

DeBary Plantation Master Home Owners Association (HOA)

Architectural Review Committee (ARC) Use Restrictions & Restrictive Covenants Operational Manual for New Construction (New Homes and Additions)

This Manual has been revised to reflect:

- (1) Ongoing compliance with government statutes
- (2) New rules
- (3) General updating

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New Construction Use Restrictions and Restrictive Covenants for Residential Units

The Architectural Review Committee (ARC) shall have exclusive jurisdiction over all original and updated construction (additions) on any portion of the Properties. The ARC shall prepare, and on behalf of the Board of Directors, shall promulgate design and development guidelines and application and review procedures, all as part of the Community Development Code and Land Use Standards (CDC-LUS); provided, however, that any provision contained in the CDC-LUS which is in violation of the Planned Unit Development, as amended from time to time, shall be those of the Association, and the ARC shall have sole and full authority to prepare and to amend the CDC-LUS. It shall make both available to owners, builders, and developers who seek to engage in development of or construction upon all or any portion of the properties and such owners, builders, and developers shall conduct their operations strictly in accordance therewith.

The Board shall have the sole and exclusive ability to appoint, remove and regulate the ARC and its members; to set and modify their number (currently requiring at least three (3) but no more than five (5), persons); govern the frequency and conduct of their meetings; and otherwise to specify and control the procedure and substance applicable to the ARC, including ultimately the abolition of the ARC or the assumption of their duties directly by the Board or a committee thereof.

The ARC shall report, be subordinate and at all times is subject, to the oversight of the Board. The ARC, or the Board in its place, shall prescribe forms, rules and procedures to

enable the ARC to perform its functions at the pleasure of the Board. The Board shall have all powers reasonably necessary to effect the intent of this provision, including but not limited to the right to change the CDC-LUS, eliminate it or any other similar design and development rules and guidelines, and all decisions of the Board in such regard shall be final.

Important Notice: No builder, or Homeowner, ~~let~~ will receive ARC approval to begin building projects unless and until they are current with regard to financial obligations to the DeBary Plantation HOA and its management company.

Furthermore, no land is to be cleared until approval has been granted by the ARC and vegetation/environmental easements are fully discussed and the responsibilities in this regard are understood by all parties.

Goals of the Architectural Review Committee (ARC)

- (1) To maintain and promote appealing and esthetically pleasing & cohesive architectural design.
- (2) To encourage quality construction with long-lasting materials and high construction standards that are consistent with the surrounding structures and site improvements.
- (3) To act as a guideline for builders and home owners in their selection of conceptual and design ideas.
- (4) To establish procedures for application with the ARC for new construction, or extensive additions and alterations of existing structures.

Architectural Review Process

Architectural Review Committee (ARC)

The ARC is established and managed by the offices and board of directors of the DeBary Plantation Community Association, Inc.

The objective of the ARC is to review the applications, plans, specifications, materials and samples submitted to determine whether the proposed structure conforms in

appearance and construction criteria with the goals, standards and policies set forth by these design guidelines, and to determine whether the proposed improvements are consistent with the quality and esthetic standard of the community.

The ARC is responsible for approval of any or all improvements on the home site.

The ARC carries no responsibility for the following:

Structural adequacy

Soil erosion or conditions

Compliance with City, County, and all government laws, regulations and codes iv.

Performance or quality of construction by any contractor

Any site improvements, new structures, exterior accessories or mechanical additions are subject to ARC approval.

Review Fees (as applicable)

Conceptual Pre-Approval

Builder or homeowner may submit preliminary or conceptual drawings and specifications or other submittals to the ARC for pre-approval prior to submission of detailed plans and specifications for final approval. Pre-approval is recommended for timely processing of final approval.

The ARC shall review the submitted information and respond with one or more of the following actions:

Approval

Disapproval

Request for more information

Recommendations for modifications / compliance

Pre-approval does not constitute approval for the commencement of construction, but only approval of conceptual information being reviewed.

Submittals for pre-approval of any new home construction may include at least two (2) Full size sets of any or all portions of required submittals for final approval.

Pre-approval is recommended in any of the following cases:

For timely processing of the final approval
When any improvement may be in question
For establishing criteria for lot purchase
Changes to existing homes

Final Approval and Submittals

No construction, structural improvement, alteration, addition, site improvement or landscaping shall be made in any part until necessary specifications have been submitted to the DeBary

Plantation Master HOA ARC and have received final approval. Submittals must clearly illustrate the size, shape, color and nature of the structure and/or site improvement.

The ARC may request additional specifications, material samples or clarification of documents if submittals do not illustrate sufficient information to measure compliance with the standards and restrictions of this manual.

After a pre-approval request, following the final submittal, ten (10) working days shall be allowed for the ARC review process.

Any builder or homeowner requesting a final approval for new home construction, or changes to an existing home, must submit to the ARC a completed ARC application and a minimum of two (2) sets of the following documents:

Floor plan(s) drawn to scale as indicated on plans with the following information:

Size of rooms
Square footage of living area for each floor (air conditioned space), garage, entry, patios, etc.
Mechanical equipment location(s)

Front elevation drawn to scale as indicated on plans with the following information:

Bearing height dimensions

Roof materials and/or shingle type
Roof slopes
Exterior veneer/finish
Soffit and fascia material
Rear and side elevations required for final approval.

A copy of the survey showing house location on the specified lot with the following:

Unit and lot number
North arrow
Property lines, utility locations, and easements
Applicable setbacks
All existing and proposed structures (including house, patios, pool, privacy walls, etc.)
Proposed concrete paving (including sidewalks, driveways, open patios, decking, etc.)

Exterior material and color schemes including the following (the ARC requests samples of these):

Roofing
Paint, including trim colors
Fascia and soffit color and material
Exterior veneer/finish color and samples (includes brick, stucco, etc.)

Landscape and irrigation plan drawn to scale as indicated on a survey with the following information:

Lot boundaries and proposed and existing structures at minimum of 1/16" = 1' scale
North arrow
Existing trees and plants to remain (indicate type)
Existing berms or other natural lot characteristics to remain (indicate type)
Note use of land adjoining property line (e.g., adjoining lot with lot number, street, golf course, lake/pond, deeded environmental area, undeveloped lot, common area, etc.)
All existing and proposed structures (including house, patios, pool, privacy walls, etc.)
Landscape design indicating location and category, type of trees, shrubs and plants with an included cost of plant material. (must be \$2,000.00 or .75% of the cost of the house or more-whichever is higher.)

Note: landscape functioning as buffers, screening, fencing, etc. No fencing permitted on

any golf course or lake lots, with one exception, in Quail Lake a black aluminum fence may be erected on top or along with a seawall on the lake.

Note: proposed ground cover (e.g., sod, mulch, rocks, etc.)

Builder Conduct

All builders and homeowners shall assume the responsibility for the acts of their sub-contractors, employees and other persons involved in the construction or improvements of the home site. Therefore, the builder or homeowner shall be responsible for all conduct guidelines.

Consumption of alcoholic beverages, illegal drugs or other substances that would hinder the safety of the workers or quality of workmanship will be prohibited.

All work is to be done Monday thru Saturday from 07:00am to 07:00pm. No Earlier or Later and no work on Sunday.

Loud Music is Prohibited.

The construction site must be kept clean and free of scattered debris. Spare material shall be kept in a neat pile. The builder will have a large trash dumpster onsite. The builder will ensure that all discarded material (paper, lunch bags and general refuse) is picked up and put in these containers daily.

Failure to comply will result in the homeowner, or builder, receiving a \$50.00 per day fine up to \$1000.00.

Work must comply with all city, county, state and local government regulations and building codes.

If the property is located within any of the five Sub-Associations, submittals must be made and approval received from the Sub-Association and Master approval is contingent upon such approval.

All involved companies and workers must be properly licensed and insured.

Construction Standards

Any deviation from standards and guidelines in this manual must have approval from the DeBary Plantation Master HOA ARC.

Building Size

Minimum dwelling size is 1,800 square feet of living area under air-conditioning, exclusive of garage and screened patio area. The maximum height of a building shall be 35 feet.

Note: Some communities in the development require different size requirements.

Building Setbacks

Front: 25 feet Sides: 7 ½ feet Rear: 25 feet

Note: Some communities in the development require different setbacks.

Where more than one side of a home site adjoins a street (i.e., a corner lot), the front setback shall apply to each frontage of such streets. The direction in which the front of the home faces shall be approved by the ARC.

The ARC may allow variances to the above setbacks to save desirable trees or in a condition where the lot shape, size or natural topography would otherwise render the lot un-buildable. The ARC may also, at any time, impose greater restrictions on the setback requirements.

Garages

The garage must be able to house two (2) full-size cars with adequate space to enter and exit the cars. A maximum of a three (3)-car garage is allowed.

Minimum door width shall be 16 feet or two (2) 8-foot-wide doors. Minimum height shall be 7 feet. Driveways cannot extend wider than 16 inches beyond the opening on either side of the garage door or doors contingent that this extension does not impose on the requirement of 30% planting and sod requirements as outlined in the handbook.

Garages must have a door in working condition made from quality garage door materials meeting industry standards. Garage doors must be electronically operated, rolling overhead in style. Garage door color and design must be approved by the ARC. No garage shall be used for any purposes other than normal usage. No garages shall be converted unless replaced to meet minimum standards. Permission for temporary altered usage must be approved by the ARC in advance. (See Section 13.01 (f), “Builder Model Homes”)

No carports shall be allowed.

Builder or sub-contractor parking on the streets or right-of-way shall be allowed only between 7:00 am and 7:00 pm, Monday through Saturday and can block only one side of the street. They shall not block traffic to the extent that the flow of traffic is disrupted for an extended time period. They shall not park blocking the fire hydrants.

Swimming Pool, Pool Enclosures

Engineering drawing of the pool screen must be submitted along with the drawing of the pool.

Pools, pool enclosures and screening shall be constructed to meet industry proven standards and all State of Florida and Volusia County building and hurricane codes.

Pool must be integrated into the grade and topography of the home site.

No above-ground pools shall be permitted.

All pools must have a Domed screened enclosure.

Pool and screen colors must be approved by the ARC.

Minimum setbacks of pool deck and/or screen enclosure shall be 7 ½ feet on the sides and 10 feet at the rear. Except if a specific community has different setback specifications, or if property backs onto golf course, lake or retention pond – different setbacks may apply.

Maximum height of screen enclosures is 18 feet or equal to the fascia height of the rear elevation. Screen enclosures should not be visually overbearing and should integrate architecturally with the home.

Flat roof included with a Screen enclosure in a pool area

May have up to, but no more than, a 20x20 foot sloped 3-6-inch flat roof, 130 MPH Hurricane tested, for a covered area summer kitchen. Engineering Drawings are required.

Flat roof included with a Screen enclosure without a pool.

May have an area up to 25% of the screened area a sloped 3-6-inch, Engineered Hurricane Tested, flat roof for a covered area summer kitchen. Engineering Drawings are required.

Exterior Veneer/Finish

Exterior materials must be consistently applied on all sides of the building with workmanship consistent with that of other homes in the community. Recommended veneers/finishes include brick, stucco, wood (not plywood or particle board) and stone. Simulated brick or stone materials or the appearance may be allowed if a concrete product. Nonstandard materials or finish must be approved by the ARC. The ARC may request material samples. Aluminum or vinyl siding or roofing is prohibited on any structure.

Exterior Color

Colors must be selected from the approved color palette and approved by the ARC.

Colors must not be the same or look the same as the houses adjacent, opposite or diagonally opposite. Exceptions exist for some gated communities.

Colors must appear consistent on all sides. Color selections must harmonize with each other, (i.e., building material color, trim color and adjacent properties. Wood must be painted or stained.

Exterior Trim and Architectural Accessories

Fascia, Soffit, Door Trim, Windows, Gutters and similar exterior accessories must be consistent in color and material and harmonize with exterior color.

Reflective glass is not permitted. Window tinting is allowed.

No builder shall build the same home with the same elevation without a two home separation. (This means there must be different roof lines or architectural lines and not just the garage on a different side or a change in windows.)

Roofs and Chimneys

Minimum roof pitch shall be 6:12 on all sides. No shed roof or flat roof will be permitted without prior approval from the ARC.

Roof material shall be composition asphalt tile, concrete tile or wood shakes. Composition shingles must have a minimum 20-year warranty and be stain/fungus resistant. Aluminum or vinyl roofing is prohibited. Color must be in harmony with the exterior finish color and adjacent properties and approved by the ARC.

Exposed portions of the chimney shall comply with the guidelines above in Section 5, "Exterior Veneer/Finish." If the flue is metal and a spark arrestor is required, then a cowling, windscreen or properly constructed surround structure will be required, approved in advance by the ARC.

Fences, Walls and Hedges

All fences, walls and hedges including color, material and location must be pre-approved by the ARC.

No fence wall or hedge shall be allowed in front of residence. Side fencing shall not extend beyond the deepest front corner of the residence. (e.g., If the right front corner is set back at 25 feet from the front lot line, and the left front corner is set back 40 feet from the front lot line, then the fencing shall not extend toward the front beyond 40 feet on both the left and right sides.

Where the side of a home is facing a street (i.e., on a corner lot), fencing shall not extend beyond the front building setback on the side with street frontage. This prohibition shall not apply to ornamental hedging or shrubbery used to screen mechanical equipment

(provided it is no higher than 36 inches) or any sub-association perimeter wall / fence. Within the other portions of the Residential Unit, no fence or wall shall be erected which is greater than six (6) feet in height.

No material shall be used for any fence or wall other than quality manufactured decorative fence panels with no less than a ten (10) year manufacturer's warranty of painted aluminum or vinyl. No new wood fences shall be approved however homeowner will be allowed to replace existing wooden fences. If the fence has an unfinished side (e.g. exposed struts and posts) that side must face the owner's lot. No exposed concrete block or chain link shall be used. Any sub-association perimeter wall or fence that may be built shall not be removed, altered or damaged in any manner and must be maintained against physical damage by the owner or owners of lots on which said wall is located. All fences and colors must be approved by the ARC.

Maximum height of fences shall be 6 feet above the grade beneath the fence unless approved by the ARC for special conditions.

No fence, wall or hedge shall be constructed or maintained along the back-lot line of any golf front or waterfront lot. No fence, wall or hedge higher than 36 inches shall be constructed or maintained along the lot sidelines within 40 feet from the back-lot line where the height limit is 36 inches. For privacy purposes, a 72-inch, fence, wall or hedge around the patio/pool/deck area will be the recommended/preferred course of action on these lots. Retaining walls may be an exception with ARC approval.

All privacy fences, walls or hedges for screening purposes shall be no less than 36" above grade and be in harmony with the design, color and veneer/finish of the main building.

Exterior Lighting

Flood lighting of front elevation and front property shall not be allowed unless approved by the ARC. Indirect down-lighting and up-lighting is recommended. No flood lighting of adjacent property and common areas shall be allowed. Security Lighting with motion sensors are permissible upon ARC approval.

Exterior lighting fixtures on front elevation must be in harmony with elevation color and the character of the community.

Wiring and lighting source shall be kept concealed from street view, and colored lights or lenses shall be permitted if approved by the ARC.

Driveways and Sidewalks

Driveways, parking areas, turnarounds, circles, etc. must be indicated on the site plan and be attractive and functional.

Driveway material may be brick, concrete, stone or other permanent material approved by the ARC. No gravel or asphalt driveways are permitted. Minimum width is 16 feet. Paint or other topical applications other than stains are not permitted. Staining of driveways and private walkways requires ARC approval.

Final finish must be acceptable by ARC inspection. If curb is broken, reconstruction of curb cuts must be acceptable to the ARC.

Public sidewalks must be made of concrete with a width of 4 feet and be consistent with other sidewalks in the community. Final approval rests with the ARC.

Pavers and other decorative concrete material may be used on driveways and private walkways if the color and type of material is approved by the ARC in advance of construction. Pavers are not permitted over or replacing public sidewalks.

No painting/staining will be permitted over (or in place of) public sidewalks.

Air Conditioning (A/C) Compressor

A/C compressor must be screened by landscaping or a privacy wall/fence (minimum 36" above grade) so as not to be visible from the street(s) or neighbors' homes. Compressors must be located further back from the front lot line than the homes deepest front corner.

Garbage/Trash Storage Areas

Outdoor garbage/trash storage areas must be screened by landscaping or a privacy wall/fence (minimum 48 inches above grade) so as not to be visible from the street(s) or neighbors' homes. This area must be located further back from the front lot line than the homes deepest front corner.

Awnings

It is the policy of the ARC to deny any applications for the installation of awnings of any material for the street side of the home. However, awnings will be considered for approval when attached to the side or rear of the home on a case by case basis. Approved awnings may be made of fabric with metal frames and be stationary or retractable. The color must either be the same color as the exterior of the home or of a complimentary color. Approval of the color is at the discretion of the ARC.

For an awning that is permanently affixed to the home, it must match the exterior color of the home for any painted surfaces and the roofing material must match the roofing color and texture of the home. It is the responsibility of the homeowner to provide to the ARC, along with a completed application, samples of any materials or colors to be considered.

Screen Doors

Screen doors at front entryways and side entryways should present an almost invisible appearance from the road. These can be “full door” style or the “retractable” style, but the framework should blend in with the existing entryway colors and have very small or no solid panels. The screens must be stretched tight and be wrinkle-free. It is not allowed to screen-in or enclose the entire front entryway.

Screen doors on pool and screened patio enclosures have an established esthetic and commonly include a larger solid aluminum panel and cross-bar but are colored to blend in with the enclosure’s framework.

Garage door screens are not permitted.

All screen doors for front or side entryways to a home require ARC approval.

Storm Shutters

Permanently installed storm shutters or devices are not permitted. Temporary storm shutters or protection of any type may be installed when there is imminent danger of a severe windstorm as predicted by the national and local weather services. This may take the form of shutters, protective film or plywood that will secure a resident’s property to their satisfaction. Such temporary protection must be removed and stored out of sight within seven (7) days of the passing of the storm.

Landscaping and Irrigation

Landscape Definition

Each home site or grounds and common areas between lot line and street(s) cleared of natural vegetation or having exposed soil must be covered with sod, plants, trees, mulch or approved ground cover in accordance with plans submitted to and approved by the ARC.

No topsoil shall be left exposed on home site following construction of residence or other improvement.

Land other than home site that has been altered or cleared due to construction must be restored to original landscape conditions and be approved by ARC site inspection. Pre-approval must be obtained before non-home site grounds are altered in any manner.

Landscape Plan

For each home site (or other grounds cleared or altered due to construction), a landscape plan, prepared by a landscape architect or person approved by the ARC as competent in landscape planning, shall be submitted to the ARC for review and approval prior to any landscape installation. Plants, shrubs and trees should be specified on the landscape design plan and submitted for approval. The ARC will review the plant selections for the type, appropriateness (mature height and location), soil conditions, light exposure and placement.

Our intent is to not be overly restrictive but to allow for lot owners to select plants they want and will enjoy within the “right plant in the right place” concept.

The landscape plan budget must reflect a minimum cost of \$2,000.00 or .75% of the home base price or cost of home site improvement whichever is larger.

The planting area shall be a minimum of 30 percent of the front yard (The area between the house wall, not Garage wall, and the sidewalk), and 25 percent of the entire lot.

Sub Association’s may have higher restrictive requirements, so please defer to the Sub-

Association requirements in addition to the Master where applicable.

The cost of the labor, irrigation system, sod, mulch or other ground cover shall not be included as part of the cost requirement. Old or woody plants must be replaced with large shrubs to maintain the landscape package in accordance with the original requirements. (See Minimum specifications that follow)

The following are the minimum landscape improvements required for ARC Review/Approval:

One (1) hardwood street tree (Refer to current Tree Specifications List) for every 40' of lot frontage planted within 5' of the street right-of-way line. Corner lots have two street frontages. Magnolias, maples and other fast growth trees with ground following root systems should be planted 10' or more from the sidewalks.

One (1) 4" caliper DBH hardwood tree planted elsewhere on the lot. Must refer to current Tree Specifications List.

Front yard planting shall include at least 25 large shrubs (minimum 24" height), 75 small shrubs (minimum 14" height) and one (1) accent plant (minimum 26" height). ARC Variance may be permitted upon approval due to size conditions of the lot.

- All plant material shall be well suited to the growing conditions in Volusia County and may be in accordance with Florida-Friendly Landscaping Guidelines.

Trees

To preserve the natural assets of the home site, no tree measuring 6" caliper DBH or greater shall be removed without the prior approval of the ARC.

No trees shall be planted in a location where the present or future shade could present a nuisance to homes and pools of an adjoining home site or common areas.

Palm trees should be of a variety that is blight resilient.

Sod

In keeping with Florida-Friendly Landscape Guidelines, the front, side and rear yards of all lots must be sodded with either St. Augustine sod or Zoysia sod – not a combination of both. No Bahia sod will be permitted.

All Zoysia sod must be regularly hard metal edged on the perimeter of the lot to prevent migration to adjoining properties.

A minimum of 50% of the “Planting Area” of any lot must be planted with sod, with a turf minimum of 30% in the front area designated as from the front line of the house, not the garage, to the curb. No rock or other material will be allowed in the turf areas.

The “Planting Area” of a lot for both turf and planting beds is determined as the remainder area (square footage) after deducting area for the house, the hard surfaces, driveway, walk ways, public sidewalk, patios, pool decks and any “deeded natural easements.”

The remaining “Planting Area” will be mulched beds with plants, shrubs and trees. At least 3” of mulch or stone should be maintained at all times in the planting beds. Permeable weed control fabric may be placed under the mulch (Florida Friendly does not recommend).

Florida-Friendly Landscaping is not mandatory. Overriding authority is the State of Florida. (FS373.185)

The City of DeBary has authority over the “Right of Way” area from and including the sidewalk to the curb. The area between the sidewalk and the curb requires turf only – no hard surfaces, plantings or trees are permitted.

Mulch

Mulch may be organic or stone and installed a minimum of three (3) inches deep. Pine Needles ONLY Permitted in natural, conservation, or buffer areas.

Fill Dirt

All yard fill dirt shall be topsoil.

Golf Course Frontage

The lot boundaries adjoining the golf course right-of-way, or with a natural set back area, must remain in their natural state within the deeded dimensions of the natural easement (or minimum of 5 feet if not noted on survey plat) inside the property boundary line.

Please Note: Golf Course “Out of Bounds” markers do not mark/designate property lot lines. In light of evolving needs, the ARC, will permit, without prior approval, maintenance of this area in keeping with Firewise recommendations, including:

Trimming/thinning of undergrowth

Removal of tree branches up to a height of 10 feet from the ground

Trimming of shrubs/bushes to a height of 18 inches

Removal of dead trees, shrubs and vegetation

Removal of noxious weeds and climbing vines

This area is meant to look natural, and homeowners are therefore not permitted to maintain, groom, decorate this area in such a manner as to detract from this natural theme. Furthermore, Owners are required to replace removed vegetation with like kind, Florida Friendly Landscaping vegetation.

Irrigation

Lawns, new plants, shrubs and other landscaped areas must be fully sprinkled with an underground, multi-zoned irrigation system. The irrigation system must have an automatic timer.

Sufficient and appropriate irrigation for both planting beds and turf areas must be provided.

The use of ‘rain gauges’ is required by city building code, with no less than ½” in 24 hours as a setting.

In addition, Digital soil moisture sensors are now available and recommended to prevent overwatering, which is not only wasteful, but detrimental to the plantings. Irrigation should be designed and zoned according to the water needs of the area covered and the use of minimal or drip irrigation is suggested for planting beds.

The landscape plan and design must show the location, type and flow rate for all irrigation.

No overspray directed on adjoining home sites or common areas will be permitted.

Industry-standard, high-quality, professional equipment, materials and installation technique must be utilized.

Watering outside of the normal hours set by Volusia County is not allowed.

Standards for Builder Model Homes

The home shall be used as a single-family residence. No business, occupation or profession shall be conducted from the residence except when it is used as a model home.

A model home allows homeowners, real estate brokers, builders and their associates to show any residence for the purpose of sale or lease.

Written approval must be obtained by the builder, from the HOA board and the ARC to construct, maintain and operate a “model home.” Model homes must comply with the following guidelines:

The use of the home site as a model home or speculative home will cease after six (6) months from the approval date. Such use may be renewed for six (6) month periods following approval from the ARC.

Interior and exterior must be kept clean, neat in appearance and free from debris. Landscaping, lawn and other improvements (e.g., pool) must be properly maintained at all times.

All commercial signs, flags, banners and other exterior displays must be approved in advance by the ARC. Design and location of said displays must be submitted to the ARC for approval. The ARC may from time to time request prompt removal of such displays.

The garage may be temporarily altered for the use as a sales office or to house displays for the period of time approved by the ARC. Plans, design and specifications must be submitted to the ARC as with any improvement on the home site.

Upon the sale or transfer of a Model Home sales office, the garage area must be restored as a garage and is not to be included as “Living Space”.

General Community Requirements

Temporary Structures

No temporary buildings, structures or trailers shall be permitted unless approved in advance by the ARC. The ARC may permit the use of such structures for a defined period of time. Design, location and appearance must be approved by the ARC. No tent, shack, trailer, house trailer, garage or other outbuilding shall at any time be used as a residence.

Additional Structures

- No more than one (1) single family dwelling shall be allowed on a single home site. Additional detached structures (e.g., garage, pool house, gazebo, etc.) may be permitted upon approval by the ARC. Such detached structures may not be leased.

Mechanical and Electrical

- All exterior equipment such as air-conditioning compressors, pool pumps, irrigation equipment, water filtration equipment, pool or spa heaters, transformers, propane tanks, generators, etc., shall be screened/concealed by landscaping or privacy wall/fence so as not to be visible from the streets or from neighbors’ homes.

No more than two (2) dish type antennas per lot shall be permitted, unless a greater number is approved by the ARC. Local antennas should be placed in the attic.

In accordance with Florida Statutes, solar heating systems may be either on the ground or on the roof, 90 degrees east and west of south. Roof mounting must be on the rear or side elevations which are least conspicuous from the street(s). Solar systems on the ground must be screened by either landscaping or privacy wall so as to be least conspicuous from the street or neighbors’ homes.

Window or wall-mounted air-conditioning units are prohibited.

Utility Service

All wires, conduit, cables, piping or any other utility sources shall be concealed underground or in or approved site improvements. Any temporary wires or other utility sources shall be concealed in the same trench.

Construction Barrier Fencing

As soon as the lot is cleared and construction has begun, plastic silt barrier fencing will be erected on the sides and back of the lot to prevent sand from blowing into the surrounding home sites. This barrier will be maintained until the sod is placed on the lot.

DeBary Plantation HOA Home Builder Qualifications

Must have minimum five (5) years of experience as a Florida Licensed General Contractor.

Will be bound by all federal, state, county and city requirements.

Will be bound by all covenant restrictions (which may vary in the different communities).

Company must have a good credit and performance record.

Contractor shall be licensed, bonded and insured.

Construction will be completed in a timely fashion – time limitations to be agreed upon prior to approval. Homes with 2,400 sq. ft. or less living space must be completed no later than nine (9) months after permitting. Failure to comply will result in a \$100.00 / day penalty paid to buyer until construction is completed.

All workers on project must be legal residents of the U.S.A.- Contractor will comply with all applicable State of Florida and Federal employment laws.

Homes shall be built conforming to Version 7.01 of the DeBary Plantation Master Home Owners Association (HOA), Architectural Review Committee (ARC), Use Restrictions & Restrictive Covenants Operational Manual for New Construction, approved 10/24/2019.