



Riverview Terrace Homeowner's Association

Rules & Regulations

11 June 2008

Table of Contents

Introduction to Rules and Regulations	3
Architectural Review Policies	4
Policy Title: Architectural Review Policy Manual Overview	5
Policy Title: Antenna Restrictions	7
Policy Title: Clotheslines.....	9
Policy Title: Correspondence.....	10
Policy Title: Exterior Walls, Siding, Fascia and Garage Doors	13
Policy Title: Horse Stabling on Empty Lot	15
Policy Title: Mailboxes	16
Policy Title: Mechanical Equipment Screening.....	17
Policy Title: Outbuildings.....	19
Policy Title: Paint Colors	23
Policy Title: Parking and Storage Restrictions	24
Policy Title: Play Structures	27
Policy Title: Roofs	29
Policy Title: Signs	31
Policy Title: Swimming Pools	33
Policy Title: Tree Removal.....	35
Policy Title: Walls, Fences and Hedges.....	38
Policy Title: Window Coverings.....	42
Other Rules and Regulations	43
Rule Title: Use of Lakes	44

Introduction to Rules and Regulations

Article VII, Section 27 of the Declaration of Covenants Conditions and Restrictions for "Riverview Terrace Estates" (hereafter referred to as the "Covenants") states as follows:

"The Association or Board of Directors may, from time to time, adopt rules and regulations relating to any one or all of the restrictive covenants contained in this Declaration. No Owner, its successors or assigns, tenants, guests, or invitees shall violate the rules and regulations adopted from time to time by the Association or the Board of Directors, whether relating to the use of the Lots, the use of the Common Area, or otherwise."

This document contains the Rules and Regulations of Riverview Terrace HOA, duly adopted by the Association or the Board of Directors as of the date of this document.

The document is organized into two sections. This first is "Architectural Review Policies". It contains all the rules that have been adopted to clarify sections of the Covenants that are not compliant with current statutes or are ambiguous concerning requirements for Architectural Review Committee (ARC) approval of improvements in Riverview Terrace. A more detailed explanation of AR Policies is contained in the section titled "Architectural Review Policy Manual Overview".

The second section is "Other Rules and Regulations" and contains all other rules and regulations that do not relate to ARC review and approval.

Architectural Review Policies

This section contains all the rules that have been adopted to clarify sections of the Covenants that are not compliant with current statutes or are ambiguous concerning requirements for Architectural Review Committee (ARC) approval of improvements in Riverview Terrace. A more detailed explanation of AR Policies is contained in the section titled "Architectural Review Policy Manual Overview". This section of the Rules and Regulations document is sometimes referred to as the Architectural Review Policy Manual.

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Architectural Review Policy Manual Overview

Covenants Reference: 10 July 1997, Article V Section 1, pg 9

Covenants Text (all of Section 1):

No building or modification or addition thereto, fence, wall, pool, landscaping or other structures shall be commenced, constructed, erected or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein be made to the Lot or Dwelling Unit unless it is (1) in compliance with all applicable zoning codes; (2) other applicable regulations; and (3) unless and until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Review Committee(ARC).

Policy Background

The Covenants require that property owners submit all improvement plans to the ARC for approval prior to commencing work. The ARC is required to review and respond to member's plans by approval or disapproval of the plans. Article VII of the Covenants entitled "General Restrictions", contains 27 sections, each of which describe requirements and prohibitions in many different areas of building or property improvement that are relevant to residential properties. In some cases, these topics are covered in detail and are very specific so that the ARC can easily determine whether member's plans do or do not comply with that requirement. In numerous cases, the text of the Covenants is not at all specific and states a very general requirement like "xxx must be approved by the ARC". In other cases, there are requirements in the Covenants that, by today's laws, have been made illegal to enforce.

The Covenants, and Florida Statutes, require the ARC/HOA to apply these restrictions in a consistent manner across all properties. This presents us with a challenge in those areas where the Covenants do not specify any criteria for ARC approval, or where laws, building codes, or accepted practice have changed since the Covenants were written. The solution is to develop an Architectural Review Policy Manual, under the provisions of Article VII, section 27 that provides for the adoption of "...rules and regulations relating to any one or all of the restrictive covenants contained in this Declaration."

Policy Objective

The overall intent of the adoption of an AR Policy Manual is to clarify these areas of the Covenants that are either not compatible with current laws and conditions or do not provide sufficient criteria to allow consistent application by the ARC and the Board. The development of an AR Policy Manual serves two critical functions. First, it provides a detailed and consistent statement of policy for each Covenant section so that the ARC can quickly determine whether plans meet the criteria in that area. Second, it is a vehicle to provide detailed requirements to members in advance of their submittal of plans to the ARC. This is intended to make it possible to draft plans with a reasonable expectation of meeting a known set of requirements and thereby to achieve ARC approval.

Development of Individual Policies

The Board and the ARC will work together to draft AR policies. The least well defined topics, or those that relate to ongoing improvement activity or submitted plans will be drafted first. The general

approach will be to work on a small number at one time, not to try to develop the entire AR Policy Manual in one motion. For member review and comment, draft policies will be distributed to members with which the HOA has electronic mail communication. Adoption of each policy will be by vote of the Board of Directors, per the Covenants Article VII Section 27. AR policies should not be created that are inconsistent with the requirements stated in the Covenants.

Distribution of Adopted AR Policies

Periodically, adopted AR policies will be distributed by email to members who have email capability. Printed copies of adopted AR policies will be distributed by mail with the annual meeting package to all members. When the RTHOA has a website in place, an updated list of available AR Policies will be maintained on the site so that they may be requested by members or builders. When a reasonably complete AR Policy Manual is available, it will be made available to all members.

AR Policy Format

Individual AR Policy documents shall be written in a standard format consisting of the following sections:

- *Policy Title - Normally will match the Covenant section title, if applicable.
- *Covenants Reference - date of Covenants, Article, Section, Subsection, page number.
- *Covenants Text - The exact text of the Covenant sections that relate to the policy.
- Definitions - Definition of terms used in the Covenants text and/or the policy.
- *Policy Background - Explanation of the need for the policy statement including current relevant statutes or current conditions that support the need for the policy.
- *Policy Objective - Clear simple statement of the underlying objective to be accomplished with the policy.
- Member Application - Description of the nature of the written application, specification, or plans the ARC requires to be submitted for review.
- Criteria for Granting ARC Approval - Detailed statement of criteria for ARC approval of submitted plans.
- ARC to Request Application for Permission - Statement of the degree to which the ARC will solicit applications for this topic. For example, will applications be solicited for pre-existing items, or for items that are placed on the property without prior ARC approval?
- *Compliance - Statement of the approach that the ARC and the Board will take to enforce compliance with the policy.
- *Revision History - Revision number, date adopted, and brief description of the revision to the policy.

Some of the sections listed above may be omitted if they do not relate to the policy topic. Special sections may be added to the policy if needed for the particular topic. The sections above marked with an asterisk should be included in every policy.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board
Rev 1.1	13 Dec 2006	Delete ARC vote on AR Policies -was inconsistent with Covenants

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: **Antenna Restrictions**

Covenants Reference: 10 July 1997, Article VII Section 22, pg 19

Covenants Text (all of Section 22):

*No one shall be permitted to install or maintain on any Lot, Dwelling Unit or structure any outside television or radio antenna, disc, mast aerial or other tower for the purpose of audio or visual reception unless the same is **approved by the ARC**. This restriction shall not serve to prohibit Declarant or the Association from installing an antenna or satellite antenna disc, or contracting with a third party to install such antenna, for the purpose of providing master or cable television, radio or other electronic service to the Owners in the Subdivision.*

Definitions

"Antenna", as used in this policy, means any visible outdoor television antenna, radio antenna, satellite dish larger than one meter in diameter, mast aerial, tower or other apparatus for the purpose of audio, video, telephone, internet, or other electronic communication.

Policy Background

The Covenants prohibit Antennas unless approved by the ARC. The Covenants do not specify any criteria for granting ARC approval. The current lack of cable television service in the Subdivision virtually dictates use of some sort of Antenna to receive television. In addition, the Telecommunications Act of 1996 and the FCC now prohibits the enforcement of Covenants that restrict satellite dishes less than one meter in diameter.

Policy Objective

The intent of this policy is to prohibit all Antennas as specified in the Covenants, except for satellite dish antennas of less than one meter in diameter.

Member Application

It is the responsibility of the member to make written application to the ARC for approval of an Antenna. The application must include the following information:

- Description of the type, size, and height of the Antenna
- Location of the Antenna with respect to the buildings and property boundaries

Criteria for Granting ARC Approval

Dish antennas of less than one meter diameter will be approved by the ARC. No more than two dish antennas will be allowed per Lot. At its option, the ARC may approve other types of Antennas provided that this policy is modified to accommodate such approval.

ARC to Request Applications for Permission

When the ARC observes an Antenna on a Lot that does not have an approval on file, it shall be the policy of the ARC to contact the owner to request that they comply with the Covenants requirement to obtain written ARC approval of the Antenna.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Clotheslines

Covenants Reference: 10 July 1997, Article VII Section 23, pg 19

Covenants Text (all of Section 23):

No clotheslines shall be erected or installed on any Lot without prior approval of the ARC.

Definitions

"Clothesline", as used in this policy, means any outdoor structure, wire, rope or similar material used to hang laundry to air dry.

Policy Background

The Covenants prohibit clotheslines without prior approval of the ARC. Today however, any prohibition of energy devices based on renewable energy resources, including Clotheslines, is contrary to public policy and may not be enforced. Reference: Florida Statutes 163.04 (2).

Policy

This policy hereby approves any Clothesline installation and does not require members to submit for ARC approval of a Clothesline. On behalf of all members of the Association, the ARC suggests to members installing a clothesline that they be considerate of their neighbors by locating it so that it does not significantly detract from the property, and is not a conspicuous feature of the property when observed from the street.

Member Application

No application for approval of a Clothesline need be submitted to the ARC

ARC Approval of Clotheslines

Not required.

Compliance

The Association shall NOT enforce the Covenants requirement for prior approval of a Clothesline.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Correspondence

Covenants Reference: 10 July 1997, Article V Section 2, pg 9

Covenants Text (all of Section 2):

Any owner needing the approval of ARC shall deliver an application or request for action to the ARC by certified mail with return receipt requested or by hand delivery with signed receipt together with a floor plan, landscaping plan, site plan and abbreviated specifications, including exterior material and colors. As soon as reasonably possible, but not later than thirty (30) days after receipt, the ARC shall indicate its approval or disapproval of the matters required to be acted upon by them by a written instrument, and served personally or by certified mail upon the Owner and all interested parties, identifying the proposed building or structure. In the event the ARC takes no action on the application or request within the thirty-day period, then the application or request shall be deemed to be accepted.

Policy Background

The Covenants require that property owners submit all improvement plans to the ARC for approval prior to commencing work. The ARC is required to review and respond to member's plans by approval or disapproval of the plans. To date, the Board and the ARC have conducted the correspondence with owners for plan submittal, review, and approval on an informal basis primarily through normal U.S. mail. Any situation where the ARC does not properly respond to an Owner within 30 days of the ARC's receipt of an application for building approval amounts to a defacto approval of the submitted material. To be binding on the parties, the dates of these events should be provable, which is the reason for the stipulation in the Covenants of the use of certified mail or hand delivery receipts.

Policy Objective

The overall intent of this policy is to specify in some detail, the procedures to be followed by the ARC concerning the receipt of submitted plans, and the ARC's response to the Owner regarding the submitted materials. One goal is to ensure that the ARC always responds in time to maintain the requirement for ARC review and approval of the plans. Another is to be sure that owner improvement plans are processed in a timely manner so as not to delay projects that meet the requirements of the Covenants and the AR Policies.

Summary of Plan Review Process

The Plan Review process is expected to be specified in more detail in a future AR Policy. It is summarized here, in a general outline only, to highlight the possible ARC/owner communication addressed by this policy.

1. Receipt of application and plan package from the owner
2. ARC preliminary review for completeness of package and compliance of submitted plans. The ARC Plan Review Checklist is filled out based on this plan review. A letter to the owner must be sent within 30 days of plan receipt, communicating the outcome of this first review.
 - o Typically, the letter does not grant approval and requests missing information or modification of non-compliant items so that ARC review can be completed.

- The first letter may grant ARC approval if all plans are included and all meet Covenants and AR Policy requirements
- 3. ARC receives missing or modified plans from owner based on first review letter.
- 4. ARC reviews plans and specification for compliance
- 5. ARC issues approval or disapproval letter within 30 days of receipt of complete plans and specifications.
- 6. The approval procedure is complete, or the process returns to step 3, depending on the outcome of ARC review in step 4.

Receipt of Materials from Owners or Builders

- The ARC shall note the date of ARC receipt of all correspondence, on the correspondence itself.
- The ARC shall sign and return any certified mail return receipts
- If correspondence is hand delivered, upon request from the owner, the ARC member shall sign a receipt, indicating the date of receipt of the package by the ARC.

Initial Review and Acknowledgement of Plan Submittal

- Within 30 days of the receipt of a plan package by the ARC, the ARC shall conduct a review of the submitted material and send a letter to the owner by certified mail documenting the outcome of the initial review.
- The initial review shall concentrate on determining whether all required elements of the plan submittal, as documented in the Covenants and in AR Policies, are present. The Checklist is used to conduct this review and is filled out to the extent possible. Missing items are identified through this Checklist process. Non-compliant items are identified as they are encountered. The initial plan review letter shall clearly state whether the project is approved to proceed or whether additional information and/or modifications are required to achieve compliance and later ARC approval for construction. The letter shall specify which plan items are missing or incomplete or are non-compliant.

All Letters to Owners or Builders

- All findings (approval, disapproval, additional information required, etc.) of the ARC with respect to improvement plans must be communicated to the owner in writing.
- All ARC correspondence that indicates denial or approval of submitted plans or applications, shall be drafted by the ARC, signed by a Director, and delivered by the ARC via certified mail with return receipt requested, or may be hand delivered, including a delivery receipt to be signed by the recipient.
- Any correspondence to the owner/builder by the ARC that does not include approval or denial of the owner's application, may be drafted, signed, and sent by the ARC and may be delivered via standard U.S. Mail or hand delivered.
- All return receipts and/or hand delivery receipts shall be attached to the ARC copy of the correspondence and maintained in the ARC files.

Email Correspondence

- The ARC may communicate with owners or builders via email. Such correspondence should contain material representing the position or actions of the ARC as a whole. If the nature of the email correspondence constitutes a significant event in the plan review and approval process, the email may only supplement the required written communication, which must also be provided by the times specified in the Covenants or AR Policies.
- A printed copy of all email correspondence for a property shall be maintained in the ARC files.

ARC Correspondence Log

- In the ARC file for each property/owner, the ARC shall maintain a correspondence log. This will provide both a chronology of project events and an inventory of the file. For each item of correspondence, the log should include the following:
 - Date of transmission or receipt
 - Sender (ARC, owner, builder)
 - Method of transport: mail, hand, email
 - Description (plans, letter about xxx, material sample)

Revision History

Revision	Adopted on	Description
Draft 1	28 Nov 2006	First draft of ARC policy on this topic
Draft 2	11 Dec 2006	Edited intro to Plan Review Process section so not cast in stone
Draft 3	9 Oct 2007	Clarified signatures on correspondence and certified mailing
Rev 1	16 Oct 2007	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Exterior Walls, Siding, Fascia and Garage Doors

Covenants Reference: 10 July 1997, Article VII Section 3, paragraph (b), pg 12-13

Covenants Text (applicable sentences of Section 3, paragraph b):

(b) Single-family residences, garages and utility building shall have exterior walls of masonry, real brick, real stone or approved wood siding and shall be painted or stained. Vinyl siding may be used if approved by the Committee; however, approval by the Committee will be discretionary and the Committee may consider matters relating solely to aesthetic or architectural appeal in deciding whether to grant this approval.

All garage doors shall be either wood or approved steel or vinyl and shall have electronic openers.

Covenants Reference: 10 July 1997, Article VII Section 3, paragraph (c & d), pg 13

Covenants Text (all of Section 3, paragraph c & applicable portion of paragraph d):

(c) The use of aluminum, tin or iron shall be specifically prohibited for fascia or siding on any structure. However, architectural metals or other materials, when specifically approved by the Committee, shall be permitted.

(d) ...No exposed concrete block shall be visible above grade. All exterior brick or stone facings shall be to grade...

Policy Background

The Covenants provide that the ARC can approve wood or vinyl siding, steel or vinyl garage doors, and "architectural metals or other materials" for fascia or siding. The Covenants do not specify any criteria for granting ARC approval of these items or materials. Further, these Covenant sections reference materials that are no longer in common use (e.g. tin) and they do not mention material types that have been more recently developed, are now commonly used, and would meet the design standards described by the Covenants. This policy updates the requirements for siding, fascia, and garage doors, to address these issues.

Article VII Section 3b includes a statement that "the Committee may consider matters relating solely to aesthetic or architectural appeal in deciding whether to grant this approval". Changes in Florida Statutes made in July 2007 appear to invalidate such loose criteria and instead now require specific statements of architectural criteria as the basis for the ARC to approve or disapprove improvements. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Criteria for Granting ARC Approval

The following exterior wall styles and materials shall be approved by the ARC:

Masonry - concrete block and Stucco. Painted or stained. If stucco is used, it shall be of sufficient thickness to conceal the mortar lines between the blocks after it has dried. Exposed concrete block is not allowed unless it is a high quality pre-finished architectural material intended for exterior finishes.

Real Brick - simulated brick is acceptable provided that it is composed of mineral fiber or similar material and has the appearance of real brick.

Real Stone - simulated stone is acceptable provided that it is composed of cementitious or mineral fiber or similar material and has the appearance of real stone.

Per the Covenants, exterior brick and stone finishes shall be to grade.

Siding - as described below.

Siding

The ARC shall approve siding that appears to be individual wood planks (clap-boards, bevel, or T&G), shingles, or shakes. The siding material composition may be wood, mineral fiber, metal, vinyl, or other material approved by the applicable building code, so long as it has the appearance as described above. Approved siding finishes include natural wood, stained wood, paint, or vinyl coating.

Sheet goods, like plain plywood, hardboard, or textured wood (e.g. T-111 style) paneling shall not be used for the visible finished exterior wall surface.

Fascia

The ARC shall approve fascia made of wood, metal, mineral fiber, or vinyl.

Garage Doors

The ARC shall approve garage doors of any style, type of construction, or material composition that meets applicable building codes. Per the Covenants, garage doors must have electronic openers.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	13 Nov 2007	First draft of ARC policy on this topic
Draft 2	25 Apr 2008	Second draft
Draft 3	4 June 2008	3 rd draft - clarified Siding section
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Horse Stabling on Empty Lot

Covenants Reference: 10 July 1997, Article VII Section 2, paragraph (a), pg 12

Covenants Text (all of Section 2, paragraph a):

(a) The lots shall be used exclusively for (I) single family residence purposes and related appurtenances all as provided for herein, and (II) for pasturing of horses provided, that (i) pasturing and stabling of horses for commercial use is strictly prohibited, (ii) no more than one horse per acre may be kept on any lot, (iii) without the prior written consent of the ARC, horses may not be pastured or stabled on any lot that does not already have a completed dwelling unit constructed thereon or which does not have such a completed dwelling unit constructed on an adjacent lot which is also owned by the same owner who seeks to pasture or stable a horse on the undeveloped land.

Policy Background

The Covenants require members to obtain written consent from the ARC for pasturing or stabling horses on an empty lot where the owner does not have a residence on the subject lot or on an adjacent owned lot. The Covenants do not specify any criteria for granting ARC approval. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Clarification

Some owners have interpreted the "without the prior written consent of the ARC" specification to apply to item (ii) "no more than one horse per acre may be kept on any lot". That is not correct. Item (ii) stands by itself and its limitation of "no more than one horse per acre may be kept on any lot" may NOT be altered by written consent of the ARC.

Definitions

For the purposes of this Policy, "Empty Lot" shall mean a Riverview Terrace lot where there is no completed residence constructed on that lot or on an adjacent lot owned by the same owner.

Policy

The ARC shall not grant written consent for the pasturing or stabling of horses on an Empty Lot.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	24 Oct 2007	First draft of ARC policy on this topic
Draft 2	25 Apr 2008	Second draft
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Mailboxes

Covenants Reference: 10 July 1997, Article VII Section 3e, pg 13

Covenants Text (all of Section 3e):

Mail-boxes must either conform to the exterior style and finish of the single-family residence and be approved by the Committee, or be a standard design approved by the Committee.

Policy Background

The Covenants require members to obtain ARC approval of Mailboxes. The Covenants do not specify any criteria for granting ARC approval. The Board and the ARC do not wish to define a standard design for the neighborhood. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Definitions

"Mailbox", as used in this policy, is a receptacle for the receipt and pickup of mail, normally mounted near the street, and including some type of post to place it at the correct height.

Policy Objective

The overall intent of this policy is to ensure that members do not install a Mailbox that would be objectionable to a majority of the members.

Member Application

Members may make written application to the ARC for approval of a Mailbox. The application should include the following information:

- Description of the mailbox, including shape, size, material, and color
- Description of the mounting post, including shape, material, and color

Criteria for Granting ARC Approval

Mailboxes will be approved provided that the proposed design is not wildly divergent from the style of the community or objectionable to a majority of the ARC.

ARC to Request Applications for Permission

The ARC will not proactively seek applications from members having Mailboxes that have not been reviewed and approved by the ARC.

Compliance

The ARC shall work together with the Board of Directors to enforce this policy with respect to Mailboxes that do not meet the criteria for ARC permission.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Mechanical Equipment Screening

Covenants Reference: 10 July 1997, Article VII Section 3h, pg 14

Covenants Text (a portion of Section 3h):

*Air-conditioners shall be screened by **approved** fences or shrubbery.*

Policy Background

The Covenants require members to screen air conditioning equipment with approved fences or shrubbery. The Covenants do not specify any criteria for granting ARC approval of screening materials. Although not explicitly stated, it is believed that the intent of this section of the Covenants was to require screening of exterior mechanical equipment in addition to air-conditioners, and many members have complied with that interpretation. Frequently other such equipment is in close proximity with air conditioning equipment. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Definitions

"Mechanical Equipment", as used in this policy, is exposed equipment on the exterior of any building, and visible from the street, including air conditioners, generators, water pumps, wells, valves, storage tanks of any sort, pool machinery, or any similar type of equipment.

Policy Objective

The overall intent of this policy is to consistently require that all substantial mechanical equipment is screened from view by either fencing or shrubbery.

Policy

Mechanical Equipment shall be screened from view by fencing or landscaping that meets the approval criteria specified in this policy.

Member Application

Members must make written application to the ARC for approval of Mechanical Equipment Screening. All applications for construction of a residence or other building must include a plan for screening of Mechanical Equipment associated with the building or the property. If equipment and/or screening are added to an existing residence, then the application may be made separately. In either case, the application must include the following information:

- Site plan or sketch indicating the location and type of the exposed mechanical equipment on the property
- Sketch specifying the location, quantity (e.g. number of plants) and approximate dimensions of the screening materials. The type of screening material must be specified.

Criteria for Granting ARC Approval

Building plans shall be approved only if they include a plan for screening of Mechanical Equipment as described in this policy. Plans for Mechanical Equipment screening shall be approved if they substantially screen Mechanical Equipment from view (or will when plants mature) and are constructed of landscaping or fencing materials that are, in the judgment of the ARC, reasonably compatible with

the building and the neighborhood. If a wall or fencing is used, the construction must meet the approval criteria specified in the AR Policy for Walls, Fences and Hedges.

Compliance

The ARC shall work together with the Board of Directors to enforce this policy with respect to the Screening of Mechanical Equipment that does not meet the requirements of this policy.

Revision History

Revision	Adopted on	Description
Rev 1	16 Oct 2007	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Outbuildings

Covenants Reference: 10 July 1997, Article VII Section 2c, pg 12

Covenants Text (applicable portion of Section 2c):

*...No structure of any type other than a barn or stable not attached to the main dwelling shall be permitted **except as allowed by the ARC** as defined in section 18 hereon.*

NOTE: the section 18 reference in the Covenants must be in error since that section concerns only landscaping. The proper reference should be section 16 regarding Stables.

Covenants Reference: 10 July 1997, Article VII Section 16, pg 17

Covenants Text (all of Section 16):

*All stables or barns constructed must be constructed not less than 50 feet behind the rear line of a dwelling unit and must be constructed not less than 30 feet from the rear and side lot lines not less than 40 feet from any side lot line if constructed upon a corner lot. **All stable construction plans shall require the prior written consent of the ARC.** The material and color of the stable and fencing must be compatible with those of the dwelling unit **and shall require the written consent of the ARC.***

Covenants Reference: 10 July 1997, Article VII Section 3h, pg 14

Covenants Text (applicable portion of Section 3h):

All single family residences, garages or utility buildings shall have a minimum set-back of 40 feet except Lot Number 3, Lot Number 3 shall have a minimum set-back of 25 feet....

Policy Background

Section 2c of the Covenants prohibits a detached structure of any type other than a barn or stable, except as allowed by the ARC. It is not clear in the Covenants what criteria are to be used by the ARC to approve detached structures. There are other sections of the Covenants that make mention of "Utility Buildings", but these sections are brief and not specific enough to provide ARC approval guidelines. Detached garages have already been constructed in the neighborhood. In addition, there is a conflict between the Covenants and Brevard County code concerning setbacks for barns, stables, or stalls. A clear definition of the requirements for ARC approval of outbuildings is needed. This policy specifies those requirements. Detached barns and stables are described in the Covenants. This policy will cover all detached structures, including barns, stables, and stalls. Some of the requirements for outbuildings in general, are based on specifications in the Covenants for barns and stables.

Definitions

For the purpose of this policy, "Outbuilding" is defined as any enclosed structure that is not structurally attached to the main dwelling, including a garage, storage building, shed, utility building, greenhouse, pool house, barn, stable, stall, or similar.

"Garage Outbuilding" is a detached garage or an Outbuilding used primarily to house motor vehicles.

"Small Outbuilding" is an Outbuilding measuring 15' by 20' (300 square feet) or smaller.

"Large Outbuilding" is an Outbuilding larger than a Small Outbuilding (i.e. larger than 300 square feet).

Policy Objective

The overall intent of this policy is to allow owners to build or install Outbuildings on their property that meet neighborhood and County requirements for sound construction and foundation and maintain architectural compatibility with the main dwelling and the community. The policy will approve Small Outbuildings of substantially different style or construction from the main dwelling, provided that they are reasonably screened from view by landscaping.

Member Application

Members are required to make written application to the ARC for approval to construct or install any Outbuilding. Application is required as part of an overall residence construction plan submittal, or at any other time an Outbuilding is to be erected. The application must include the following information:

- A brief description of the Outbuilding, its location and purpose, and a request for ARC approval
- A survey/site plan of the property, indicating the location of the subject outbuilding and other existing or planned buildings, driveways, and other exterior structures. Show landscaping plans, especially for a Small Outbuilding.
- Construction plans including floor plans, roof structure, elevation drawings, and foundation
- Specifications and/or samples of construction materials finish type, and exterior colors
- If the Outbuilding is a manufactured unit, these requirements may be met by manufacturer's drawings and specifications and photographs or renderings. Details of foundation and anchoring of the Outbuilding must be included.

Criteria for Granting ARC Approval

Outbuilding Setbacks - Outbuildings must meet the following setback requirements:

Building Type	Front ²	Rear	Sides	Sides, Corner Lot
Barn, Stable, Stall ¹	50' behind rear of dwelling, or 125' from front lot line, whichever is larger	50'	50'	50'
Garage Outbuilding	40'	20'	10'	15'
Other Outbuilding	30' from rear of dwelling	20'	20'	30'
Residence/Dwelling	40'	20'	10'	15'

¹ A Barn, Stall, or Stable is not permitted within 100' of any existing residence under different ownership, per Brevard County code.

² Most Riverview Terrace lots are deeper than they are wide. The specification of setbacks in the Covenants seems to presume that orientation of the property. However, there are some lots that do not fit that profile. Exceptions to the front setback requirement for Outbuildings are permitted for any lot where the width of the lot parallel to the street (from which the lot is accessed) exceeds the depth (less any conservation area at the rear) of the lot. In such cases, the front setback requirement for any type of Outbuilding shall be the same as the front setback for the dwelling and shall be no less than the setback requirements of Brevard County. Per the Covenants, the front setback for a dwelling or Outbuilding for Lot 3 is 25'.

Origin of Setbacks - The setback requirements for a Barn, Stable, or Stall are per Brevard County regulations, since County setback requirements are larger than the Barn/Stable setbacks specified in Article VII, Section 16 of the Covenants. The front setback for Other Outbuildings differs from the

"utility buildings" setback in the Covenants Article VII, Section 3h that specifies a 40' front setback for "All single family residences, garages or utility buildings..." The front setback for Garage Outbuildings is held to the same 40' as specified in that section of the Covenants. The setbacks for a Residence are included here only for completeness of the table. The front setback for a residence is as specified in the Covenants. The rear and side setbacks for a residence come from Brevard County zoning for RR-1 lots, since they are not specified in the Covenants.

Meet Zoning and Building Code Requirements - Outbuildings must meet all applicable zoning regulations and building code requirements of Brevard County. A copy of the building permit, if required by the County, must be supplied to the ARC upon receipt by the owner or builder. The copy of the permit may be provided to the ARC after ARC approval, but ARC approval is contingent upon the permit being supplied for the ARC's records.

Foundation and Anchoring - Outbuildings, whether built in place, or manufactured, must be firmly attached and/or anchored to a proper foundation, per Brevard County codes.

Construction and Building Style - The materials of construction, architectural style, colors, and trim of Outbuildings should be consistent with, or a compatible contrast with, those elements of the primary dwelling.

Garage Outbuildings that are located in front of the rear line of the main dwelling must be completely consistent in construction, style, and color with the main dwelling.

Large Outbuildings, regardless of their location, must be completely compatible with the main dwelling.

Small Outbuildings are not required to match the construction, style, color, and trim of the main dwelling provided that they are substantially screened from view from the street by the use of appropriate landscaping. The ARC may require additional screening of the building if its location and the configuration of the lot expose it to public or neighbor views. Small Outbuildings that do match the construction, style, color, and trim of the main dwelling do not require screening with landscaping.

The table below summarizes these criteria for ARC approval concerning construction type, architectural style, colors, and trim:

Outbuilding Type	Location	Style/Color	Landscape Screening
Small	Na	Not Compatible	Required by AR Policy
Small	Na	Completely consistent	Per code
Large	Na	Must be completely consistent	Per code
Garage	In front of rear house line	Must be completely consistent with main dwelling	Per code
Garage	Behind rear house line	Must be consistent or compatible with main dwelling	Per code

ARC to Request Applications for Approval

When the ARC observes the installation or existence of an Outbuilding for which there is no approved application on file, it shall be the policy of the ARC to contact the owner or builder to request that they comply with the Covenants requirement and this policy to obtain ARC approval for this activity.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with these sections of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	10 Jul 2006	First draft of this policy
Draft 2	11 Jul 2006	Corrected setbacks to match Brevard County requirements
Draft 3	9Aug 2006	Added front setback exceptions for wide shallow lots & possible additional landscape screening from other than just street view
Rev 1	9Aug 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Paint Colors

Covenants Reference: 10 July 1997, Article VII Section 3, paragraph (b), pg 12-13

Covenants Text (applicable sentences of Section 3, paragraph b):

(b) All colors shall be subject to *approval of the Committee.*

Covenants Reference: 10 July 1997, Article VII Section 24, pg 19

Covenants Text (all of Section 24):

Section 24. Exterior Paint. All exterior paint colors shall be subject to prior approval of the ARC.

Policy Background

The Covenants require ARC approval of exterior paint colors, but gives no guidance on the criteria for approval. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Policy Objective

The objective of this policy is to ensure that exterior colors used in the development are attractive and reasonably compatible, while allowing for reasonable personal expression. It is intended that only colors that would be clearly incompatible would be prohibited by the Association.

Criteria for Granting ARC Approval

Each owner must submit to the ARC a color plan showing the colors of the roof, exterior walls, shutters, trim, etc. The ARC shall approve all exterior color plans considering the extent to which the color plan is compatible with the homes in the surrounding area and the extent to which the color plan is consistent with the existing color scheme of Riverview Terrace.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	25 Apr 2008	First draft of ARC policy on this topic
Draft 2	4 June 2008	2 nd draft - changed "consistent with" to "compatible with", added Policy Objective section
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Parking and Storage Restrictions

Covenants Reference: 10 July 1997, Article VII Section 5, pg 15

Covenants Text (all of Section 5):

*No vehicles may be parked on any grassed area of the Lots. **Permission must be obtained in writing from the ARC for the parking of any commercial or recreational vehicles, trailers, boats, boat-trailers, trucks, or campers on any Lot.** Parking in the Common Areas or common parking spaces, if any, shall be regulated by the rules of the Association. There shall be no parking on the streets or the street right-of-way area, if any; provided, however, that this prohibition shall not apply to the parking or storage of any vehicles used by the Declarant during the construction of any Dwelling Unit or development of the Subdivision.*

Policy Background

The Covenants require members to obtain written permission from the ARC for the parking, on a Lot, of vehicles other than automobiles. The Covenants do not specify any criteria for granting ARC approval. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Definitions

"Non-auto Vehicles", as used in this policy, include commercial or recreational vehicles, trailers, boats, boat-trailers, horse-trailers, tractors, trucks, buses, campers, or any similar type of vehicle, excluding automobiles and non-commercial pickup trucks and SUV's.

Policy Objective

The overall intent of this policy is to ensure that stored Non-auto Vehicles do not significantly detract from the property and are not a conspicuous feature of the property when observed from the street. Concealment (screening) behind landscaping and/or fencing may be used to achieve this objective.

Member Application

It is the responsibility of the member to make written application to the ARC for permission to park Non-auto Vehicles on their Lot. The application for permission must be made on the "Parking and Storage Request" form attached to this policy and must include all of the information requested on that form.

Criteria for Granting ARC Permission

Non-auto Vehicles:

- may not be parked in front of the residence or in the driveway
- may not be parked between the Lot boundaries and the applicable building setbacks
- must be parked on a dedicated paved or surfaced area of suitable size that is not grass. Mulch, asphalt, gravel, pavers, or similar pad materials are acceptable.
- may not exceed the following dimensions: 40' length, 15' width, 15' height, unless the vehicle is completely blocked from view from the street and adjoining Lots

- must be parked in a location that provides screening of the vehicle on 3 out of 4 sides, or approximately $\frac{3}{4}$ of a circle (or 270 degrees) around the vehicle. Screening may be any of the following: residence, garage, other approved buildings, trees, plants or landscaping, or approved opaque fence types as described in the Walls, Fences and Hedges AR Policy. Landscape and fence screening must be a minimum of 3 feet high when installed. Though not required, screening higher than 3 feet is encouraged for taller vehicles. If described on the submitted plan, screening features (e.g. trees, fence) on an adjacent lot may be considered as part of meeting this screening requirement.

Boats must be trailerable and parked on a trailer appropriate for the type of boat. Covered vehicles must use a fitted cover. Unfitted general use tarps are not acceptable.

Exceptions not requiring specific ARC Permission

The following situations do not require ARC permission:

- Occasional or infrequent parking of Non-auto Vehicles - limited to no more than ten (10) days per year per lot
- Non-auto Vehicles parked inside a permitted garage or other structure so that the vehicle is completely screened from view

Duration of ARC Permission

ARC permission for parking of a Non-auto Vehicle on a Lot shall be effective until the lot is transferred to another owner, or the ARC revokes such permission in writing, whichever occurs first. It shall be the policy of the ARC not to revoke permission so long as the vehicle description, parking area, and other conditions described at the time the application was approved, remain substantially unchanged.

ARC to Request Applications for Permission

When the ARC observes storage of Non-auto Vehicles on Lots that do not have permission on file, it shall be the policy of the ARC to contact the owner to request that they comply with the Covenants requirement to obtain written ARC permission for this activity.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Draft 2	14 Jun 2006	Except pickups and SUV from definition of "trucks"
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board
Rev 2	16 Oct 2007	Added "Parking & Storage Request" application form. Clarified "substantial screening" requirement to 270 degrees, min. 3' high, deleted "view from street".

Parking and Storage Request

Covenants Reference: Article VII, Section 5

Architectural Review Policy Reference: Parking and Storage Restrictions

(Commercial or recreational vehicles, trailers, boats, boat-trailers, horse-trailers, tractors, buses, trucks or campers, etc)

Date _____ Homeowner Name _____

Lot #: _____

Property Address: _____

Type of Vehicle _____

Dimensions: Width _____ Length _____ Height _____

Description of vehicle _____

(include photo)

Description of surface where vehicle will be parked

Size _____

Material _____

Measurements showing the location of the vehicle in relation to Brevard County setbacks from lot boundaries

Include with request form: a site plan or sketch showing the lot, buildings and proposed location of the vehicle. Site plan must also show existing or planned landscaping and/or fencing to be used to shield the vehicle from view.

Briefly describe the screening elements- type, number, material, spacing, etc.

Date ARC Received _____ Initial _____

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Play Structures

Covenants Reference: 10 July 1997, Article V Section 1, pg 9

Covenants Text (all of Section 1):

No building or modification or addition thereto, fence, wall, pool, landscaping or other structure shall be commenced, constructed, erected or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein be made to the Lot or Dwelling Unit unless it is (1) in compliance with all applicable zoning codes; (2) other applicable regulations; and (3) unless and until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to the harmony of external design and location in relation to surrounding structures and topography by the Architectural Review Committee (ARC).

Policy Background

The above section of the Covenants requires members to obtain ARC approval of any exterior structure. The Covenants do not discuss or specify any criteria for granting ARC approval for Play Structures or similar items. The purpose of this policy is to provide a consistent basis for the determination of ARC approval of Play Structures in most circumstances.

Definitions

"Play Structures", as used in this policy, shall mean any platform, playhouse, swing set, exercise equipment, doghouse, or any structure similar in nature.

Policy Objective

The overall intent of this policy is to ensure that members can place and maintain reasonable Play Structures on a Lot in locations that do not unduly intrude on the surrounding properties.

Member Application

Members have the option to make application for approval of Play Structures, but shall not be required to do so. An application is not required by the ARC, provided that the criteria in this Policy are met in the installation of any Play Structures on the Lot. If submitted, the application should include the following information:

- Description of the Play Structure items, including type, shape, size, material, and color, and quantity
- Location of the Play Structures, shown on a site plan or sketch of the property

Criteria for Granting ARC Approval

Play Structures will be approved provided that they are located behind the residence or are otherwise not a prominent feature of the property when viewed from the street. Garish colors, extremely large items, or an excessive quantity of Play Structures will not be approved or permitted. Play structures intended or used for any commercial purpose whatsoever will not be permitted.

ARC to Request Applications for Permission

The ARC will not proactively seek applications from members for Play Structures. Application for ARC approval of Play Structures is optional.

Compliance

The ARC shall work together with the Board of Directors to enforce this policy with respect to Play Structures that do not meet the criteria for ARC approval.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: **Roofs**

Covenants Reference: 10 July 1997, Article VII Section 3, paragraph (a), pg 12

Covenants Text (all of Section 3, paragraph a):

(a) Single-family residences, garages and utility building shall have roofs of dimensional asbestos shingle or dimensional asphalt shingle (with a grade weight of no less than 240 pounds), wood shingle, tile, or clay tile, or other material approved for architectural reasons; provided, however, that roofs on outdoor patios, pools, and greenhouses may be of other materials if permitted by the Committee. No three-in-one tab shingles are permitted.

Covenants Reference: 10 July 1997, Article VII Section 3, paragraph (b), pg 12-13

Covenants Text (applicable portions of Section 3, paragraph b):

Roofs shall be of "hip" or "gable" design, with a minimum pitch of 5/12, unless specifically otherwise approved for architectural reasons. Lower pitches for porches or decks will be considered. Variations of this requirement may be permitted in the discretion of the Committee if a Lot owner desires to architecturally conform the garage or utility building to the design of the single-family residence to which the intended construction is appurtenant; provided, however, that in every event of residential construction there shall be constructed concurrently therewith an enclosed garage with a capacity for no less than two automobiles.

Policy Background

The Covenants provide that the ARC can approve other roofing styles and materials and that the ARC can permit other materials specifically for roofs on outdoor patios, pools, and greenhouses. The Covenants do not specify any criteria for granting ARC approval. The Covenants allow the use of asbestos shingle. Law now prohibits this material. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

Policy

It shall be the policy of the ARC not to restrict the design (roof type), roof pitch, roofing materials style, or composition of roofing materials. As allowed by the Covenants, the ARC shall grant approval for any roof to be constructed on any approved structure (residence, garage, patio, porch, pool, outbuilding) where the submitted roof plans and specifications meet applicable building codes and are validated by the issuance of a building permit. However, the ARC may disapprove a roof design that employs more than 3 different roof styles, material types, or material compositions. As specified in the Covenants, no three-in-one tab shingles are permitted.

Approved Roof Styles

Hip, Dutch hip, gable, flat, shed, gambrel, mansard, and other styles allowed by the applicable building codes.

Approved Roofing Material Types

Shingles, Shakes, Tile, Sheet metal, Built-up, and other types allowed by the applicable building codes. Three-in-one tab shingles are not permitted.

Approved Roofing Material Composition

Mineral fiber/asphalt, Wood, Clay, Stone, Concrete, Steel, Aluminum, Copper, Bronze, Metal alloys, and other materials allowed by the applicable building codes.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	13 Nov 2007	First draft of ARC policy on this topic
Draft 2	25 Apr 2008	Second draft
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Signs

Covenants Reference: 10 July 1997, Article VII Section 12, pgs 16-17

Covenants Text (all of Section 12):

Section 12. Signs. No commercial signs or other signs shall be erected or maintained on any Lot or Dwelling Unit except with the written permission of the Association or except as may be required by legal proceedings, it being understood that the Association will not grant permission for said signs unless their erection is reasonably necessary to avert serious hardship to the property owner. Such prohibition shall not apply to common commercial real estate signs advertising that a particular Lot or Dwelling Unit is for sale provided that such signs are not illuminated and do not exceed four (4) square feet. If permission is granted for any other signage, the Association shall have the right to restrict size, color and content of such signs. Property identification and like signs exceeding a combined total of more than two (2) square feet may not be erected without the written permission of the Association. These restrictions shall not apply to restrict the Declarant or its agents from erecting such signs as the Declarant deems in its sole discretion to be necessary to assist the Declarant in selling any Lot or Dwelling Unit, or other portion of the Property.

Policy Background

The Covenants stipulate that commercial or other signs require written permission from the Association. It specifically states that real estate signs of four square feet or less does not require this permission. It does not specify any criteria for Association approval of other types of commercial signs or for property identification and similar signs of two square feet or less. The purpose of this policy is to provide a consistent basis for the determination of Association approval in most circumstances.

Signs Not Requiring Approval

This section is a clarified and expanded statement of policy for signs not requiring written approval of the Association. The following types of signs do not require written permission from the Association:

- Common commercial real estate signs advertising that a Lot or Dwelling Unit is for sale, provided that the sign is no larger than four (4) square feet and is not illuminated
- Property identification (address, house name, owner name) and similar signs not exceeding a combined total of more than two (2) square feet
- Signs required by legal proceedings
- Signs typically used to identify contractors or services related to construction of property improvements. Such signs may only be posted during construction and must be removed immediately upon completion of construction or occupation of the dwelling.
- Signs erected by Declarant (John Kalimnios and Themistocles Kalimnios) to sell any property in the subdivision

Signs Requiring Approval

As specified by the Covenants, any sign other than those allowed above, shall require the written permission of the Association. This policy clarifies that requirement to mean that the member must make application to, and receive approval from, the ARC prior to placing any such sign on their Lot or anywhere within the subdivision. The member application to the ARC shall include a description of the size, design, and content of the desired sign, the reason the sign is required, and the planned duration.

Criteria for Granting ARC Approval

Per the Covenants, the criterion for approval by the ARC is that a sign is reasonably necessary to avert serious hardship to the property owner. The ARC will employ its best judgment in each case to determine if the circumstances meet this criterion for approval.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	25 Apr 2008	First draft of ARC policy on this topic
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Swimming Pools

Covenants Reference: 10 July 1997, Article VII Section 3k, pg 14

Covenants Text (all of Section 3k):

*The construction of swimming pools will be constructed pursuant to codes, rules and regulations of Brevard County **and in addition approved by ARC.***

Policy Background

The Covenants require members to obtain ARC approval of Swimming Pools. The Covenants do not specify any criteria for granting ARC approval. The purpose of this policy is to provide a consistent basis for the determination of ARC approval.

Policy Objective

The ARC requires that all swimming pools (with the exception of small, temporary, children's play pools) must be of in ground construction. Other than this requirement, the overall intent of this policy is to defer to the Brevard County process for approval of swimming pools, as described in the Covenants.

Member Application

Members must make written application to the ARC for approval of a Swimming Pool. Usually the application is part of an overall residence building plan submittal. If a pool is to be added to an existing residence, then the application for the pool may be made separately. The application should include the following information:

- Drawings of the Swimming Pool and related structures (decks, fence, etc.) suitable for submittal for a Brevard County building permit. The drawings must show the pool in relation to the buildings on the property and to the property boundaries.
- Upon receipt of the required swimming pool permit from Brevard County, a copy of the permit must be provided to the ARC.

Criteria for Granting ARC Approval

The ARC will approve any Swimming Pool that meets the building requirements, rules and regulations of Brevard County pertaining to swimming pools and that is constructed in ground. No above ground pools shall be approved. Plans submitted to the ARC prior to permitting (typical), will receive ARC approval conditioned on the owner or builder obtaining the applicable swimming pool permits from Brevard County and providing a copy of same to the ARC.

ARC to Request Applications for Permission

When the ARC observes a Swimming Pool on a Lot that does not have ARC approval on file, it shall be the policy of the ARC to contact the owner to request that they comply with the Covenants requirement to submit plans, obtain ARC approval, and provide a copy of the Brevard County permit. The use of small, temporary, children's play pools do not require an application or ARC approval.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Draft 2	12 Jun 2006	Add ok of play pools, prohibit above ground pools
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Tree Removal

Covenants Reference: 10 July 1997, Article VII Section 3g, pg 13

Covenants Text (portion of Section 3g):

...No trees outside of 15 feet of the footprint of the building may be removed without approval. Preservation of natural plantings is encouraged. Landscaping shall include at least eight trees of eight foot height each, distributed upon the entire lot. A maximum of four palm trees and four pine trees may be used to satisfy the eight tree requirement.

Covenants Reference: 10 July 1997, Article VII Section 19, pg 18

Covenants Text (all of Section 19):

Trees situated on any lot between building set back lines and property lines having a diameter of four inches (4") or more, measured four and a half feet (4'-6") from natural grade, may not be removed, excluding undesirable species, 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).

Covenants Reference: 10 July 1997, Article VII Section 20, pg 18

Covenants Text (all of Section 20):

Before clearing lot or cutting any trees, you should get the necessary permit from Brevard County.

Policy Background

The above sections of the Covenants, taken together, require members to obtain ARC approval of any tree outside of 15 feet of the footprint of the building. They also essentially require that the area between the set back lines and the property boundaries not be cleared of trees larger than 4". Note that these two requirements are not consistent. The 15 foot requirement does not specify any size of tree requiring ARC approval to remove. The "buffer area" requirement allows for removal of trees smaller than 4" without ARC approval, but that is contradicted by the requirement for ARC approval to remove any tree 15 feet outside the footprint of the building.

The RTHOA has learned that Brevard County requires a permit, as part of the building permit, to clear the lot for building. They require that any lot that is one acre or more must be 25% preserved (including existing trees). Following the initial clearing, new rules apply. Thereafter, the cutting of any tree (live or dead) requires a permit unless the tree is a hazard. To the County, a hazard could be from a tree at risk of falling, or a diseased tree. The County does not require a permit to cut "hazard" trees.

The Covenants have contradictory requirements for approval of tree removal and they do not specify any criteria for granting ARC approval for the removal of trees. The purpose of this policy is to clarify the requirements in the Covenants and to provide a consistent basis for the determination of ARC approval of tree removal in most circumstances.

Definitions

For the purpose of this policy, "Trees" are defined as trees, that are not Undesirable species and that are larger than 6" in diameter measured at four and one half feet (4'-6") from natural grade.

"Undesirable trees" are only those so designated by Brevard County: Brazilian pepper, Australian pine and Melaleuca.

"Building Footprint" is defined as that area where any ARC approved and Brevard County permitted building, swimming pool, patio, deck, barn, stable, outbuilding, driveway, or parking area is or will be located.

"Lot Perimeter" is defined to be the area between the property boundaries and the set back lines as defined by the Covenants, or Brevard County requirements, whichever is larger.

Policy Objective

The overall intent of this policy is to clarify and administer the intent of the Covenants to retain the natural Trees in the areas 15 feet from the Building Footprint and/or in the Lot Perimeter.

Member Application

No ARC application is required to be submitted to clear or remove any trees (including Trees as defined here) from the Building Footprint including the area 15' out from all sides of the Building Footprint.

No ARC application is required to remove Undesirable trees, dead Trees, diseased Trees, or small trees (under 6" diameter).

Members are required to make written application to the ARC for approval to remove any Trees outside of 15' from the Building Footprint. Application is required as part of an overall residence construction plan submittal, or at any other time Tree removal is desired. The application must include the following information:

- A formal tree survey with exact sizes and locations of each Tree is not required.
- A survey/site plan of the property must be submitted, indicating the subject Trees (those to be removed), other Trees (that will remain), buildings, driveways, and other exterior structures, if any. The plan should note species, quantity and size of Trees to be removed and Trees that will remain after clearing. If there are large quantities of trees in certain areas, the plan can show the location of the group of trees and a description of the approximate quantity and sizes of trees in the group. The site plan must clearly show the Lot Perimeter, as defined here.
- The plan must include a calculation of the percentage of the lot area that will be left in a natural state, including natural trees of all sizes, after the requested Tree removal
- The plan is not required to show Trees located inside or within 15' of the Building Footprint.
- The application must include an explanation of the reason for the removal of Trees

Criteria for Granting ARC Approval

The ARC will approve the requested removal of Trees outside of 15' of the Building Footprint provided that the removal does not reduce the area of naturally retained trees and vegetation to less than 25% of lot area.

Exceptions not requiring specific ARC Approval

By this policy, provided that a proper permit is obtained from Brevard County, ARC approval is automatically granted for the removal of Trees inside of, and within 15' of, the Building Footprint, without the requirement for application to the ARC.

No ARC approval is required to remove Undesirable trees, dead Trees, diseased Trees, or small trees (under 6" diameter).

ARC to Request Applications for Approval

When the ARC observes the removal of Trees on Lots that do not have an approved application on file, it shall be the policy of the ARC to contact the owner or builder to request that they comply with the Covenants requirement and this policy to obtain ARC approval for this activity.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with these sections of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft 1	10 Jul 2006	First draft of AR policy on this topic
Draft 2	7 Aug 2006	Added percentage of natural area calc to application requirement
Rev 1	9 Aug 2006	First revision adopted by resolution of the Board

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Walls, Fences and Hedges

Covenants Reference: 10 July 1997, Article VII Section 8, pg 15

Covenants Text (all of Section 8):

*No wall, fence or hedge shall be erected, placed, altered, maintained or permitted to remain on any Lot unless and until the height, type and location thereof have been **approved by the ARC** in accordance with Article V hereof.*

Covenants Reference: 10 July 1997, Article VII Section 3i, pg 14

Covenants Text (all of Section 3i):

No fence, wall, hedge or shrub planting that obstructs sight lines at elevations between 4 feet and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at a point 4 feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge or a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

Policy Background

The Covenants require the height, type and location of any wall, fence, or hedge to be approved by the ARC. The Covenants do not specify any criteria for granting ARC approval of a wall, fence, or hedge. The purpose of this policy is to provide a consistent basis for the determination of ARC approval in most circumstances.

It is noted that the Covenants Article VII Section 8 includes "...in accordance with Article V hereof." Article V is the general Article titled "Architectural Control" that requires owner submittal and approval of all building plans. This applies to most sections of Article VII and therefore has no added significance in Section 8 or to the clarification of Section 8 requirements contained in this policy.

Policy Objective

The overall intent of this policy is to ensure that members can place and maintain a wall, fence, or hedge on their Lot so that it will be reasonably consistent with others in the neighborhood.

Member Application

Members must make written application to the ARC for approval of walls, fences and hedges. The application must be made on the "Application for Walls, Fences, Hedges" form attached to this policy and must include all of the information requested on that form. All applications for construction of a residence including walls, fences or hedges must include the application form for these items. If walls, fences or hedges are added to an existing residence, then an application may be made separately

Criteria for Granting ARC Approval

Walls, Fences and Hedges:

- May not be located between the front of the residence and the street, except for the following "transparent" styles: split rail, split rail with wire mesh, or wrought iron. On a corner lot, this restriction applies to both of the residence "fronts" that face the adjacent streets.
- May not be located so as to obstruct corner sight lines as required by Article VII, Section 3i
- May not be located in Conservation Easement areas
- May not be located so as to obstruct views of wetland or lake areas from the street or neighboring Lots.
- Must be in compliance with city building and landscaping codes.
- If chain link, must be 4 feet or less. Other types of fences, walls or hedges must be 6 feet tall or less.
- May not include barbed wire or any similar material
- May not be electrified
- If other than a hedge, owners are encouraged to include some form of landscaping along extended lengths of wall or fence to mitigate the visual effect of a long bare structure.
- Must conform to the approved Styles, Materials and Finishes shown in the table below

Style	Materials	Finishes
Stockade	Wood, vinyl	Stained, painted, vinyl color
Shadow box	Wood, vinyl	Stained, painted, vinyl color
Picket	Wood, vinyl	Stained, painted, vinyl color
Split rail	Wood, vinyl	Natural, stained, painted, vinyl color
Split rail with wire mesh	Wood, vinyl, metal wire	Natural, stained, painted, vinyl color
Wrought iron	Appropriate metal	Painted, metal powder coated
Chain link	Vinyl coated metal only	Black, Brown, or green vinyl
Wall	Block and stucco (CBS), siding to match house, decorative pre-finished block, brick	Painted, vinyl color, or natural for pre-finished block or brick
Landscape Hedge	Various hedge plants	Does not apply

ARC to Request Applications for Permission

When the ARC observes construction or alteration of walls, fences or hedges on Lots that do not have ARC approval on file, it shall be the policy of the ARC to contact the owner to request that they comply with the Covenants requirement to obtain written ARC approval for this activity.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this section of the Covenants and this policy.

Revision History

Revision	Adopted on	Description
Draft1	2 Oct 2007	First draft of ARC policy on this topic
Draft2	9 Oct 2007	2 nd draft: add application form, clarify no fence at front, clarify corner restriction to ref Covenants 3i
Rev 1	16 Oct 2007	Added brown chain link. Prohibit chain link in front of house. First revision adopted by resolution of the Board.

Application for Walls, Fences, Hedges

Covenants Reference: Article VII, Section 3i and Section 8

Architectural Review Policy Reference: Walls, Fences and Hedges

Date Submitted _____ Homeowner Name _____
 Lot #: _____
 Property Address: _____

Attach to this form: a site plan showing the lot, buildings, driveways and other prominent features of the property. On the site plan, show the location and dimensions of the planned walls, fences or hedges.

Description of Wall, Fence or Hedge: (attach sketch or photo if available)

Check the Style of the Wall, Fence or Hedge:

- | | | |
|---|--|---|
| <input type="checkbox"/> Stockade fence | <input type="checkbox"/> Split rail fence | <input type="checkbox"/> Chain link fence |
| <input type="checkbox"/> Shadow Box fence | <input type="checkbox"/> Split rail fence with wire mesh | <input type="checkbox"/> Wall |
| <input type="checkbox"/> Picket fence | <input type="checkbox"/> Wrought iron fence | <input type="checkbox"/> Landscape Hedge |

Description of Materials of construction, Finishes, and Colors: (attach color sample)

Dimensions: Width _____ Length _____ Height _____

For Hedges only:

Types of plants	
Interval between plants	
Number of plants	
Height at planting	
Expected height at maturity	

Date ARC Received _____ Initial _____

Riverview Terrace Homeowner's Association Architectural Review Policy

Policy Title: Window Coverings

Covenants Reference: 10 July 1997, Article VII Section 14, pg 17

Covenants Text (all of Section 14):

No reflective foil, tinted glass, sheets, newspapers or any other similar material shall be permitted on any windows except for tinted bronze glass and any such installation shall require approval of the ARC.

Policy Background

The Covenants prohibit tinted glass and require ARC approval of tinted bronze glass windows. The Covenants do not specify any criteria for granting ARC approval. Today, to promote improved energy efficiency, reflective and tinted glass windows are commonplace and generally accepted. There are currently reasonable color choices other than bronze available for tinted window glass, gray for example. The purpose of this policy is to approve the use of reflective or Tinted Window Glass and to affirm compliance with the prohibition of the other "applied" types of window coverings.

Definitions

"Tinted Window Glass", as used in this policy, means window glass manufactured with a color tint rather than clear and/or with a reflective coating.

Policy - any commercially available tinted glass is acceptable

By this policy, the ARC hereby approves of the used of Tinted Window Glass in any commercially available color tint.

Policy - other windows coverings prohibited by Covenants

It shall be the policy of the ARC to ensure compliance with the prohibition of reflective foil, sheets, newspapers or any other similar material, including separately applied plastic window tint material.

Member Application

No application is necessary to use Tinted Window Glass in the construction of a building. No Tinted Window Glass specification is required on plans submitted for ARC approval.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this policy as it concerns the remaining prohibited window coverings.

Revision History

Revision	Adopted on	Description
Draft 1	30 May 2006	First draft of ARC policy on this topic
Rev 1	14 Jun 2006	First revision adopted by resolution of the Board

Other Rules and Regulations

This section contains the adopted Rules and Regulations that do not concern the Architectural Review process.

Rule Title: Use of Lakes

Definitions

"Lake" or "Lakes" shall be the water retention areas in the Riverview Terrace subdivision designated on the Plat as Lake Tract A, Lake Tract I, and Lake Tract J.

NOTE: Other wetland areas in the subdivision, designated Conservation Areas (Tracts C, D, E, F, G, and H), are not Lakes under this rule, and may not be used for boating or any other purpose.

"Waterfront Lot" is a property owned by a Member that shares a property line with one of the three Lake Common Area properties.

Member Access to Lakes

Owners of Waterfront Lots have direct access to the adjacent Lake via their Lot.

Access to Lakes for ALL Owners is as follows:

Lake Tract J - access via street right of way on the East/West portion of Pawpaw Lane

Lake Tract I - access via Access Easement #15 that is Common Area owned by RTHOA

Lake Tract A - access via Access Easement #28 that is Common Area owned by RTHOA and rights of way for Cortez Way and Rose Way connecting to Hacienda Drive.

Use of Lakes

- Only man-powered, wind propelled or electrically powered boats may be used on any Lakes.
- Responsible fishing is permitted in the Lakes.
- Only members and their guests, may use the Lakes, whether for boating, fishing, or any other permitted use.
- It is expected that members and guests will conduct themselves in a safe and responsible manner when using the Lakes.
- Members using the Access Easements to access a Lake must remain within the boundaries of the Access Easement for ingress and egress. It is the Member's responsibility to know where these boundaries are and not to trespass on other Member properties.

Docks

Members wishing to construct or modify a dock that extends into a Lake on their Waterfront Lot must submit plans to, and obtain prior written approval by, the ARC. The member must also obtain required permits from the Saint John's River Water Management District and any other applicable governing agencies.

Docks extending more than twenty feet (25') into the Lake, from the Lake Tract property line, shall not be allowed.

The width of a dock (the dimension parallel to the shoreline) shall be no more than 20% of the Lot dimension that parallels the shoreline where the dock is placed.

Compliance

The ARC shall work together with the Board of Directors to employ available remedies to obtain member compliance with this policy.

Revision History

Revision	Adopted on	Description
Draft 1	25 Apr 2008	First draft of ARC policy on this topic
Draft 2	4 June 2008	2 nd draft - added non-waterfront member access sections
Rev 1	11 June 2008	First revision adopted by resolution of the Board

Resolution by the
Board of Directors of the
Riverview Terrace
Homeowner's Association, Inc.



RTHOA

WHEREAS, the Board of Directors met on the 22nd day of May, 2023 at a duly convened Board Meeting to discuss rules governing the audio and video recording of meetings of the Board of Directors, committees, and the membership; and

WHEREAS, Fla. Stat. 720.306(10) provides that members have the right to audio record or videotape meetings of the Board of Directors and meetings of the members. The statute also provides that the Board of Directors may adopt reasonable rules governing the recording of meetings of the board and the membership.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as to the adoption of the following Rule concerning audio and video recordings and the use of recording equipment at Board Meetings, Committee Meetings and Members Meetings:

- 1) Any person intending to record or to use recording equipment that gives the appearance of recording a meeting must disclose their intention to all attendees either in advance of the meeting or at the beginning of the meeting.
- 2) Video recording equipment must be assembled and placed in a fixed position at least five (5) minutes prior to the commencement of the meeting. The equipment must be assembled facing the Board of Directors and placed at a location:
 - (A) at the right or left side of the meeting room and
 - (B) in front of all member attendees, i.e. inline with or forward of the front row of member seats.
- 3) The recording or the use of recording equipment that gives the appearance of recording of meetings must not interfere with the meeting. Recording equipment which produces distracting sounds or light is prohibited. Any person recording a meeting or giving the appearance of recording shall not move about the meeting room in order to facilitate recording. Video recording equipment must remain at the fixed position and facing the Board of Directors at all times throughout the duration of the meeting.
- 4) Any violation of the above will be deemed a violation of the rules and regulations of the Association. A member violating the above rules may be subject to fines by the Association or other available remedies at law.

ADOPTED by the Board of Directors at a duly convened meeting on this 22nd day of May, 2023.

Riverview Terrace Homeowner's Association, Inc.

 /S/ M Bonner
Witness

By: /S/ Patrick Ripton
President

 /S/ G Hinckley
Witness

Attest: /S/ Randy James
Secretary