

**FOREST PARK  
ESTATES  
OWNER'S ASSOCIATION, INC.**

**DESIGN & DEVELOPMENT GUIDELINE**

**FOREST PARK ESTATES  
OWNER'S ASSOCIATION, INC.**

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**FOREST PARK ESTATES  
HOMEOWNER'S ASSOCIATION, INC.**

**Design and Development Guidelines**

**INTRODUCTION**

It is the intent of this manual to help assure each Builder and Homeowner that Forest Park Estates will be developed and constructed as a community of quality homes and buildings; that are tasteful and aesthetically pleasing architectural design; that are constructed with long lasting materials and high construction standards; that are harmonious with surrounding structures and topography; that as much of the natural hardwoods, and compatible vegetation be saved, and that landscaping and other site improvements are consistent with the aesthetic quality of Forest Park Estates as a whole.

The Declaration of General Protective Covenants and Easements of Forest Park Estates have caused to be created a standing committee of the Association, called the Architectural Review Committee (ARC) whose function is to review approve/disapprove plans for any proposed construction, or alteration within the community. The ARC has been granted broad discretionary powers regarding the aesthetic impact of design, construction and development including architectural style, colors, textures, materials, landscaping, over impact on surrounding property, and other aesthetic matters. It is not the intent of the ARC to impose a uniform appearance within Forest Park Estates, cause excessive costs, nor to discourage creativity on behalf of Builder and Homeowners. Its interest is to promote and help assure that all improvements are aesthetically compatible with each other, and incorporate a unique yet please character.

The guidelines have been prepared by the ARC for Builders and Homeowners to assist in their home design and construction with Forest Park Estates. This manual does not include all building, use and other deed restrictions associated with Forest Park Estates and, accordingly, each Builder and Homeowner should familiarize themselves with the provisions of Forest Park Estates Declaration and General Protective Covenants and Easements. The inclusion of any recommendation in these Guidelines shall not preclude the ARC's right to disapprove any proposed matter for any reason.

**The Review Process and General Information**

**General.** The design and construction and review process is a three-step process – concept review (optional), final plan review and final inspection of improvements. Thorough and timely submission of information and adherence to these guidelines will prevent delays and minimize confusion. Questions concerning the interpretation of any matter set forth in this Manual should be directed to the Architectural Review Committee or the Board of Directors for clarification.

**Review Fees.** When a Builder or Homeowner submits plans to the ARC for review and approval the submission shall include the “Application Form” used as a transmittal record of the submission, and the appropriate “Review Fee” from the following table:

A. New Home Construction – \$250.00

Resubmission – Changes which will affect the exterior or landscape of the original submission - \$50.00.

B. Major alteration or addition – structural or site modification taking place after the original construction, requiring a building permit - \$100.00

Changes to Approved Plans – Whenever a submission for which the ARC previously granted approval is resubmitted due to a change in the originally approved plan - \$25.00

C. Resubmission for review of previously denied application - \$25.00

D. **ARC Approval Required** for the Following – No charge for submission

Adding or deleting – hedges, decorative trees or shrubs etc.

Planting bed design change

Removal of hardwood trees, palm trees, pine trees. City permit required.

Bird baths, flag pole, flags, lawn sculpture, artificial plants, rock gardens, or similar type accessories.

Exterior color changes

E. **No submission required** for the following items

Replacement of kind

Replacement of sod (St Augustine required)

Changing out plants in planting beds

## Approvals

**Concept Review** – Any Builder or Homeowner may submit preliminary, conceptual drawings, specifications, or other information to the ARC for Concept Review prior to the preparation and submission of detail plans and specification for Final Approval. A Concept Review is not mandatory, but is provided for the convenience of Builders and Homeowners in order that they may accomplish a timely and thorough preparation and ultimately receive Final Approval of their construction, landscape, hardscape plans or other submittals. The ARC will review the information and indicate its approval, disapproval or recommendations as to the plan. A Concept Plan approval shall not constitute approval for the commencement of construction, but only approval of the conceptual information being reviewed. Submittals for Concept Review of any new home construction shall include a minimum of two (2) sets of the following:

- A. Concept Site Plan showing the approximate location and dimensions of all site improvements. (buildings, driveways, terraces, pools, etc.)
- B. Concept Floor Plan. (1<sup>st</sup> and 2<sup>nd</sup> stories where applicable)
- C. Concept Exterior Elevations.
- D. Concept Landscape Plan.
- E. Other information, data and drawings that would help describe the plans.

**Final Approval** – No construction of a building, or structural improvement; landscaping or other site improvement; alteration, addition to any existing structure, or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials, and location of same shall have been submitted to and shall have received Final Approval by the ARC. Builders or Homeowners requesting Final Approval of an improvement shall submit sufficient exhibits to demonstrate compliance with standards and requirements of these Design and Development Guidelines.

Construction **must commence within six (6) months from date of Final Approval** or the Final Approval becomes void and plans must be resubmitted for construction approval. If Final Approval is granted **subject to conditions, the conditions shall be satisfied within sixty (60) days of issuance**, or final approval shall become void.

Submittals for Final Approval of any New Home Construction shall include at a minimum two (2) sets of the following:

- A. Site Plan: Plan shall be at minimum scale of 1=20' showing: a clearing and grading scheme with a proposed and existing grades and flow of the site drainage system; location and size of any trees having a diameter of six (6) inches or larger, identifying those to be removed from the site; the dimensions and locations of all buildings, access drives, parking, utilities (water, sewer, power, telephone, cable, etc.), street pavement location and all other proposed improvements to the site (accessory uses such as pool, terraces, screen rooms, utility storage, etc.).
- B. Landscape Plans: Plans shall have at a minimum scale of 1=20' showing; the size, type and location of existing and proposed tree location; the location of all planting areas including existing plant materials incorporated into the plan; the species, size and grade of all stock at the time of planting. The plant materials list should be priced by a licensed landscape designer or a recognized retail landscaper.
- C. Building and Floor Plans: Plans shall have at a minimum scale of 1/8"=1' for all floors, cross sections (when necessary) and elevations including projections and wing walls (floor plans should also show total square feet of air-conditioned living area).
- D. Plans and Elevations, along with types of materials and other information associated with any other improvement, or ornamentations, including mail box, exterior lighting, walls, fencing and screening, patios, decks, pools, porches, docks and signage.
- E. Samples and/or color chips for all exterior finishes and materials to be incorporated into the plan.
- F. Such other information, data and drawings as may be reasonably requested by the ARC.
- G. The Review Fee as set forth herein this document.

Upon receipt of a complete application and information package, the ARC will complete its review within fifteen (15) working days. The ARC will issue a letter Approving, Approving with Conditions, or Denying the Final Plan submittal.

### **Inspection**

The ARC shall have the right to enter upon and inspect any property, at anytime before, during, or after the completion of work for which approval is required under these Guidelines. Upon completion of construction, the Builder or Homeowner shall give written notice to the ARC that all improvements have been completed.

Builders and Homeowners are reminded that the Declaration of Covenants and Easements have granted to the ARC and Board of Directors of the Forest Park Estates Homeowners Association, Inc., broad discretionary powers regarding the remedy or removal of any non-complying improvement constructed within the community.

## **Conduct**

All Builders and Homeowners shall be held responsible for the acts of their employees, subcontractors, suppliers and any other persons or parties involved in construction or alteration of a home site. In this regard, a Builder and Homeowner shall be responsible for the following:

- A. Ensuring that the construction site is kept clean and free of all debris, waste materials, and that stockpile of unused materials are kept in a neat and orderly fashion.
- B. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well being of other personnel on the site or affect the quality of workmanship.
- C. Assuring that the aforementioned are properly insured including workman's compensation.
- D. Assuring that the aforementioned do not commit any violations of the rules and regulations of the Forest Park Estates Homeowner's Association, Inc., or the ARC.

## **Appeal**

If an application for Concept Review, or Final Approval has been denied; or if an approval is subject to conditions which a Builder or Homeowner feels are harsh or unwarranted; or if there are disputes to any other matter related to actions of the ARC, the Builder or Homeowner may request a hearing before the full committee of the ARC. At the hearing, the Builder or Homeowner will be allowed to present its position on the matter and make requests or recommendations as to an alternative action. After the hearing, the ARC will review the information presented and notify the Builder or Homeowner of their final decision on the hearing. The decision of the ARC regarding the matter shall be final.

## **General Subdivision Standards**

**Residential Use** – All home sites within Forest Park Estates may only be used for residential purposes and for no other purpose, except for the following:

- A. An "office" located in the house for business activity that is conducted at some other primary location other than the house. The "home office" may not generate any outside employment or traffic to the home, and cannot have any signage.
- B. Real Estate Brokers and Homeowners (and their guests) may show any home site and dwelling unit, for sale or lease within the community. Additionally, the Developer and such contractors as the Developer may approve in writing, shall have the right from time to time to construct and operate model homes within the community. Approval of a contractor and the use of a home for a model shall be at the sole discretion of the Developer and all such approvals must be in writing.

Note: Where model homes are permitted, the following shall apply:

- A. No signs, flags, banners and the like shall be permitted unless approved by the ARC. If so approved, they shall be constructed using the design input of the ARC and erected in locations approved by the ARC. These signs shall be removed promptly at the request of the ARC.

- B. The interior and exterior of all model homes shall be kept clean and free of debris and all landscaping and other site improvements shall be well maintained at all times. No Builder shall use a model home for any aspect of its business other than selling, marketing and construction of its products in Forest Park Estates.

### **Utility Service**

No lines, wires or other devices for communication purposes, including telephone, television, data and radio signals, or for transmission of electric current or energy, shall be constructed or placed on any home site unless the same shall be in, or by conduits or cables constructed, placed and maintained underground, or concealed under, or on building, or other approved improvements. Above ground electrical transformers and other equipment may be permitted if properly screened and approved by the ARC. Nothing herein shall be deemed to forbid the erection and use of temporary power, or telephone services during construction.

### **Site Improvement Standards**

#### **Site Placement**

All buildings and other improvements shall be placed as approved, by the ARC. The existing topography and landscape shall be disturbed as little as possible, such that the maximum number of desirable trees and other natural features will be preserved.

#### **Building Setbacks**

Minimum building setback lines, as provided in the Declaration of Restrictions, shall be thirty-five (35) feet from the front lot line, ten (10) feet from the side lot line and twenty (20) feet from the rear lot line. Corner lots shall provide a minimum of twenty (20) feet side yard setback abutting any street. All setbacks shall be measured from property line to building wall.

#### **Driveways**

Parking spaces, garages curb cuts, and the driveway to the garage shall be planned and executed, in an attractive and functional manner and shall consider the location of existing trees, topography, streetscape and compatibility with surrounding improvements. All garages will be side or back entrance accordingly.

All home sites shall have a paved driveway of stable and permanent construction of at least twelve (12) feet in width. Unless prior approval is obtained from the ARC, all driveways must be constructed of concrete. When curbs are required to be broken for driveway entrances, the curb shall be repaired, in an orderly fashion in such a way as to be acceptable to the ARC, and to the quality and standards prior to home construction.

All concrete driveways shall at a minimum have a border treatment of paver bricks, or an imprinted border of some type. Proper expansion joints shall be provided to prevent surface cracking.

Any proposed coloring of driveway materials must have prior approval by the ARC, and must be made part of the home submittal.

#### **Drainage and Grading**

No drainage ditches, cuts, swales, streams, impoundments, ponds, or lakes. No mounds, knobs, dams, or hills; and no other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water and drainage patterns may be created, destroyed, altered or modified

without prior written consent from the ARC. Special attention shall be given to proper site surface drainage, so that surface waters will not interfere with surrounding home sites and natural drainage flows.

### **Swimming Pools**

Any swimming pool to be constructed upon any home site shall be subject to review by the ARC. The design must incorporate, at a minimum the following:

- A. The composition of the pool material must be thoroughly tested and accepted by the industry for such construction.
- B. All pools must be below ground. Above ground pools will not be permitted.
- C. Pool screening must be of a color and material approved by the ARC.

### **Lighting**

All exterior site lighting shall be consistent with the character established, in Forest Park Estates and be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings and/or landscaping for security or decoration shall be limited to concealed lighting, or down lighting, and the style and type of lighting shall be compatible with the building design and materials. Color lens and lamps are not permitted without approval by the ARC.

### **Fences and Walls**

All fences and/or walls where permitted shall be of a compatible and complimentary material and design to the adjacent building. Where a fence or wall is deemed to be unnecessary, unsightly, and detracting from the common areas, a landscape screen in lieu of a fence, or wall shall be required. No fence or wall may be over six (6) feet in height. All fence and wall types, locations, material and dimensions must be approved by the ARC.

### **Mailboxes and Street Lighting**

All mailboxes and street lighting will be of a type compatible with the overall scheme of Forest Park Estates and will be chosen by the developer. The developer will install individual street lamps for common areas. The builder as part of their house construction package will install mailboxes conforming to the design selected originally by the developer. Once installed, all mailboxes will become the responsibility of the individual homeowners to maintain, repair and replace in kind as needed. The mailbox color is to be the same as original color.

### **Lawn Furnishings**

No bird baths, frog ponds, flag poles, flags, lawn sculptures, artificial plants, rock gardens, or similar types of accessories are permitted on any home site without prior approval of the ARC.

## **Building Construction Standards**

### **Minimum Building Size**

The minimum square feet of air-conditioned living area for a single family residence shall be 2,300 square feet.

## **Exterior Materials**

Finish colors shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be brick, stone, stucco, wood (not plywood or similar material), or other approved natural materials.

## **Exterior Colors**

Finish colors shall be applied consistently to all sides of the exteriors of buildings. Color selections shall be harmonious with each other and with natural materials, and shall be compatible with colors of the natural surrounding and other adjacent property. All exterior wood must be painted, or stained. Exterior window and door trim and similar decorations shall be of the same/complimentary color and material. Fascia, gutters and downspouts shall blend in and be directly compatible with architectural detail of the exterior walls.

## **Building Heights**

Heights of buildings shall be compatible with adjacent buildings. However, no building shall exceed 35 feet in height.

## **Roofs**

Flat roofs shall not be permitted on the main portion of the structure. The composition of all pitched roofs is recommended to be slate, concrete tile or 30 year architectural grade shingles. All pitched roofs must have at least a 7 / 12 slope on the main body of the home.

## **Chimneys**

Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone, stucco or wood.

## **Garages**

All residential dwellings shall include a garage adequate to house a minimum of two (2) average sized American automobiles, as well as providing adequate space for storage. All garages shall include garage doors, which shall be constructed of a material that is similar in appearance to the exterior materials of the buildings; and the color of the garage doors shall be compatible with the color of other exterior finishes of the building. No garage shall be converted to any other usage without the substitution of another garage, as approved by the ARC. No carports will be permitted.

## **Appurtances**

All exterior mechanical equipment including, but not limited to, transformers, vents' air conditioning compressors, pool pumps, meter, etc., shall be concealed from view by walls of the same material and color as the building, or by an opaque landscape screen. Solar heaters should be oriented so that they are not visible from the street side of the home.

## **Antennas**

In general, it shall be prohibited, to install or maintain any outside television or radio antennas, masts, aerials or other tower or receiving/transmitting apparatus on a lot, or proposed improvement for the purpose of audio and visual reception or transmission. However, pending review and approval by the ARC, a satellite dish not exceeding eighteen inches (18") in diameter may be located in the rear yard, provided it can be screened from view from all surrounding properties.

### **Window Air Conditioning Units**

No window air conditioning units shall be permitted where visible from any adjoining property.

## **Landscaping and Open Space Standards**

### **General**

All home sites shall be landscaped according to plans approved by the ARC. All shrubs, trees, grass and other plantings shall be kept well maintained, properly cultivated and free of trash and unsightly material. Landscaping as approved by the ARC shall be installed no later than thirty (30) days following completion of any building.

### **Landscape Plan**

A basic Landscape Improvement Plan for each home site must be submitted to and approved by the ARC, prior to installation. The Landscape Improvement Plan must show all trees requested to be removed and all improvements to the site. The landscape plan must be of a quality to compliment the home, include an adequate number of trees, shrubs and ground covers to create a substantial finished landscape around the home.

### **Trees**

Trees situated between the building set back lines and the lot lines having a diameter of six (6) inches or more DBH (measured on foot from ground level) shall be shown on the landscape improvement plan and may not be removed without prior approval of the ARC. All requests for approval of tree removal shall be submitted to the ARC along with a plan showing generally the location of such tree(s). Any trees removed by approval shall be replaced by additional trees required by the ARC. All other existing treed areas shall be shown on the plan for review by the ARC as to removal.

Each lot shall have at least three (3) shade trees, of which no less than two (2) will be located in the front along the sides of the main dwelling structure. The type to be planted shall be subject to the approval of the ARC, and must be a minimum of 3 ½ inches caliper tree, 12-14 feet in height with a 6 feet to 8 feet spread.

### **Sod**

All areas within each home site not covered with pavement, building, shrubs or approved ground cover shall be completely sodded with St. Augustine type sod.

### **Plant Materials**

Plant materials shall equal, or exceed, the standard for Florida No. 1 as specified in the “Grades and Standards for Nursery Plants”, Part I and II of the State of Florida Department of Agriculture, and any amendments thereto.

### **Irrigation**

All landscaped areas shall be irrigated with an automatic underground system. Irrigation must be provided from the back of the curb to the rear property line.

## FOREST PARK ESTATE HOMEOWNERS ASSOCIATION, INC.

### To our friends and fellow Residents of Forest Park Estates:

Forest Park Estates is an attractive and appealing place to live and we appreciate your hard work in keeping it that way and thereby maintaining our property values. In order to assist you in your continuing efforts we are publishing a set of guidelines that you should follow as you maintain your property. Please note that property maintenance responsibilities start at the street curbing and extend to the lot lines of each residence.

### Property Maintenance Guidelines

- Roofs, gutters, soffits and fascia should be kept free of accumulated mildew and dirt
- Mailboxes and mailbox posts should be kept in good functioning and aesthetically pleasing condition. The required color is Rustoleum Dark Hunter Green available at Wal-Mart or other Rustoleum dealers.
- The house stucco, driveways, curbing, and edging should be free of unattractive excessive water stains. Careful attention should be paid to well water stains from irrigation systems.
- Garden equipment should be stored out of sight of the street, preferably in the garage. City code dictates that it not be visible from the street.
- Exposed tree stumps should be ground down. This would have been a requirement when you were issued a permit from the city to remove the tree.
- Driveways and curbing should be kept clean and in good repair.
- Dead, weed or insect infested sod should be replaced. This problem could spread to neighboring properties. Our CCR require that the sod be St. Augustine Floa Tam.
- Shrubbery and other plantings should be appropriately trimmed. Dead shrubs should be removed and replaced in accordance with your landscape plan.
- Landscape edging should be kept in good condition. Planting beds should be mulched, weed-free and well-defined. Mulch should be replenished as needed but at least annually to maintain effectiveness and proper appearance.
- Natural areas should be kept free of weeds and vines and well kept.
- Privacy hedges should be kept neatly trimmed and maintained at 8 feet or less.
- Keep in mind that any structural changes or changes that significantly change the appearance of the residence or property must be approved by the Architectural committee, but may also require a permit from the city. The city is particularly strict about removal of mature trees.

