exterior walls and all kinds of façade applications for all structures. All elements of all elevations shall complete a total and continuous design. All materials must comply with the Standard Building Code. All exterior finishes will be consistent in color schemes, texture, compositions and character throughout the Community. All exterior finishes will be subject to review and approval by the ARC. Exposed concrete block walls are not permitted nor



walls with any other type of exposed modular concrete units. Not metal finishes are allowed.

- ii. APPROVED FINISHES ARE AS FOLLOWS:
  - a. Brick
  - b. Stone
  - c. Stucco
  - d. Horizontal lap siding (wood or smooth hardy board material only)

All wood or exterior siding will be finished, painted, stained or otherwise protected from the elements of nature. The houses in the Community shall either have all-brick or brick and siding, all stucco and siding, all stone or stone and siding, or brick, stone and stucco on their exterior walls. However, the finish materials in each elevations will be limited to two (2). If lap siding is to be incorporated in the rear elevation of the house, then the side elevation must incorporate the same lap siding. When using siding on the front of the home in combination with brick, stone or stucco, the siding should be an appropriate compliment to the architectural style of the home. **Lots 446-457; 460-486; 489-501, located in Phase IV**, shall be the only lots permitted to have stucco fronts only. The architectural submittal should indicate the type of siding to be used with each elevation. Vertical siding is not allowed.

- iii. When using combinations of brick and siding, or brick and stucco on the front elevation, the brick shall wrap around twenty four inches (24") minimum to the side elevations. When using stucco and siding, the stucco shall wrap around twenty four inches (24") minimum to the side elevations. When using stone, the stone shall wrap around twenty four inches (24") minimum to the side elevations.

E. WINDOWS AND WINDOW TREATMENTS: All windows shall be insulated glass with standard color consisting of white, sand, or bronze in anodized aluminum, vinyl clad, or painted wood. Exterior painted wood or fiberglass shutters may be used if the width of the shutters is no more than ½ the width of the window. All exterior windows shall be double-pane. All garage windows shall be covered. Blinds and/or shutters must be white, off-white or stained in color. Fabric window coverings must be lined with white or off-white lining. No flags, unlined fabrics, sheets, aluminum foil or the like may be placed or hung in the windows. Deviation from the standard criteria must meet with ARC approval.

F. GARAGES: All lots shall have at a minimum a two (2) car garage. Metal or fiberglass covered carports are not allowed.

G. DOORS: Entrance doors shall be compatible with the design and color and made of solid wood, fiberglass, or insulated metal. Glass inserts may be included.

- H. SCREENED ENCLOSURES: Screened enclosures shall be permitted on the rear patio and/or pool, subject to review and approval by the ARC. No screened enclosures shall be permitted on the front of the house. The roof of the enclosure may be a screen roof, or must be a permanent roof with shingles matching the main structure in color and style. All screen enclosures must have a black or dark anodized bronze framework. Screen material must be dark charcoal in color. After-market patio enclosures with pan-type roofing are prohibited. Screened roofing may also be used with pool screen enclosures. Screen enclosures facing Preserves may have composite roofs. Composite roofing may also be used for screened patios on homes that back up to other homes or across a lake subject to ARC approval. However in these cases, shingles must be applied and match the main structure in color and style.
- I. AWNINGS: Awnings shall be permitted subject to the discretion of the ARC.
- J. DETACHED STRUCTURES: Any free-standing structure contemplated for property such as, but not limited to, a shed, pavilion, gazebo, platform, playhouse, storage room, cabana, etc., must be submitted for approval with the required drawings and information to the ARC. See Addendum C for specifications.
- K. FENCING AND GARDEN WALLS: Fencing and garden walls shall be designed as an extension of the architectural mass of the house and shall be detailed to unify the site design with the architecture of the house. Use of these elements to enclose space and provide for variety in the scale of the interior space is encouraged. All proposed fencing and garden walls shall be shown on the design documents.
- i. DESIGN: The fence types authorized for fencing of private lots within the Community are as follows:
- a) Type "A" Fencing beige vinyl tongue & groove, privacy fence with lattice top; 6 ft. wood privacy fence with 5 ft. shadowbox panels with 1 ft. lattice horizontal top. Wood fences must be stained (close to its natural color), painted beige or sealed with a clear coat of wood sealant. Heights for all fencing of interior lots are required to be a total of six feet (6') with eight foot (8') wide panels. Architectural approval is required prior to installation of all fencing. Stockade, sold wood panel type fencing is not allowed.
- b) Type "B" Fencing (for all Lake Front Lots): Black flat top aluminum, Wellington style, four ft. (4') only.

- c) Owners of lots abutting a lake may install a 6 ft. privacy fence 6 ft. from the rear plane of the home forward and then tie into the home in accordance with front set back requirements. All privacy fences in this situation must transition to the 4 ft. black top aluminum fence (6 ft. from the rear plane of the home) over the span of one 6' panel.

In some instances, the type of fencing for a lot must be determined on a case-by-case basis due to the transitioning of lake lots abutting interior lots, or lots along the main boulevards where the rear of the homes are visible.

Owners must obtain Architectural approval prior to the installation of any fencing. In determining the type of fence on a particular lot, please contact the ARC for pre-approval. The ARC will provide written specifications for your fence request.

- ii. **SITE LOCATIONS:** Fencing shall not extend beyond eight ft. (8') before the front wall plane of the residence; excluding the garage area on an "L" shaped residence, into the front yard. Fencing sections with gates may be installed. Fences cannot define property lines. Any lakefront fence must be set back a minimum of 1 ft. from the 6 ft. Lake maintenance and Access Easement measured from the TOB. Pool enclosures related to children's safety or other reasons shall be subject to consideration by the ARC on an individual basis.
  - iii. **CORNER LOTS:** Fencing along the street side property line of corner lots shall be set back five ft. (5'). It is recommended that this strip of land shall be planted with a hedge of three (3) gallon shrubs, twenty four inches (24") minimum height at planting time and spaced at twenty four inches (24") o.c. The ground shall incorporate mulch around the plants and a strip of groundcover adjacent to the sidewalk. This type of fencing setback shall apply to all models, including courtyard homes.
- L. **RECREATION STRUCTURES:** All recreation structures (excluding basketball backboards) shall be located at the rear of the dwelling, or on the inside portion of a corner lot within the outside wall plane of the home. No platform, doghouse, tennis court, playhouse or structure of a similar kind or nature (except basketball backboards) shall be constructed on any part of the lot located in the front of the rear line of residence constructed hereon and shall be constructed so as to not adversely affect the adjacent lots or the use thereof. Any such structure must have prior approval of the ARC and without limiting any other criteria for approval; the ARC shall review the height of such structures to assure the privacy of neighboring homeowners. No basketball backboards may be installed adjacent to the street or on any cul-de-sac. Portable basketball goals may not be at the street or in the

Public's right of way, but must be standing upright and located at or on the driveway, closer to the house than to the road.

- M. **OUTDOOR FURNITURE:** Outdoor furniture shall not be stored or left in front yards and/or driveways. Outdoor furniture is limited to front porches or back yards, out of sight of the street and within the exterior plan of the house. Outdoor furniture shall include, but not be limited to tables, chairs, loveseats, couches, fire pits, grill, etc.
- N. **AIR CONDITIONERS/OUTDOOR EQUIPMENT:** No window or wall air conditioning units are permitted. All exterior air compressors, pool and spa equipment; irrigation pumps and wells, water softener equipment, propane tanks, trash receptacles and the like, which are visible to the street or any adjacent lot shall be surrounded on all exposed sides by either seven (7) gallon hedge type plants (minimum of three (3) per exposed side) or a 4 ft. tall opaque wall enclosure which matches the color and material of the body of the house. The service opening shall not face the street. An opaque fence can be used to shield trash containers from view on the side of a home. The fencing used must conform to the front set back requirements for all fencing and must be of the same material and height as outlined in the Fencing section of this document. The design must be in an "L" shaped fashion with the service entrance not facing the street. An application to the ARC must be submitted for trash container fence, hedge or wall proposals.
- O. **FIREPLACES AND CHIMNEYS:** It is preferred that the chimney tops be designed so that the flue will be covered from the elements. A detail of the chimney top should be shown. If the flue is exposed, then the chimney design and covering must be of a size and material that is architecturally acceptable. Exposed spark arrestors will not be permitted.
- P. **SWIMMING POOLS AND TENNIS COURTS:** Any swimming pool or tennis court to be constructed on any lot shall be subject to review and approval by the ARC. Above-ground pools are prohibited in the Community.
- Q. **SATELLITE DISHES:** Satellite dishes should be located at the rear of the home if at all possible.
- R. **CABLE T.V. AND TELEPHONE COMMUNICATION:** The ARC recommends each new Dwelling be pre-wired for cable-TV, telephone. And alarm systems. All exposed wiring will be enclosed in a standard utility box.
  - i. **TELEPHONE & CABLE TV:** Each home within the Community shall be pre-wired for cable-TV and telephone service by the homebuilder.
  - ii. **ANTENNAE & DISHES:** The location of satellite dishes must be in an inconspicuous place shielded from view from the street and adjoining

properties to the maximum extent possible. The type of dish and location will be reviewed by the ARC. Television antennae may not be visible from the exterior of the house, the street or adjoining properties, provided a quality signal can be received from inside the house. If it can be demonstrated that a quality signal is not achievable from inside a house, one (1) television antenna is allowed in an inconspicuous location. Other types of antennae are not allowed without written approval of the ARC.

- S. SIGNAGE: All signage to be installed by the homebuilders or homeowners shall be consistent with the approved SJSMCW (Heritage Landing) sign style and color.
    - i. HOMEBUILDER SIGNS: To display the company name and lot availability. One (1) sign per lot; it shall conform to the design, size, height, color and post details specified by the Association. Homebuilders are responsible for the cost and installation.
    - ii. REAL ESTATE SIGNS: "For Sale" or "For Rent" and "Yard Sale" signs are allowed. One (1) sign per lot that is available for sale or rent shall be consistent with the approved sign style and color. Post shall be 4X4"X72" P.T. Post with 2X4" Arm. Colors shall be Black post/ black 10X12" sign/ White vinyl lettering; or WGV Burgundy post/ WGV Burgundy 10X12" sign/ white vinyl lettering.
    - iii. OTHER:  
Small in-ground personal flags or banners may be placed on a lot close to the home or walkway at a maximum of two per lot. The Board may require the removal of any flag, banner, or advertisement that may be deemed offensive or distasteful in the Board's sole discretion. American Flag and/or military flags are permitted in accordance with Federal guidelines.  
Temporary political endorsement signs and "Yard of the Month" Association signs may be displayed for not more than 30 days prior to an election.
  - T. MAILBOXES & HOUSE NUMBERS: Decorative house numbers must be approved by the ARC. See Addendum A for specifications.
  - U. WAIVERS. The criteria set forth herein are guidelines to which adherence is required pursuant to the recorded covenants, conditions and restrictions for the Community. The ARC may waive any requirement set forth herein if, in its professional opinion, it deems such waiver is in the best interest of the property and the deviation requested is compatible with the character of the property.
5. MAINTENANCE DURING CONSTRUCTION: During construction, all debris shall be placed in a single location on the construction site only. Construction dumpsters are preferred. If a homebuilder utilizes a weekly clean-up service, all debris must be contained by a fence or some other type of container to avoid an unsightly appearance and blowing

debris. No debris or trash of any kind shall remain on any lot or on sidewalks or streets contiguous thereto. No excess building materials, storage shed or trash shall remain on any lot, sidewalk or street. It is the duty of the homebuilder and/or the homeowner to remove or cause to be removed any and all of the above debris within 72 hours of notification by the ARC. Failure to comply with the request will cause removal of debris by action of the ARC and all related costs will be charged to the homebuilder or the homeowner, as applicable.

6. MISCELLANEOUS:

- A. **LAWN MAINTENANCE:** Homeowners are responsible for maintenance of their yards and irrigation systems all the way to the road edge. Homeowners are also responsible for any damage/ discoloration caused by their irrigation system to sidewalks and/or road curbing. No weeds or underbrush or other unsightly vegetation shall be permitted to grow or remain on any lot within the Community and no refuse pile or unsightly object shall be allowed to be placed or suffered or remain anywhere on such lots. The owner shall maintain the lot and improvements thereon on good workmanlike manner and shall present a neat and clean appearance upon the lot. If any owner fails or refuses to keep his lot free of weeds, overgrown grass, underbrush, refuse piles, limited to signage or mailboxes, in a good and workmanlike manner or in a neat and clean appearance, the Association may enter upon the lot and perform any necessary maintenance at the expense of the owner and such entry shall not be deemed as trespassing. Each owner shall maintain its lot in clean conditions, providing for trash rubbish receptacles and disposal. Construction debris will not be permitted to remain on any lot and must be kept out of the lakes and right of way.
- B. **SALE AND CONSTRUCTION ACTIVITIES:** Notwithstanding any other provisions hereof, the Developer its agents, successors, assigns and designees may maintain such facilities and undertake such facilities and undertake such activities as may reasonably be required to sell lots or dwellings and to construct improvements thereon within the Community.
- C. **CLOTHES DRYING AREA:** No portion of any lot shall be used as a drying or hanging area for laundry of any kind, unless fully screened from the view of the neighboring owners and from the street.
- D. **ARTIFICIAL VEGETATION:** No artificial grass, plants or other vegetation shall be placed or maintained upon the exterior portion of any lot, unless approved by the ARC.
- E. **TRASH/RECYCLE CONTAINERS:** Household trash must be placed in trash bags and stored in trash containers. Containers may NOT be stored in front of garage doors.

They should be stored or screened out of sight of the street and be shielded from all adjacent lots.

- F. PETS – ST JOHNS COUNTY LEASH LAW: Requires that pets must always be on a leash when outside of the owners yard, and that owners must pick up after their pets.
- G. COMMERCIAL VEHICLES: Article 9.6 of the Association documents states as follows: *“Commercial vehicles shall not be parked within the Property within public view on a regular basis”* Commercial vehicles shall be described as any vehicle weighing one tone or more OR any vehicle used in commerce, with any type of outward, work related, markings, equipment, fixtures or signage. Fire, Rescue and Law Enforcement vehicles, marked or unmarked, are considered non-commercial emergency vehicles and are excluded. *“Regular Basis”* is described as more than 2 times in a 30 day period.
- H. VIOLATIONS: Violations of the Covenants and Restrictions and/or the Architectural Guidelines/Rules & Regulations shall remain open for six (6) months from the date of the last notice sent to the Property owner.
- I. CLOTHESLINES –See Addendum B for clothesline specifications.
- J. HOME BASED BUSINESSES: Homeowner’s are allowed to engage in a home based business under the following criteria and subject to Board approval:
  - 1. That no person shall be engaged in the conduct of the Home Based Business unless such person resides on the premises and that the premises shall be the primary residence for each of the person’s engaged in the occupation.
  - 2. That the use of the premises for the Home Based Business shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof;
  - 3. That there shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of the Home Based Business;
  - 4. That there shall call upon the premises in connection with the Home Based Business in a greater volume than the traffic typical in the subject residential neighborhood and limited to one visit at a time. A visitor in connection with the Home Based Business must park only in the driveway of the residence;
  - 5. That there shall be no flammable or hazardous material stored on premises and no equipment or process shall be used in the home occupation which creates noise, vibration, glare, flames’ odors or electrical interference detectable to the normal sense of the lot;
  - 6. That the activities of the Home Based Business shall occur entirely within dwelling unit, excluding accessory structures such as garages or sheds;
  - 7. That the Home Based Business shall not occupy more than twenty-five percent (25%) of the gross floor area of the dwelling unit, exclusive of the area of an

- open porch or attached garage or similar space not suited or intended for occupancy as living quarters;
8. Pick up or deliveries of any kind required by and made on the premises of the Home Based Business not exceed one business delivery per day;
  9. That any supplies stored on the premises shall be for the purpose of maintaining and operating the Home Based Business;
  10. That the Home Based Business shall not be advertised through signage of any kind placed on the property or building including vehicles on the property or street identifying the Home Based Business.
- K. Fence applications must be accompanied by a copy of the property survey, with the proposed location of the fence and all gates drawn in, a description and color of the desired fence style.
- L. All other applications must be accompanied by a drawing or artist rendering of the planned alteration.
- M. Applications to paint the exterior of the home must be accompanied by color samples, as well as a color photo of your home, the homes on either side and the home directly across the street. Also, the Sherwin Williams approved color number or approved similar pallet that is comparable to the paint color chosen from other vendors.
- N. In the Legacy section of Heritage Landing, there is no parking on the street permitted Monday through Sunday from the hours of 12AM until 7AM. (overnight)
- O. Members of the ARC and/or Management Company reserve the right to inspect the changes approved for compliance to the application. If the inspection requires the Association's agents and assigns to enter upon any lot, they shall have the right to do so. The inspector will provide to the homeowner written notice at least fifteen (15) days in advance of an "on lot" inspection is needed with every attempt to mutually agree on date and time of inspection. After 15 days of notice, homeowner forfeits all rights to participate in inspection scheduling.

[www.webvesta.com/heritagelanding](http://www.webvesta.com/heritagelanding)



# Addendum A

## Saint Johns –Six Mile Creek West (Heritage Landing)

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PROPERTY OWNERS ASSOCIATION, INC.

### MAILBOX SPECIFICATIONS

4 X 4 X 72 INCH BLACK POST – FLAT BLACK RUSTOLEUM

PAINT STANDARD BLACK MAILBOX WITH STANDARD

ACCOMPANYING FLAG

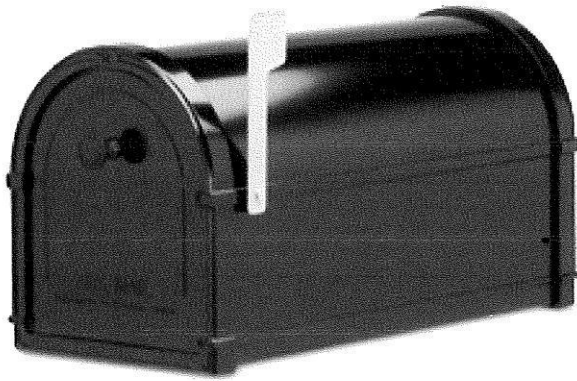
SILVER 4 INCH BRUSHED NICKEL PLATED NUMBERS, TO BE PLACED VERTICALLY ON BOTH SIDES OF POST. TOP OF 1<sup>ST</sup> NUMBER SHALL LINE UP WITH THE BOTTOM OF THE MAILBOX AND NUMBERS SHALL BE WITHIN 1/4" OF EACH OTHER AS THEY GO DOWN THE SIDES OF THE POST. FOR DOUBLE MAILBOXES LOCATED ON A SINGLE POST – ONLY ONE SET OF NUMBERS SHALL BE REQUIRED FOR EACH MAILBOX. NUMBERS FOR THE MAILBOX ON THE RIGHT SHALL BE ON THE RIGHT SIDE OF THE POST. NUMBERS FOR THE MAILBOX ON THE LEFT SHALL BE ON THE LEFT SIDE OF THE POST.

NO BALL OR FINIAL OF ANY TYPE ON TOP OF POST.

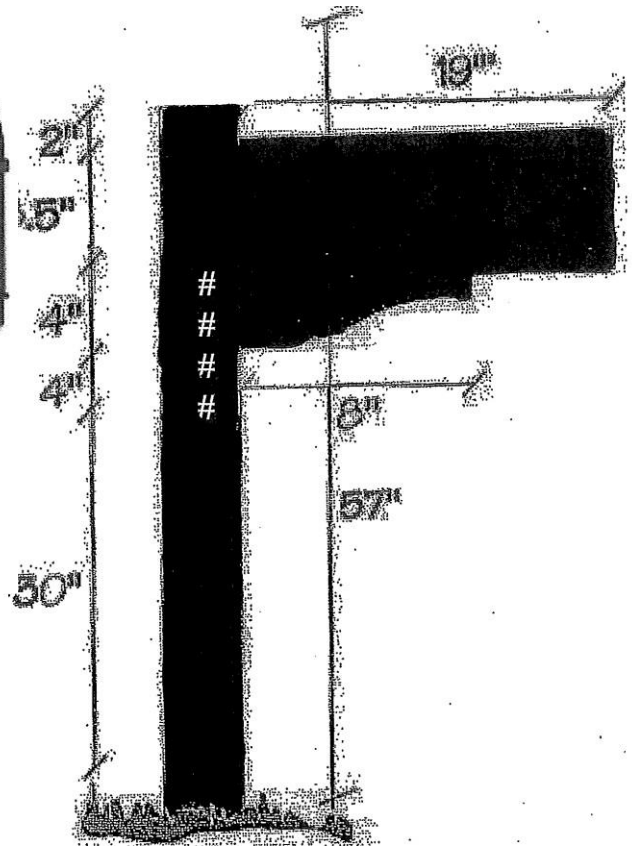
Plantings around the mailboxes is permitted however the plantings must be maintained so that the numbers on both sides of the mailbox are always within view for emergency vehicle house identification.

# Addendum A (Cont.)

**IF/WHEN NEW BOX IS NEEDED: ARC RECOMMENDED MAILBOX:**



**Architectural Mailboxes 10-in x 11-1/4-in**



# Addendum B

## Saint Johns – Six Mile Creek West (Heritage Landing)

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PROPERTY OWNERS ASSOCIATION, INC.

### OUTDOOR CLOTHESLINE SYSTEMS

#### 1.0 General

1.1 As herein used, the term Outdoor Clothesline Systems shall include:

- Pole-to-pole clotheslines,
- Fixed head rotary clotheslines,
- Folding rotary clothesline,
- Retractable clothesline,
- Wall mounted drying racks,
- Fold down drying racks,
- Window mountable clothing drying racks, and
- Other systems designed for the outdoor drying of clothes

1.2 Florida Statute (“FS”) 163.04 gives homeowners the right to install energy devices based on renewable resources with no responsibility regarding the impact on neighbors, or community.

1.3 FS 163.04 gives bounded authority to the Homeowners Association (“Association”) to oversee the location, size, and installation of Outdoor Clothesline Systems.

1.4 In addition to supporting the use of renewable energy sources, the Association is also interested in the aesthetics and hurricane preparedness of the community.

1.5 This Standard and Guideline gives consideration the board set of considerations associated with living in a covenant restricted community while ensuring the homeowners rights under FS 163.04.

#### 2.0 Approval Required Prior to Installation

2.1 Outdoor Clothesline Systems require approval of the Architectural Review Committee (“ARC”) prior to the commencement of work.

- 2.1.1 This requirement is applicable to both initial installations and modification of existing installation where the size, location or type of Outdoor Clothesline System is affected.

## Addendum B (Cont.)

- 2.1.2 ARC approval is not required for “like-for-like” replacement of Outdoor Clothesline Systems so long as the size, location or type of Outdoor System is not affected.

2.2 Application shall be made using forms prescribed by the ARC.

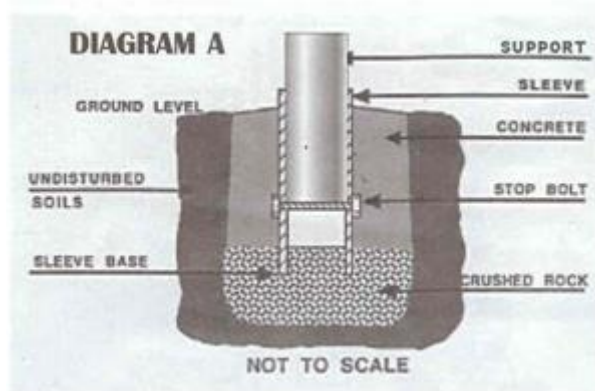
2.3 Application to the ARC shall include at a minimum:

- 2.3.1 A complete and signed application form.
- 2.3.2 A sketch description of where the Outdoor Clothesline System will be located.
- 2.3.3 A description of the type and dimensions of the Outdoor Clothesline System being installed.

### 3.0 Installation Requirements

- 3.1 All materials shall meet or exceed applicable building codes in effect at the time of installation.
- 3.2 To the extent possible, without materially affecting system operation, Outdoor Clothesline System shall not be visible from the street in front of the house.
- 3.3 No Outdoor Clothesline System shall be permanently installed in a setback area.
- 3.4 No Outdoor Clothesline System shall be attached to trees, the perimeter wall or anything else not specifically designed for use as part of an Outdoor Clothesline System.
- 3.5 Prior to digging, the Owner shall ensure compliance with FS Chapter 556, Underground Facility Damage Prevention and Safety.
- 3.6 Ground mounted supports, not visible from the street, should be installed using a sleeve so that the support may be removed, if necessary (refer to Diagram A below). In consideration to neighboring homes, it is recommended supports be removed and stored out of sight when not in use.
- 3.7 Ground mounted supports, visible from the street, **MUST** be installed using a sleeve so that the support is removable (see Diagram A). Supports visible from the street **MUST** be removed and stored out of sight when not in use.

## Addendum B (Cont.)



Set support to the depth recommended in manufactures instructions.

### 4.0 Use

Items being dried must be removed by dusk. No items are permitted to remain on an Outdoor Clothesline System overnight.

### 5.0 No Liability

5.1 As provided in the Covenants and Restrictions, no review or approval by the ARC shall imply or be deemed to constitute by the ARC, nor impose upon the ARC, the Association, or any other party, any liability for the design or construction of building elements, including, but not limited to, structural integrity or life and safety requirements.

5.2 The scope of any such review and approval by the ARC is limited solely to whether the respective plans or work meet certain requirements, standards, and guidelines relating to aesthetics and the harmony and compatibility of proposed improvements in the Community.

5.3 No review or approval will be for any other person or purpose, and no person shall have any right to rely thereon, and any review or approval by the ARC will create no liability whatsoever of the ARC or the Association to any other person or party whatsoever.

### 6.0 No Effect on Governmental Requirements

6.1 Approval by the ARC shall not relieve the Property Owner of the requirement, if any, to secure necessary permits, authorizations, inspections, ect., required by any governmental body or organization.

6.2 Further, by approving an application, neither the ARC nor the Association, is taking a position with regard to the appropriateness, completeness, sufficiency, format or any other standard the acceptability if any filing made with a governmental body or organization.

# Addendum C

## Saint Johns – Six Mile Creek West (Heritage Landing)

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PROPERTY OWNERS ASSOCIATION, INC.

### GUIDE LINES FOR AUXILIARY STRUCTURE CONSTRUCTION

#### Location:

- Auxiliary structure must be located at the rear of the home.
- The structure shall be in compliance with the county Land and Development Code and setback requirements.

#### Size:

- The outer size of the auxiliary structure shall be a minimum of one hundred twenty square feet (120 Sq. Ft.) and a maximum of two hundred fifty-six square feet (256 Sq. Ft.); however the structure also cannot exceed five percent (5%) of the rear lawn area.
- Roof pitch shall be at a minimum of 4/12 and match the roof structure of the home.
- Wall height shall not exceed eight feet (8Ft.) at gutter or drip edge.

#### Materials:

- Siding must be the same material as the home.
- Roof shingles must be the same material as the home.
- Door may be single or double entry and may be made from solid wood, fiberglass or insulated metal and shall be compatible with design and color of home.
- Hardware shall match the hardware used on the exterior of the home.
- Auxiliary structure shall be constructed on a four inch (4") concrete slab.
- Windows, if used, shall be proportioned to the size of the structure and match the style of the home.

#### Color Scheme:

- Exterior color of the structure shall be the same color theme as the home.
- Roofing and soffits shall be the same color as the home.

#### Landscaping:

- A hedge of 3 gallon shrubs, twenty four inches (24") minimum height at planting and spaced at twenty four inches (24") shall be planted around the structure.
- Mulch, approved landscape rock, or pine straw shall be incorporated around the hedge.
- No change in grade will be made which will affect drainage of the home site or adjacent lots.

## Addendum C (Cont.)

### **Other Guidelines:**

- Building permits must be obtained as required by law and are the responsibility of the homeowner.
- Copies of all building permits, inspections and certificates of Occupancy shall be provided to the Association during the construction.
- Any utilities to auxiliary structure shall be located underground.
- Wall décor, satellite dishes, etc. may not be attached to the structure without ARC approval.
- Homeowners must obtain approval from adjacent neighbors to erect the structure unless the homeowner's property is completely fenced with privacy fencing.
- Auxiliary structure shall be a permanent structure.
- All auxiliary structures are subject to ARC approval.