

**Highgrove Homeowners' Association Inc.**  
**Architectural Control Guidelines**

The following Architectural Control Guidelines are an extension in detail of the recorded Restrictive Covenants generally applicable to all lots in Highgrove and have been adopted by the Highgrove Homeowners' Association Board of Directors.

The Highgrove Homeowners' Association, Inc. (HHA) and the HHA Architectural Control Committee (ACC) derive their authority from the Highgrove Governing Documents and from Chapter 720 of the Florida Statutes. The governing documents are found in Official Record Book 1038 page 841 et seq. recorded in the office of the Clerk of the Circuit Court of Leon County, Florida.

*Submission of Property to Restrictive Covenants: Declarant does hereby impress and impose upon the property the restrictive covenants, obligations and conditions set forth and provided herein which shall run with the land. This Declaration shall be binding on the Declarant, its successors, assigns and grantees. All provisions hereof shall, when any deed to property in Highgrove is hereinafter executed, be deemed to be binding upon any grantor and grantee, or their assigns and successors in interest as if set forth therein in full. SECTION 3: DECLARATION OF RESTRICTIVE COVENANTS SEPT 7<sup>th</sup> 1982. RECORDED IN THE PUBLIC RECORDS OF LEON COUNTY 590828 OR1038 PG841*

The Architectural Control Committee shall review all plans for construction and exterior renovation or alteration on all lots and homes located in Highgrove. The ACC is appointed by the elected Board of Directors of the HHA. However, it shall operate independently from the Board in the implementation of its responsibilities in compliance with the governing documents and Florida Statutes.

*The Board of Directors shall appoint an Architectural Control Committee...All notices or submission requests shall be in writing...No homeowner shall erect or maintain any building, fence wall or other structure nor shall any homeowner commence or make any exterior additions or change or alteration in or to the exterior of existing improvements, or make any material alteration, addition or deletion of the landscaping of any lot until and unless the plans and specifications showing the nature, kind, shape, height, materials, color, location and all other details of the same shall have been submitted to and approved in writing by the Architectural Control Committee as to the quality of materials, harmony and external design and color, and the location in relation to surrounding structures and topography. The effect of the changes, improvement or alterations on the topography of the land and the environmental impact thereof may also be considered by the Committee in determining whether approvals may be given.*

*SECTION 15: DECLARATION OF RESTRICTIVE COVENANTS SEPT 7<sup>th</sup> 1982. RECORDED IN THE PUBLIC RECORDS OF LEON COUNTY 590828 OR1038 PG848*

*The authority of an association or any architectural...or other such similar committee to review and approve plans and specifications...shall be permitted only to the extent that the authority is specifically stated or reasonably inferred...in the declaration of covenants or other published*

*guidelines and standards authorized by the declaration of covenants. Section 720.3035 Florida Statutes.*

Section 29 of the Restrictive Covenants grant the HHA Board the authority to adopt additional rules or regulations.

These guidelines are published by the HHA for the purpose of providing home/lot owners, residents, builders and others with general information regarding the approval process as of the date of their issuance. These guidelines are subject to amendments and updates from time to time.

Homeowners/lotowners or other affected parties should contact the ACC or the HHA Board of Directors with any specific questions or concerns relating to a particular project.

All plans and relevant documents for all projects relating to exterior alteration must be submitted to the ACC prior to commencement for review and approval by the Committee. The ACC shall respond in writing to all submissions proposed for review within thirty (30) days after receiving a completed application. To qualify for this time frame, plans submitted for review shall be complete to the extent of all supporting documents including any sureties required by the HHA.

### **LANDSCAPING**

ACC approval is required for “material,” i.e., substantial, changes to your landscaping. Such projects require the submission of a landscape plan, including the removal of trees and detailing number, position, and identification of all plants and type of mulch or hardscaping to be used. Review by the Public Works Committee may be needed for substantial landscaping. Pruning or trimming of vegetation or trees is not considered material and does not require ACC review and approval.

### **TREE REMOVAL**

Trees are an important part of the Highgrove neighborhood. Damage from tree removal is a change that cannot be undone and, as such, tree removal requires particular attention from the ACC and possibly from the Public Works Committee. ACC consideration will include:

- safety for residents and neighbors
- wishes for residents’ use and enjoyment of their property
- use of qualified tree removal services
- types and number of trees for which approval to remove is requested
- impact on drainage for neighbors and all of the Highgrove neighborhood

For an ACC application for tree removal to be complete and ready for review, it must include a named company proposal for the work to be performed (any reference to price or cost may be redacted). The company proposal must include a copy of proof of liability insurance for the company. In order to avoid added cost, the proposal should also address any tree that may need to be removed as a result of work proposed for approval. If the application is for removal of more than one tree, a plan, diagram, or drawing specifying the location of each tree for removal must be included as part of the application. Any tree for removal must be marked (spray paint or visible tape). The ACC will visit the property and photograph any tree for removal and such photographs become part of the application.

If more than one tree is to be removed, the ACC may require review by the Public Works Committee for drainage impact. The ACC may also require some replanting of one or more trees and the type of tree may be specified.

After notice and photographs are provided to the ACC, a dead or diseased tree or one that is posing an immediate danger to a structure may be removed without ACC application and approval.

After notice and photographs are provided to the ACC, up to three trees with a trunk circumference less than 12 inches and a height less than 6 feet may be removed without ACC application and approval.

Any damage from tree removal, any failure to comply with ACC approval for tree removal, or any failure to obtain approval before any tree removal is strictly the responsibility of the property owner and penalties may be imposed.

### **DRIVEWAYS**

Driveways shall not be closer than two feet from an interior property line, except that a backup or turn-around pad may be as near as one foot to the property line. Driveways must be at least ten feet in width and constructed of concrete or other materials specifically approved by the ACC. Asphalt or gravel driveways are not permitted.

### **FENCES**

All fences must be approved by the ACC. Fences or walls shall be constructed of wood, stone, brick, wrought iron, stuccoed concrete block, aluminum, or vinyl. No fence or wall shall be permitted in any front yard. Fences that require re-building or replacement must comply with current ACC Guidelines.

Applications for fences to be installed forward of the midpoint elevation of the house will be addressed on a case-by-case basis considering the topography of the lot and overall aesthetics of placement as well as the impact of placement on the any adjoining property. Any fence forward of the midpoint elevation of the house may not be approved if the Committee finds that such placement is intrusive and not consistent as to the quality of materials, harmony and external design and color, and the location in relation to surrounding structures and topography.

Privacy fencing may not be higher than six feet with the exception of fences along the back-property line of homes along Lake all Road which will be allowed to a height of no more than eight feet. Chain link or other wire fences will not be approved. Existing chain link or other wire fences may not be replaced in kind.

Fencing must display a finished side outward with no support posts or rails exposed outward except on any side that does not adjoin Highgrove property.

Fences must be installed inside the property line in order to ensure that no fencing material extends over the property line. All proposed fencing that would connect to existing fences on adjoining property requires the written permission of the owner of the existing fence as part of the ACC application.

### **OUTBUILDINGS, STORAGE BUILDINGS, AND OTHER DETACHED STRUCTURES**

Outbuildings, detached storage sheds or any such detached structures must be in compliance with current ACC guidelines and approved by the ACC in advance of construction or installation. No such structures shall be used on any property at any time as a residence, either temporarily or permanently. (Refer to Covenants OR Book 1038, page 851 section 19.)

Exterior material shall be of the same materials specified for dwellings: wood (other than plywood), fiber-cement board, stone, stucco, or brick, and the exterior material must be consistent with the exterior material(s) used on the house. If material other than brick or stone is utilized, it must be painted in a manner to coordinate with the color(s) of the house, and paint color samples must be included as part of the application. The roof must be shingled; metal roofs are not allowed. The appearance of the building must be deemed by the ACC to be in keeping with the character of the surrounding neighborhood.

The location proposed should be the least visible by surrounding neighbors and must be screened by shrubbery or by approved fencing to protect the view from adjoining neighbors.

Written and/or oral input from owners of adjacent lots regarding the proposed structure shall be considered by the ACC.

Building plans must be submitted to the ACC and in compliance with applicable County and State building codes and other requirements to include, but not be limited to, wind testing and anchoring.

#### **PLACEMENT OF TEMPORARY RECEPTACLES**

No object, except a construction-related or short-term moving-related receptacle, which is not in keeping with the “general character or appearance of the Highgrove neighborhood,” may be placed on a lot either temporarily or permanently without specific approval by the ACC. If possible, construction dumpsters/dump trailers, temporary storage units, portable toilets, construction trailers, and related temporary receptacles must be placed on the homeowner’s property and in a location least visible by surrounding neighbors. When receptacles must be placed on the roadway, the homeowner or contractor must place the receptacle in a way that does not prevent passage and must place safety cones in the roadway to safeguard oncoming vehicles. Temporary storage units are not allowed to provide additional storage space for a homeowner but temporary storage units are allowed in conjunction with a move to provide short-term packing or un-packing.

#### **ROOFING**

Roofing and complete re-roofing requires ACC approval. Three Tab shingles are not allowed. The application shall include the type of roofing material, brand name, composition, and color. A color sample and roofing material photo must be supplied as part of the ACC application. If the roofing includes a solar component, specific information as to placement and angling, and photos must be supplied with the ACC application. Acceptable roof covering materials, including color and texture must be aesthetically compatible with the overall architectural standards of Highgrove.

#### **SWIMMING POOLS**

The construction of all swimming pools requires ACC approval. Swimming pools must be protected with a perimeter structure, fence, gate, and latches. Swimming pools and the associated fencing must comply with Florida law, Florida Building Code, and Leon County ordinances.

Trees proposed to be removed must be noted in the application. Where a pool construction site (such as a backyard) needs to be accessed through an easement, all disturbed areas must be restored to their original/pre-construction state.

No above ground swimming pools will be approved.

## **BERMS TO CHANNEL RUN-OFF**

Such berms are specifically disallowed under adopted HHA policy and will not be approved.

## **CONSTRUCTION REQUIREMENTS FOR NEW HOUSES, ADDITIONS, OUT BUILDINGS, POOLS, ETC.**

### **Minimum Dwelling Sizes and Setbacks**

Minimum sizes for dwellings vary by phase. Phases 1 and 2 requires a minimum size of 2,000 square feet of area, exclusive of garages and open porches or patio areas. Phases 3 and 4 require 2,250 square feet of area.

No building shall be located on any lot nearer than thirty-five feet to the front street lot line, or nearer than twenty feet to any side street line, or nearer than fifteen feet to any side lot line, or nearer than twenty-five feet to the rear lot line. For the purposes of this requirement from the Covenants, eaves, steps, and open porches shall not be considered as part of a building. No portion of a building on a lot may encroach upon another lot.

### **Land clearing**

No clearing of any lot is permitted until the ACC has reviewed and approved the plans and an appropriate Leon County permit is posted on the site. When significant loss of trees is required for construction, ACC may require tree replanting plans to be reviewed and approved to address drainage and maintain the harmony of the neighborhood.

### **Erosion Control**

Silt protection barriers and hay bales along with other measures deemed necessary, shall be properly installed and maintained as needed to remain functional on all graded properties sufficient to prevent any and all discharges from the site. Entrances to construction sites should be graveled to minimize tracking soil into the street. Contractors shall clean up all street-side discharges immediately. Discharges not cleaned up within 24 hours will be reported to Leon County for enforcement action as provided under the permit.

### **Drainage/Foundation Plan**

The final grading plan must follow as closely as possible the pre-construction grade. The foundation to be used shall be designed to preserve the grade and drainage of the property.

### **Site Plan**

The site plan shall be submitted on a land survey document of the property and shall locate all proposed structures noting setbacks from the nearest property lines.

### **Alterations to the approved plan**

After the plan is approved by the ACC, any proposed changes must be submitted to the committee for approval prior to implementation. All post construction additions shall be submitted for approval on a survey document that locates all existing structures and notes dimensions of proposed structures

to a consistent scale.

### **Construction schedule**

Construction, once begun, shall move forward at a steady pace and shall not stand idle except for state or national emergencies, or natural calamities. It is preferred that construction be performed between 7:00 AM and 7:00 PM between Monday and Friday. It is understood that the nature of the work could dictate that work must be performed outside of those times. Such examples are roof installation and pouring concrete.

### **Design**

Lots in Highgrove are for the construction of detached single-family homes and for residential purposes only. The construction of homes shall be of design and quality in keeping with the existing architectural character of Highgrove.

### **Exterior Materials**

The following materials are acceptable for the exterior of residences or outbuildings: brick, stucco, stone, fiber-cement board, and painted or stained wood other than plywood. Vinyl or aluminum siding will not be allowed.

### **Exterior Colors**

The primary house colors must be harmonious with our natural setting. All exterior colors for residences and other structures must be approved by the ACC. Trim colors shall complement the primary color. Color samples must be provided as part of the ACC application.

### **Placement of HVAC Units**

The preferred location of HVAC units is the rear of the house. However, HVAC units may be located on the side of the house. It is preferred that the HVAC unit(s) be shielded from view at the roadway. Materials used for shielding must be approved for use by the ACC.

### **Garages**

Garages for at least two cars are required and must be enclosed and equipped with doors. Front-opening garages are not permitted.

### **Landscaping requirements**

All areas uncovered or cleared by construction must be re-covered with sod, ground cover, bedding plants, or mulch for front, side and rear yards. Landscaping beds should be mulched with natural material to prevent erosion and to preserve soil moisture.

### **Mailboxes**

Mailbox plans which are part of new construction must be submitted with the house plans for approval by the ACC. Mailbox housings or enclosures should complement the exterior material(s) of

the house and may be constructed of wood, fiber-cement, brick, masonry or stucco material. The location of the mailbox must be in compliance with postal authority regulations.

### **Restoration to pre-construction state**

In the case of construction on property with a pre-existing home, after construction is complete, all disturbed areas must be restored to their original/pre-construction state.

### **Consultation with experts**

The Board has the authority to consult with experts regarding construction, drainage, erosion control, etc. as part of the ACC approval process.

### **EXPIRATION OF APPLICATIONS**

Approved projects not completed within six months after ACC approval require a new application to the ACC with the exception of projects such as new home construction or major exterior or interior renovations expected to require more than six months to complete. These require a periodic report to the ACC to substantiate progress toward completion with the frequency thereof determined by the ACC.

### **COMPLIANCE WITH CURRENT GUIDELINES**

Structures (e.g., fences, out-buildings, mailboxes) that require complete reconstruction must conform to current ACC Guidelines.

### **APPLICATION PROCEDURE**

A completed Highgrove ACC Application for External Property Alteration (most recent revision) must be submitted to the ACC along with all pertinent attachments and documentation. Further details are provided on the application form.

The applicant, owner, or agent thereto acknowledges that the Highgrove Homeowner's Association and ACC representatives may enter upon the premises for purposes of inspection. All inspections will be noticed and agreed upon by all parties.

### **PROJECTS UNDERTAKEN WITHOUT ACC APPROVAL**

Violations or omissions of any of the provisions of the Restrictive Covenants or the ACC Guidelines shall be enforceable as provided in law. If a project is started, modified, or completed without prior ACC approval, the committee may choose to contact the homeowner to complete a retroactive application. If the application is subsequently disapproved, the applicant may be required to return the property to the pre-alteration condition or to remove a structure (e.g., an outbuilding or fence). The homeowner may also be subject to fines or other penalties imposed by the Board pursuant to Sec. 720.305(2), Florida Statutes and/or a civil injunctive proceeding. Under Section 29 of the covenants, HHA is entitled to an award of costs and attorney fees in any such proceedings should it prevail.