

EAGLE CREEK HOMEOWNERS ASSOCIATION
ARCHITECTURAL PLANNING CRITERIA
2017 STANDARDS AND USE GUIDELINES

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INTRODUCTION

The Declaration of Covenants and Restrictions for Eagle Creek of Saint Augustine, (CRs) establishes architectural controls and use restrictions (Articles III and IV) that the association is obligated to interpret and enforce (Article VI, Paragraph 6.6).

The body that conducts this review is hereafter referred to as the Architectural Control Committee (ACC) or the Architectural Review Committee (ARC). They are the same body. This body is made up of members (Homeowners) of this community and are charged to take review of architectural requests very seriously. They are to act in compliance with the covenants and restrictions for Eagle Creek of Saint Augustine, and federal and state law. More than that, they must take into account the property values of all the residents when making decisions for the entire association. This is not an easy job, and neighbors should remember that they are acting on behalf of everyone and won't be able to approve all requests, regardless of their personal feelings. The ACC is charged with doing what's best for everyone.

As provided in Article III, Paragraph 3.1 of the Declaration:

“no buildings or structures, including decks and bulkheads....fences, mailboxes, walls, landscaping or exterior lighting plan or other improvements...shall be commenced, erected, or maintained upon the Property, nor shall any grading excavating, or tree removal be commenced, exterior addition to or change made until all construction, grading, and landscape plans and specifications showing the nature, kind, shape, height, color, materials, and location...have been submitted to and approval in writing by the Architectural Control Committee...as to the quality of workmanship and materials, harmony of external design with existing buildings or structures, location of said building or structure with respect to topography and finish grade elevation and as to compliance with the provisions of this Declaration”.

Further, as provided in Article III, Paragraph 3.2 (1), the Committee shall have the power and duty to:

“draft and adopt, from time to time, architectural planning criteria, standards and guidelines relative to architectural styles or details and rules and regulations regarding the form and content of plans and specifications to be considered for approval...as it may consider necessary and appropriate”. Paragraph 3.2 (4) requires the ACC to “evaluate each application for the total effect...”.

As provided in the CRs, the Architectural Control Committee (ACC) has been established with the right and duty to promulgate reasonable standards against which to examine any request made pursuant to the CRs, in order to ensure that the proposed plans conform harmoniously to the exterior design and existing materials of the buildings in the Community. These standards are intended to preserve an attractive community, sustain property values, and provide consistency of review.

The Board of Directors and the ACC have developed these Eagle Creek Homeowners Association Architectural Planning Criteria and Use Guidelines to preserve the architectural style established by the builders in the construction of homes in the Community as provided by the CRs and to assist property owners in the architectural review process (Article III, 3.2 (1)). Further, the Guidelines include a

summary of and reference to some but not all use restrictions already established in accordance with the CRs. It should be noted and known by all members, that while it's true change does happen naturally over time, it's very difficult to maintain a congruent style of a neighborhood with as many homes as there are in Eagle Creek. Design trends in landscaping products for example, could make houses stand out and affect the property value of other homes in close proximity to that home following the latest trend. The ACC will take this into consideration when considering a design request.

These Criteria are intended as a supplement to the requirements of the CRs. The Criteria do not replace nor supersede the CRs. Homeowners are advised to read the CRs before developing and submitting a review package to the ARC. This iteration of the Architectural guidelines does however supersede all previous versions. It should be noted here that they are mostly unchanged from the previous version, and that future versions will reflect slow changes as noted in the paragraph above.

PURPOSE OF ACC

The ACC has been established to ensure the continuity in design which will preserve and improve the Community, and aid in ensuring preservation of property values. Except as to the initial construction by the developer, no fence, wall, landscaping, tree removal, drainage modification, or other improvement of any kind shall be commenced, exterior addition to or change made until all construction, grading, and landscape plans and specifications showing the nature, kind, shape, height, color, materials, location, and any other pertinent information as determined by the ACC has been submitted to and approval in writing received by the ACC as to the quality of workmanship and materials, harmony of external design with existing buildings or structures, location of said building or structure with respect to topography and finish grade elevation and as to compliance with the provisions of the CRs.

The ACC and/or Board of Directors in absence of an ACC meets on a regular basis to review requests. Meeting dates and times are published in accordance with Florida law and are available from the management company and or representative designated by the Board of Directors. As of the publishing of this document the ACC meets on the second Saturday of each month, but members should verify the time, dates, and location of the meetings with the HOA board, its designated management company, or publicly posted communications on the website or board at the entrance to the community. An Architectural Review Request Form as found attached to this document or posted on the website must be completed and submitted to the ACC with improvement plans. Some major projects have additional specific requirements as noted herein. It is recommended that a member consult with the Board of Directors, the management company, or the ACC members to ensure they are in possession of the current form. All required documentation must be attached (i.e., plans, colors, landscape elements, letters from neighbors in support of the proposal, contractor estimates, etc).

(Article III, Section 3.1, Section 3.2 (2)).

COPIES OF ANY BUILDING PERMITS THAT MAY BE REQUIRED MUST BE SUBMITTED WITH THE REQUEST FORM. REQUESTS THAT ARE PROVIDED WITHOUT SUCH INFORMATION MAY BE DEEMED INCOMPLETE AND THEREFORE NOT SUBJECT TO THE REVIEW TIMELINES ESTABLISHED BY THE CRs (Article III, 3.2 (2)).

GENERAL CRITERIA

1. Any condition or material not specifically defined herein shall become a matter for consideration and determination by the ACC.
2. Approval by the ACC does not constitute acceptance of any technical or engineering specifications or governmental requirements. The function of the ACC is to review each submittal for conformity to the intent and provisions of the CRs (Article III, 3.2 (6))
3. Approval of plans is not authorization to proceed with improvements on any property other than the applicant's. The member making the proposed change is responsible for ensuring the improvements are on their property and that there is no damage of common area property or the property of another member. Repairs to damaged property will be completed immediately in accordance with Florida real estate law.
4. An oversight by the ARC regarding the CRs does not constitute a waiver of the Declarations. The Board of Directors will advise a member if a violation of the CRs has occurred.
5. Access through common property is PROHIBITED. Access for equipment used in construction must be over or through the applicant's property. Building equipment and materials must be contained on the applicant's property (Article II, (e)). Applicants should advise commercial workers not to leave their equipment parked on streets, in common areas, or in other ways that might inconvenience neighbors. Construction activities are to be conducted during hours of daylight only and should be as unobtrusive to neighbors as possible.
6. In the event construction requires crossing the adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with the plan submittal.
7. All work must be performed in a manner consistent with the standards of the original residence construction and appearance. Any work that is of substandard quality to the established community will be reworked to an acceptable appearance at the owner's expense (Article III, 3.1).
8. Submittal of color samples of any paint or stain is required when they deviate from the original colors of the residence. Any residence painted without authorization by the ARC may require repainting at the homeowner's expense (Article III, 3.2 (5)). Homeowners are encouraged to submit color samples with their application as color variations can occur via scanning, printing, and photographs.
9. Improvements must be designed in general conformance with the original architectural style of the residence and community at large. The ACC will evaluate plans based on the total effect of the proposed improvement or modification. Per the Declaration, the approval of one application for one proposed improvement shall not be construed as creating any obligation on the part of the ACC to approve applications involving similar designs for proposed improvements to different lots (Article III, 3.1 and 3.2 (4)) For example, a structure that might look good in one yard, may not look good in another yard. Having three houses painted the same color adjacent to each other might not be approved.

10. Plans submitted to the ACC will either be approved or disapproved by the ACC within thirty (30) days following submittal to the ACC. Construction of approved improvements must be completed within six months from the date construction is begun or a period of time authorized by the ACC (Article III, 3.1). Please note that incomplete or unclear proposals may be rejected and returned for clarification. Homeowners are encouraged to attend and explain their plans to the ACC at its regularly scheduled meetings.

ARCITECTURAL DESIGN AND MATERIALS STANDARDS

Improvements must be designed in general conformance with the original architectural style of the residence and the Community at large; with deference to slow changes over time as approved by committees. The ACC will evaluate plans based on the harmony of external design to the existing buildings and structures in the Community. This section further defines guidelines for appropriate materials for use in modifications and other improvements as well as use guidelines defined by the CRs. Plans submitted for approval should conform with the criteria here, which are deemed by the Board of Directors and ACC to sustain the architectural integrity and harmony of original design as well as the use restrictions required by the Declarations. It's important to keep architectural concerns current and fresh, but also classic and similar. Review is subjective, which is why there is a committee and not a single person reviewing requests.

I. ANTENNAS, SATELLITE DISHES, RECEIVERS

1. One satellite dish of 24" or less in diameter is allowed provided it is shielded from view from the street to the extent that an acceptable quality signal is achieved. An acceptable quality signal is one that is not substantially degraded. Dishes that are provided by industry-standard recognized commercial television and internet providers should be maintained in their original condition and should be of a type widely used and in common knowledge of visitors to Eagle Creek.
2. The satellite dish installer must comply with the Covenants and Restrictions and it is the homeowner's responsibility to make sure they do.
3. Wires should be hidden as much as possible under eaves, following natural contour lines of the shape of the home, and should be painted to match when the home is painted, or removed and replaced after painting.
4. Digital TV Antennas, HAM radio antennas, or other antennae may be installed provided they comply with the satellite dish requirements above. Note that only ONE antenna may be installed per home. Either a satellite dish OR another type of antenna.

II. ACCESSORY ITEMS (pools, spas, patios, screened enclosures, and children's play equipment)

1. Accessory uses, including pools, spas, patios, screened enclosures, and children's play equipment, must be set back a minimum of 3 feet from all lot lines (Article IV, 4.2). Accessory uses shall be designed in harmony with the existing dwelling (Article IV, 4.2). Architectural Review requests for such structures

must depict the shape, height, color, materials, and location of the improvement (Article III, 3.1). Three complete sets of preliminary and final plans and specifications shall be submitted for review along with copies of required building permits (Article III, 3.2 (2)). Emailed copies of plans are acceptable as long as color scans are exact and accurate. It is recommended that colors be submitted on original commercial swatches commonly found at home improvement and paint stores.

2. Fixed or permanent game or play structures may be permitted subject to ACC review procedures defined by the CRs if the ACC determines the structures to be aesthetically compatible with the neighborhood. Basketball hoops are addressed elsewhere in this document. Structures that are attached to the house, which block views, invade the privacy of surrounding lots, do not meet lot line setbacks required by the CRs AND County codes, or violate the aesthetic quality of the neighborhood will not be permitted. Architectural Review requests for such structures must depict the shape, height, color, materials, and location of the improvement (Article III, 3.1). Three complete sets of preliminary and final plans and specifications shall be submitted for review along with copies of required building permits (Article III, 3.2 (2)). Emailed copies of plans are acceptable as long as color scans are exact and accurate. It is recommended that colors be submitted on original commercial swatches commonly found at home improvement and paint stores.

3. Permanent basketball hoops/goals, hockey goals, badminton nets, etc. will not be approved by the ACC.

4. Free standing portable hoops/goals are permissible provided:

- a) The backboard is white, beige, clear or light gray and kept clean.
- b) Units must be maintained in good working / looking order.
- c) Time Limit for use is two hours after sunrise until sunset, according to the National Weather Service.
- d) No objects will be allowed to be placed on top of the base of the portable unit for any purpose. (I.e. bags, concrete blocks etc.)
- e) The portable unit is to be used in front of the house only. During use, it must be placed on the driveway a minimum distance of 10 feet from the driveway entrance to the street. The portable unit must be positioned in a manner which has the backboard placed perpendicular to the street. When not in use, the portable unit is to be placed indoors or out of view from the street, as close to the house as possible. During times of Hurricane Warnings, the portable units are to be stored indoors.
- f) The play of various sports games that require objects such as balls, birdies, Frisbees, etc should be in a manner that is completely controlled. Play should take place in a manner that prevents objects or people from coming in contact with the property of neighbors. Neighbors don't want to have to tell people they don't like it when they are being disturbed. While Eagle Creek encourages its residents to enjoy their lives here in Eagle Creek, that enjoyment should not create an annoyance to others. Every resident is entitled to quiet enjoyment of their property.
- g) All homeowners are required to submit a written request for obtaining permission from the ACC for having a portable hoop/goal/stand/net, etc. The privilege to have this type of equipment may be revoked at any time if the above mentioned rules are not maintained or for causes related to being

an annoyance or nuisance. (Article IV, 4.9 ...”nor shall anything be done thereon which may become an annoyance or nuisance”).

III. EXTERIOR LIGHTING

1. Exterior lighting plans must be submitted to the ACC for approval prior to installation (Article III, 3.1)

2. Many exterior lighting options are commercially available to homeowners these days. Approval is not needed for small landscaping applications of 20 lights or fewer, 10 watts or less each, smaller than 12” in height, either solar powered or wired low-voltage. Requirements 3-5 below must be met and maintained. Common sense should be used. In addition to getting a letter from a neighbor prior to installation, members are encouraged to have neighbors view the installation after completion. Lights must be installed in a manner that does not create any possible hazard to traffic or pedestrians, and should be done in compliance with all state and local building codes by a licensed professional contractor. No landscaping light should shine primarily on another member’s property.

3. Exterior landscape lighting must be installed in a neat & orderly manner and must be maintained after installation. Dead solar cells are a major culprit in this area. If lights are unable to last until their off time or dawn (whichever comes first) the battery should be replaced, or the entire light unit replaced to maintain uniformity. Low voltage wiring with similarly colored bulbs are best.

4. Motion-detecting security-type lighting is permitted. This type of lighting should not be directed in such a manner that it causes a dangerous situation such as shining in people’s eyes as they are operating a vehicle, and should be installed in such a manner that it shines primarily onto the property of the home to which it is attached. While some light may shine on a neighbor’s property, the letter obtained from neighbors will address this possibility.

5. Wiring of lights should not be visible. Motion sensors should be aesthetically pleasing and designed for the light fixture in which they are installed. Cheap and ugly applications should be avoided.

6. Porch, decorative, and garage security lighting that is a color other than white is generally prohibited. Deviations can be approved by the ACC if appropriate. Red and Green lights are permitted in December.

IV. EXTERIOR MODIFICATIONS

Any modification to the exterior of the house, including, but not limited to concrete work, hurricane proofing systems, roofing, structural additions, door and window modifications, etc., must have the approval of the ACC. All work must be accomplished by a Florida licensed and insured contractor when permits are required.

V. PAINT

1. Homeowners must submit an Architectural Review Request if proposing to paint a home ANY color other than an exact match to the original color of the house. (Requirement applies to house, trim, shutters, and exterior doors). If a member is planning to paint without a color change, they still must

advise the HOA that painting is going to occur. The ACC or Board of Directors may wish to observe the painting process to ensure continuity and correct color matching.

Color changes that will be approved by the HOA are similar and consistent with those originally used by the builder on the homes in the Community and may reflect current, long-trending colors as opposed to the latest styles. Architectural Review Requests must specify the paint color/manufacturer, warranty, and type of paint to be used and should note the color selected clearly. i.e. Glidden Sand Coral #34433 or Sherwin Williams Sea Foam Mist #223323.

2. All exterior paint colors must be approved by the ACC prior to applying paint to any structure, including sheds, approved existing and other structures. The ACC reserves the right to request a sample area out of view be painted in order to determine if a color is appropriate for approval.

3. All paint previously approved by the ACC that does not meet these criteria is deemed in compliance until the structure is repainted. At the time of repainting, all non-conforming paint colors must comply with the above described standards. Note that the Board of Directors still may require members to repaint unapproved colors. Therefore, it is important for members to maintain a record of painting approvals.

4. Trim (including vent covers, garages, doors, shutters, doors, etc) must be painted in a complimentary color as determined by the ACC. Approved trim colors must be uniform. All structures on the property must match the home, including trim as appropriate. For example, a pink house with white trim must have a shed that is pink with white trim. Also, a house with door trim that is painted white must not have a garage door trim that is blue, and so on. Garages and trim must be white, but any shade of white can be submitted to the ACC for consideration. Garage and trim must be of the same shade and the shade must compliment the base and accent items such as door and shutters.

5. All base colors and accent combinations must be approved. Members should not submit requests that contain colors that are not consistent with the thematic harmony intended by the builders; coastal Mediterranean. Please note that these are muted colors, not bright Caribbean shades. The goal is for the house to fit in and not to stand out.

6. Painting driveways requires ACC approval. The goal is to have the painted driveway appear in good condition. High-quality products designed specifically for use in our area should be used. The color should obviously be as close to the original color of the driveway as possible. Painted driveways must be maintained and kept free of contaminants, mold, etc just as non-painted driveways. Improperly applied or worn paint will be immediately repaired to a uniform appearance. Pavers may not be painted. Asphalt and concrete driveways should be patched and uniform in surface prior to painting.

VI. HURRICANE SHUTTERS

1. The full use of hurricane window protection (temporary shutters, panels, plywood, etc.) should be limited to the time that a hurricane watch or warning is in effect in St. Johns County through a period of time 72 hours following the expiration of the hurricane watch or warning. Full use of hurricane window

protection is defined as full or partial covering of the glass portion of any windows or doors with a material or product designed or used for the purpose of protecting windows and doors from damage. Hurricane shutters in an open and secured position shall not be considered in “full use”.

2. The portion of the hurricane window protection system that is permanently mounted to the structure should be of the same color as the portion of the structure that it is attached to or white. The ACC may consider some shutters as “trim” when considering paint colors. (See the painting section of this document)

3. New installations of hurricane mitigation equipment must be approved by the ACC prior to installation.

4. Any damage caused by temporary application of hurricane mitigation equipment must be repaired within 30 days of the expiration of the state of emergency as announced by competent government authority. In the event of a major disaster, additional time may be granted by the Board of Directors and may be governed by Federal, State, or local laws. In any case, members should exercise diligence in effecting repairs to their property so as to restore it to its original condition as quickly as possible.

VII. FLAGS

Florida Statutes Chapter 720.304 paragraphs (2) and (3) currently govern the display of United States flag or official flag of the State of Florida. Members must comply with this and other applicable laws governing the display of flags. No other flags or banners may be displayed.

VIII. FENCING

Overview: Good fences make good neighbors. In all cases when considering installation of fencing, it's very important that all members carefully draw up plans. Fencing is an expensive item, and in Florida, fences are beaten down by the elements and environment faster than in other parts of the country. The main concern is to ensure uniformity throughout the neighborhood, and good maintainability.

Members should also consider the way fencing will affect their neighbors. Members whose houses are on the perimeter of the association facing other neighborhoods, common areas, or open space may apply to deviate from these standards for various reasons.

1. No walls or fences may be installed / constructed from the front of a residence to the front lot line (Article IV, 4.3). This means that the side of a residence that faces a street should not have any fencing that extends forward of the house toward the street. Houses on corner lots likely have a “side” yard area as well as a “front” area. Fence installations in this case require special consideration. In no case may a homeowner fence in common area or other people’s property. Also, great care should be taken to ensure fencing does not change the view people have while operating their cars or walking around in the neighborhood. The goal should not be to fence in as much land as possible, but rather to create a quiet area in a back yard for peaceful gathering of friends and family.

2. Fence should be a 6 foot board-on-board or privacy variety, constructed of pressure-treated pine, redwood, cedar, cypress, white powder coated aluminum or vinyl fencing, with dog-ear, rounded, or

square tops. Cheap materials should not be used and samples may be required by the ACC when making application for this type of installation. All fencing on one property should be the same. Mixing materials is not allowed. One exception could be an aesthetic transition or if neighbors who are the only people who can see the mismatch agree due to timing of fence replacement.

3. Fencing may be stained with a neutral sealer without further approval; however stains with tint must be approved prior to application. Samples on the material to be installed should be provided as the ACC may deny an application if the color may change when applied to different materials. Aluminum and vinyl fencing must be white, or made to match nearby common area fencing. Ribbing and support members of the fence shall face inward (toward the owner's side of the lot) except in the case of properties on the perimeter of the association. In this case, the less attractive side may be outward-facing, provided no other members of the association are affected.

4. All previously approved fencing that does not meet these criteria shall be deemed in conformance until such fence is substantially replaced. Approval documents should be kept in order to avoid members being ordered to come into compliance by the Board of Directors.

5. All fences shall be a minimum of 1 foot behind all utility meters. This means fences will not hide / cover meters. Meters must be accessible by county / utility companies.

6. Chain link fences are prohibited, except around the pond and marsh view lots, in which case are allowed only in the rear of the property facing the water feature. Such fencing may be less than but shall not exceed 6 feet in height. Chain link fences must be maintained and free from corrosion and may not be painted. Corrosion control products may be applied provided they do not damage the environment, grass, water, wildlife, etc.

7. The following fence or gate materials are unacceptable to the ACC:

- Wire
- Metal or nylon coated chain link (except as noted in #3 above)
- Plastic or fiberglass panels
- Plastic webbing, reeds, or bamboo
- Woven bender board
- Vinyl fencing (unless of a material that imitates the criteria described in #2 above)
- Double property line fences

8. A courtesy letter will be sent to all neighbors directly impacted by the fence installation. Neighbors will be given 7 days to respond if they have any concerns. Neighbors should work with each other to ensure fences do not become a point of contention between them. They should follow property lines and not intrude onto other people's property. Fences should complement neighbor's property and not

detract from its value. Colors should be aesthetically pleasing to neighbors as well as approved by the ACC.

9. If there is an existing fence between two properties and one neighbor wants to add or change their fence, it should complement the existing fencing of the properties around theirs. Areas of overlap between properties should not appear as a patchwork of different colors and materials. If old fence is to be removed, the property that “owns” it must give written consent before it can be replaced. “Ownership” may have been forgotten over time, but ribbing should indicate which property originally installed it. Shared cost will be agreed upon by neighbors, but the property initiating the installation/replacement will have to consider the neighbor may not be able to afford the cost. The goal should be happy neighbors working together toward agreement. As mentioned in paragraph 2 of this section, an aesthetic transition may require creative solutions, or if neighbors who are the only people who can see the mismatch agree due to timing of fence replacement, an exception can be made with ACC approval.

IX. FOUNTAINS, YARD ORNAMENTS, AND SIMILAR ITEMS

1. All fountains, yard ornaments, sculptures, arbors, benches, and similar items that are visible from the main street or another lot must have the approval of the ACC prior to installation (Article III, 3.1). Fountains must be of a color and architectural style that blends with and complements the home and maintained in original condition.

2. Clotheslines or other items used for hanging laundry are not allowed unless screened from the view of adjacent owners and the street (Article IV, 4.7).

3. Trampolines are prohibited. (You’re welcome parents)

X. GARBAGE, TRASH CONTAINERS, PROPANE AND GAS CANS, OUTDOOR EQUIPMENT, IRRIGATION WELLS & WATER SOFTENERS

1. All outdoor equipment & trash containers must be placed within walled-in areas or landscaped-in areas so they are not visible from any adjoining lot or the street. Trash containers can be placed outside on the curb for collection at dusk the night before trash collection day. Recycle containers can be placed outside on the curb for collection at dusk the night before recycle collection day. Biological collection can be placed at the curb for pickup if the bio items such as branches and fallen trees are too big to be collected in a bag. Grass clippings should be stored out of sight until the night before bio collection. All trash containers should be returned to their out-of-sight storage area by dusk the day of collection. Trash and recycle containers should be maintained in a serviceable condition; not leaking etc. They should not be placed in a manner that would create a hazard to traffic or children.

2. No propane or bottle gas tanks shall be allowed without the expressed written consent of the ACC. Adequate landscaping shall be installed and maintained by the homeowner to conceal the tank. New installations are discouraged, but must include proper licensing, permits, etc.

3. All regulatory requirements for propane tanks shall be adhered to. Refilling tanks will not be done in a manner that will affect neighbors and must be accomplished from only the owner's property.
4. Water softeners and individual wells for irrigation of lawns and landscaping must have approval of the ACC prior to installation (Article III, 3.1)
5. If the pump is to be installed outside the home, it needs to be concealed from view. Pumps must be silent and not annoying to neighbors. Pumps must be properly licensed by the appropriate government agency. Proof of government approval, permits, etc. must be included with the application as well as a clear plan of installation by a licensed commercial professional.

XI. LANDSCAPING

1. Any major change (i.e. graveling, cement work, or the reduce lawn size, etc.) in landscaping is subject to prior ACC approval (Article III, 3.1). This excludes all planting of flowers, small bushes and small grassy plants. The planting of these types of fauna is encouraged. Lawns must be the majority of yards. In no instance should more than half of the front yard of a property be non-lawn landscaping.
2. All lawns, trees, and plants shall be maintained in a neat and well-trimmed manner.
 - A. Grass should be less than about 4-1/2" in height.
 - B. Weeds should not be visible anywhere on the property.
 - C. Large bare spots on the lawn should be addressed immediately.
 - D. Dead branches on trees, bushes, and hedges should be removed immediately.
 - E. Appropriate covering for flower beds including treated wood chips, rocks, coquina, recycled materials specifically created as landscaping material should be used everywhere there is no grass. Note that landscaping fabric should be installed prior to this material to combat weeds.
 - F. Shrubs should not completely cover windows.
 - G. Shrubs or other plants must not obstruct house numbers or exterior lighting. Exceptions for landscape lighting specifically designed to highlight the landscaping.
 - H. Shrubs and trees need to be maintained / trimmed
 - I. Moss/mold etc should be treated and removed from tree trunks.
3. All lawns, grounds, and landscaping shall be mowed and maintained by the lot owner in a neat and orderly fashion free of all rubbish, trash, garbage, weeds and underbrush (Article IV, 4.11).
 - a. Edging is encouraged around cement (walkways, driveways and streets). Grass should not encroach more than a few inches onto non-grass areas.
 - b. Spanish moss should be controlled. This means it should not be allowed to hang low enough to touch homes, landscaping, or residents walking in the common areas.
 - c. Bio materials must not accumulate on rooftops or in gutters. Pine needles, Spanish moss, leaves and other debris should be removed from rooftops immediately. Trees and other landscaping items should not touch houses or other structures.

4. Should a member fail to mow and maintain their lot per #2 and #3 above, or maintain the structures and improvements on the lot in a good manner or neat and clean appearance, the ACC or Board may (30 days following written notice) enter the lot and perform the necessary maintenance (Article IV, 4.12), at the homeowner's expense. Florida law allows for HOA's to lien properties that fail to pay these special assessments.

5. No tree of a diameter of four inches (4") at a height four feet (4') above ground level may be removed from a lot without approval of the ACC. All requests for tree removal must be submitted to the ACC along with a site plan showing the location of the trees on the lot (Article IV, 4.15). THE ACC MAY REQUIRE ANY OWNER WHO VIOLATES THESE GUIDELINES REPLACE TREES REMOVED. FAILURE TO DO SO MAY RESULT IN A SPECIAL ASSESSMENT AGAINST THE OWNERS LOT (Article IV, 4.16).

a. Special exception may be made in the event of an emergency situation to mitigate impending failure of a tree. For example, after an extensive rainfall or hurricane, a tree appears to be about to fall on a house or common area, roadway, termite infestation, etc.

b. ACC shall approve downsizing of large trees. Smaller, more healthy trees may replace older, larger, more troublesome trees upon approval. The same species is not required, but members should ensure they are in compliance with tree removal laws due to a number of protected species in St. John's County. In some cases, professional tree service reports may be requested by ACC prior to approval.

6. Tree stumps must be removed or ground down so as not to be visible at or above ground level.

7. Single and double row paver path (stepping stone type) up to 2' x 2' (width) are allowed without approval. Any paver path greater than 2 feet in width needs approval from ACC.

8. Path materials which require approval regardless of size of path: brick, rocks, mulch, rubber and other non-standard landscaping materials.

9. Landscaping edging retaining wall material 12" or shorter around plant and flower beds do not need approval. Greater than 12" requires ACC approval. Concrete edging around tree and flower beds up to 8" wide and 6" high does not need approval. Concrete colors must be approved by ACC and should compliment the overall look of the landscaping and the home. Note that this lack of need for approval only applies to beds adjacent to the house and not to the perimeter of the yard. Substantive changes must be approved in accordance with paragraph 10 of this section. Decorative stones, pavers, concrete block, and retaining wall block must be approved. Approval of the material does not release the member from the 50% grass rule above.

10. Landscaping projects that are substantive in nature, changing a significant amount of the front or side yard in the case of houses facing more than one street, should be approved by ACC.

XII. SEASONAL DECORATIONS

Seasonal Holiday Decorations do not require the approval of the ACC; however, ALL lighting and/or decorations should be removed within 14 days of the occasion. Holidays for the purposes of this document are those which are recognized by local, state, or federal proclamation.

XIII. SIGNAGE

1. No sign OF ANY KIND may be placed on any lot except as shown here:

- A. A sign showing the Owner's name and number of residence
- B. A temporary "For Sale" and "For Rent" sign provided by a licensed real estate professional of the post type and must conform as described in sub-paragraph "C" of this paragraph below.
- C. A temporary "For Sale" or "For Rent" sign purchased by a member who is selling or renting their own property must be of the post type, made of 4"x4" post, not higher than 58", with an arm not extending more than 30". The information sign must be no larger than 2'x3' or 6 square feet in area. Signs of this type may not be lighted and must be conservative in appearance, not of unusual color, shape, or appearance. (See Appendix A for a drawing)
- D. One political sign provided by a candidate for public office or political action group supporting a ballot initiative. Note: Political signs must be 2'x3' or smaller with a wire stand. The sign may be placed in the yard one month prior to the election or ballot issue and must be removed the day after the election.
- E. One warning sign provided by a pest control or lawn care company that warns of the use of a toxic lawn treatment. Members should leave the sign in their yard as long as the toxic material could be dangerous to humans or animals and then promptly removed. This does not include advertisements for companies or individuals who have done work on the residence. These are prohibited.
- F. Any parcel owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home. (Fl Statute 720.304 (6))
- G. Contractor signs advertising their work are prohibited before, during, and after the project.
- H. Advertising of services signs are prohibited.

2. For sale and rent signs should be of real-estate industry standard size. No large signs are permitted, only the typical residential type. The ACC or Board of Directors reserves the right to contact the owner of the sign and ask that it be removed.

XIV. SHEDS

1. The CRs state "No building other than one single family dwelling....may be constructed on any one lot. All garages, utility rooms, porches and screened in areas shall be designed in harmony with the existing dwelling" (Article IV, Section 4.1). Plastic, metal, and wood sheds are typically not in harmony with the existing buildings and structures or architectural style of the community, typically they do not meet wind (hurricane) standards and therefore will not be approved by the ACC.

2. Plastic, wood, and metal sheds constructed or placed on lots with prior ACC approval are deemed in compliance with these Criteria. Sheds should be permitted and rated to withstand hurricane force winds so as to avoid damage to other structures and people in the event of a catastrophic storm.
3. Storage sheds must be in congruence with the exterior of the residence. It should utilize the same paint colors and shingle color/configuration.
4. Maximum height for storage sheds is six (6) feet and must not be seen from the main street.
5. All sheds must meet or exceed all County building and wind load requirements, please submit any required permits with your ACC application.
6. An approved fence is needed to conceal the shed from plain view.
7. Temporary, plastic or vinyl sheds are not permitted.

XV. ROOFING

Overview: Roofing is a very expensive investment. The goal is the same with roofing as most other items in this document; original intent of the builder and current long-tested trends will drive the decisions of the ACC. Roofing should be consistent with the look of the neighborhood in general. Roofs should not stand out. All Roofing must be permitted and installed by a Florida licensed contractor.

1. All roofing changes must be submitted to ACC for approval.
2. Standard asphalt or architectural shingles must be used. No other roofing material is allowed.
3. The configuration of the shingles must be same type as originally installed by the builder or current widely-implemented applications.
4. The color must be the same as is commonly found in Eagle Creek and should compliment the colors chosen for the house.
5. Roofing must be installed in compliance with all local codes, able to withstand hurricanes in order to minimize the impact on neighboring property in the event of a catastrophic storm.
6. Roofing replacement does not need to be approved if the exact same shingles are to be used. However, if building codes have changed, replacement roofing materials must be brought up to code and a change request must be submitted. Also, members will notify ACC and neighbors when the roofing will be done so that they may be aware of the construction activity. All construction equipment and personnel may only be present on the member's property. Construction equipment may be placed on the street unless it prevents normal neighborhood activity or creates a safety hazard.
7. Roofing activity must be accomplished in 14 days. Weather conditions should be considered to ensure this can be accomplished. Unforeseen issues should be communicated as soon as they are discovered.

8. Emergency roofing repairs may be accomplished using exact duplicate materials. Temporary repairs will be removed as quickly as possible. If temporary materials are to be in place longer than 14 days, members should notify the HOA Board of Directors or ACC.

9. Additions to roofing such as skylights, attic fans, ridge vents, etc. must be approved by ACC.

- A. All roof accessories must be installed by a Florida licensed contractor if permits are required, or if the homeowner will do their own work, the work must meet all appropriate codes. Homeowners are encouraged to seek guidance from county officials through the permitting process. The license and insurance information should be included in the application.
- B. Skylights are limited to three visible from the street.
- C. New accessories such as roof vents and attic fans should be installed on the side of the roof that is not facing the street whenever practical. The existing roof features may be replaced with similar items.
- D. Effort should be made to install roofing accessories below the ridgeline whenever possible in order to hide the accessory from the street.

XVI DRIVEWAYS AND WALKWAYS

Driveways are an expensive project to undertake. Due to unique soils and large amounts of rainfall, local, experienced contractors are always encouraged. All driveways must be installed by a Florida licensed and insured contractor if permits are required. Materials should be thick enough to minimize the possibility of cracking, dry enough to minimize the possibility of scaling, and properly maintained at all times. Permits and appropriate government inspections are required and should be submitted with ACC application along with contractor license and insurance.

1. Concrete

Concrete driveways must be clean, free of oil stains, mold and mildew, cracks, and clutter at all times. Cracked and crumbling driveways should be patched and painted in accordance with the painting section of this document, resurfaced with asphalt, or replaced.

2. Concrete Pavers, Driveway and Walkway Paving

Pavers require a higher degree of expertise to install. In addition to licensed and insured Florida contractors being required, homeowners are highly encouraged to use contractors with extensive expertise. Due to the shifting soils and high water presence, pavers are more difficult to maintain and it may not be possible to surface over installed pavers.

Paver driveways must be clean, free of oil stains, mold and mildew, cracks, and clutter at all times. Cracked and crumbling pavers should be replaced by a licensed, experienced contractor; preferably the same one who did the initial installation. A clear plan including accent edge trim, paver colors, and the color of the house should be included in the application to ensure complimentary colors and aesthetically conservative and pleasing looks are achieved.

Appendix A – Real Estate Signage Measurements

