

APPLICATION INFORMATION and PROCEDURES

Please read the specific Covenants and Restrictions (C&Rs) for your sub-division, as well as the Spruce Creek PUD before starting your project. Each Sub-division has different rules. Failure to follow the specific C&Rs for your area and the PUD will cause your application to be denied. (If there is a conflict between the C&Rs and the PUD, the PUD controls.)

Failure to obtain required approval, prior to commencing work, or building in contravention of an approved plan, may result in fines and you can be required to remove any un-approved or non-complying work

SUBMISSION

Applications must be submitted in duplicate to the SCPOA office by 3:00 p.m. on the Monday preceding scheduled ARC meetings; which occur on the first and third Thursdays of each month. Any applications not submitted by the Monday preceding a regularly scheduled ARC meeting might not be reviewed until the next regularly scheduled ARC meeting. An incomplete application or missing information will delay approval. Submit: the completed application and the required supporting documents and materials to the ARC through the SCPOA Office at 212-1 Cessna Blvd., Port Orange, FL 32128 (386-760-5884). The submission date starts at the first regularly scheduled ARC meeting after the timely (see above) receipt of the Application by the SCPOA office.

GENERAL PROCEDURES AND REQUIREMENTS

1. **Review:** The property owner, contractor(s), registered professional(s) and other interested parties are required to familiarize themselves with all deed restrictions, easements, SCPOA Covenants and Restrictions, PUD, and zoning rules, that apply to and/or affect the proposed work. The applicant certifies that all engineering information presented in this application is accurate and in full compliance with any and all requirements of the pertinent governing bodies. A preliminary meeting with the ARC is encouraged.
2. **Sub-association:** Some sub-associations within the Spruce Creek community have individual architectural review committees. *Plans must be approved by any sub-association committees before being submitted to the Spruce Creek Architectural Review Committee (ARC).*
3. **County:** The County must approve most work done on a property. For a list of the actions that the county needs to approve go to www.volusia.org and then navigate to: *Services/growth-and-resource-management/building-and-zoning/permit-and-zoning-center/residential-permits/residential-permit-documentation-requirement.*
4. **Preliminary Application:** Plans, concepts, materials, and color choices may be submitted to the ARC for preliminary approval, in person, at a regularly scheduled ARC meeting. This may assist in decision-making prior to commitment of time, money and material.
5. **Approvals:** Plans must be approved and stamped by the ARC. Volusia County *will not* issue a building permit without SCPOA ARC approval.

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6. **Documentation:** The following items must be completed before submitting the application:
 - a. Colors, Materials, & Finishes Page
 - b. *Compliance and Damage Deposit* Page, with check from owner attached.
 - c. Copy of Contractor's License
 - d. Contractor's Certificate of Insurance, with *SCPOA* named as additional insured
 - e. Sealed Architectural Drawings (as required)
 - f. Sealed Survey by a registered professional (as required)
 - g. Sealed Site Drainage Plan by a professional licensed in the State of Florida (as required)
 - h. Landscape Drawings (as required)
 - i. Signed approval of a subordinate association (as required)
7. **Licenses and Insurance:** All contractors must be qualified and licensed in the County of Volusia and State of Florida and must carry Liability Insurance.
8. **Deposit:** The **property owner** must submit a refundable *Compliance and Damage Deposit* with the application and prior to commencement of the review process by ARC.
 - a. The *Compliance and Damage Deposit* will be returned to the property owner when and if the final inspection confirms full compliance with the approved application and verification that no damage has been caused.
 - b. The Deposit may be used to cover any and all costs or expenses incurred by the SCPOA to cure actions or inactions by the property owner or contractor during the work on the project which leaves any aspect of the project, under the jurisdiction of the SCPOA, in an incomplete or damaged condition or in an unapproved condition.
 - c. The Deposit also ensures conformity to the approved plans, the covenants and restrictions associated with the property, and the zoning requirements (PUD) and may be used to cover costs to bring the property into compliance with the approved application and/or to the condition(s) that existed prior to project initiation, or may be retained as a penalty for failure to comply with the approved application.
 - d. If claims exceed the Deposit amount, then additional funds in the amount of the unfunded claims shall be tendered to the SCPOA within ten (10) days of the date of mailing the Certified Letter requesting any additional funds.
 - e. Any modifications to plans that were submitted to, and approved by, the ARC must be resubmitted for approval if the plan is modified in any way.
 - f. *Compliance and Damage Deposit* amount calculation formula:
 - Under \$2,500 \$250
 - \$2,500 and over \$250 plus 2.5% of the cost estimate. (Maximum \$10,000)
 - *The value of the construction will be calculated on \$150.00 per sq. ft. for new construction and \$200.00 per sq. ft. for modifications unless a contractor's estimate is provided.*

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9. **Posting:** The contractor/developer/owner shall place the ARC's Approval Notice in a prominent location at the front of the property. The Approval Notice will be furnished with all approved documents and must be posted prior to and during construction, and must be visible from the street.
10. **Appeal:** In the event of a denial of any application by the ARC, an appeal of the decision may be made, in writing, to the SCPOA Board of Directors. The form for this appeal is available at the SCPOA office. The decision of the Board is final in all cases and may not be appealed further.

The ARC must verify that all work was done in accordance with the original application and/or any approved modifications to the original application. Failure to build in accordance with the approved application may result in forfeiture of the Compliance and Damage Deposit and may result in additional fines for non-compliance with the governing documents.

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION (SCPOA)

Architectural Review Committee (ARC)

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SPECIFIC REQUIREMENTS FOR APPLICATION

1. Plat of Survey: A “Plat of Survey” shall be filed with the Application. Which must:
 - a. Be prepared by a registered land surveyor in accordance with the Florida Administrative Code.
 - b. Be drawn on a scale of not less than 1” = 20’ (unless otherwise stipulated in the C&Rs.)
 - c. Show gross square footage and buildable square footage and percent of coverage. See the Spruce Creek PUD, and Subdivision C&Rs for buildable area in each subdivision.
 - d. Show all property easements and setback lines clearly and include all dimensions. Setbacks shall be shown to the nearest 1/10 of a foot.
 - e. Accurately depict the location of the house, hangar, pool/spa, patios, including finished floor slab elevation(s). Finished grades are to be shown for the property’s topography as well as existing grades of adjacent property, roads, taxiways, etc. The finished drainage pattern of the property and its relationship to surrounding properties must be shown. All swale/slope grades shall be a minimum of 1%.

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

3. Landscape Plan
 - a. Professionally prepared by a landscape architect or licensed landscape contractor/designer.
 - b. Drawn on a scale of not less than 1” = 20’ unless otherwise stipulated in the covenants and restrictions.
 - c. Plans should reflect all landscaping as well as any manmade features such as ponds, waterfalls, pools, berms, swales, fences, walls, fire pits, etc. Sufficient elevations are required to show that the direction of flow does not adversely affect neighboring properties. Swale slope grades shall be a minimum of 1%.
 - d. A plant list and legend must be shown on the plan to identify all trees, shrubs and plants by name, size, quality and location, including all sodded areas.

4. Materials
 - a. All materials must conform to all Covenants and Restrictions.
 - b. Samples of roof material (or a brochure showing samples) shall be submitted with this application indicating manufacturer, identification number, and color.
 - c. Submit paint samples to be used on all exterior surfaces with manufacturer, identification number, color name, identifying where each paint sample will be used.
 - d. Submit a brochure showing colors and textures for brick, pavers or stone and the like
 - e. Submit brochure specifying material, color and dimensions of all fencing.

5. Site Drainage Plan (SDP): A site drainage plan is required for any construction that covers the ground or increases ground coverage preventing water penetration and therefore it will apply to most new construction. Provide two (2) copies of the sealed engineering plans, designed by a professional licensed in the State of Florida to design drainage systems.

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- a. The SDP is based on the Plat of Survey and shall show, but not be limited to, all existing structures, pavement, drainage systems, utility appurtenances and other above ground, visible features on the lot/site and any abutting rights-of-way and easements. Existing elevations shall be shown to clearly define the existing drainage patterns, including but not limited to, swale top and toe of the banks, pipe and culvert size and inverts, drainage structure tops and inverts and pavement and grade elevations (assumed datum is acceptable, a typical SDP diagram is available from the SCPOA office).
 - b. The SDP shall include all proposed improvements and grades and show elevations at a maximum of 30' apart at the edge of the proposed improvements and along property lines, indicating the direction of drainage.
 - c. Each junction/inlet shall terminate in an FDOT approved precast structure, each end of a culvert shall be in an FDOT approved precast or poured mitered end section. This end section must have steel reinforcement placed on all sides and the top per FDOT standards.
 - d. Roof drainage flow must be indicated and should be directed toward a designed storm water system.
6. Mail Box (if applicable): Submit a drawing or picture of the mailbox, if applicable to the Sub-division in which the construction will take place. Denote construction material and color.
7. Close Out and Deposit Return: In order to receive return of the *Compliance and Damage Deposit* a written request must be submitted to the SCPOA upon completion of the work. Prior to release of the *Compliance and Damage Deposit*, the following must be satisfied:
- a. Submittal of a certified "As-Built" survey drawing prepared by a Licensed Surveyor or Professional Engineer. Structures shall be dimensioned and offsets shown to the nearest 1/10 of a foot. The final survey must show the "As Constructed" location of all structures and improvements including all finished elevations and grades as required by section 2 above..
 - b. The "As Built" must be supplied to the SCPOA as an original sealed drawing. If the design work was done with CAD equipment, an electronic file in an AutoCAD compatible format must also be supplied on disc, memory stick, or emailed to ARC@scSCPOA.com.
 - c. A survey which includes the final conditions and must show, but is not limited to:
 - i. Location and configuration of all structures, pavement, drainage systems, utility appurtenance, and other above ground, visible features on the lot/site,
 - ii. Rights-of-way and easements,
 - iii. Sufficient spot elevations to clearly define the lot/site and any abutting drainage patterns, including finished floor elevations, swale top and toe of the banks, pipe culvert inverts, drainage structure tops and inverts, and finished pavement and grade elevations.
 - d. Final written acceptance and approval of the as-built drawings from the SCPOA ARC Committee.
 - e. Inspection and written approval by the SCPOA Public Works Department (if deemed necessary) certifying that all Taxiways, Roads, Curbs, and/or environmental issues affecting SCPOA properties are in their original undamaged condition.

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION

Architectural Review Committee (ARC)

Request for return of Compliance and Damage

Name: _____ Phone No: _____

Address: _____ Subdivision: _____ Lot No: _____

Short Description of Work: _____

Date Application approved by ARC _____

Date Work Completed _____

I request the return of the *Compliance and Damage Deposit* that was made in conjunction with the work approved by the Spruce Creek Architectural Review Committee described above. I confirm that the work was done as approved / or altered as described: _____
Enter 'NONE' if built as approved

Signature of applicant _____ Date _____

Release of *Compliance and Damage Deposit* Approval:

Inspected By _____ Date _____

Disapproved by ARC DATE: _____

Reason for disapproval: _____

Approved by ARC DATE: _____

Signature of ARC Chairman (or designee): _____

Deposit returned date _____ POA Check Number _____