



# JAMES LANDING SUBDIVISION

## DESIGN STANDARDS MANUAL

**Enforcement of these standards is authorized and required by  
the James Landing Deed Restrictions,  
Section 1.11 and Article XVI.**

Copies of this document may be requested at any JLPOA meeting. A nominal fee is charged, to cover printing costs.

First Revision	November, 1994	Sixth Revision	February, 2000
Second Revision	December, 1995	Seventh Revision	March, 2003
Third Revision	June, 1996	Eighth Revision	April 24, 2003
Fourth Revision	July, 1999	Ninth Revision	August 27, 2003
Fifth Revision	August, 1999	Tenth Revision	March 1, 2016
		Eleventh Revision	September 19, 2018

# James Landing Design Standards Manual (Revision 11)

## **Preface:**

Members of the Design Review Board are appointed by, and responsible to the James Landing Property Owners Association Board of Directors. (Deed Restrictions 1.11 and 12.2)

### Purpose and Function of Design Review Board (Deed Restrictions 12.3)

The purpose and function of the Design Review Board shall be to create, establish, develop, foster, maintain, preserve and protect within James Landing a unique, attractive and harmonious physical environment grounded in and based upon a uniform plan of development and construction of the highest quality and with consistently high architectural and aesthetic standards.

The Design Review Board is authorized, enabled, and otherwise guided by the following Articles of the Deed Restrictions, as well as other pertinent sections.

ARTICLE IV	PERMITTED USES
ARTICLE V	RESTRICTIONS ON IMPROVEMENTS
ARTICLE XII	ARCHITECTURAL AND LANDSCAPE CONTROL
ARTICLE XVI	ENFORCEMENT

This Design Standards Manual is authorized and required by the James Landing Deed Restrictions (section 1.12), as amended. This Revision of the James Landing Design Standards Manual was reviewed and approved by, and is published by the James Landing Property Owners Association, Inc. (JLPOA). This revision replaces all prior issues of this document.

# **James Landing Design Standards Manual (Revision 11)**

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## **I. Design Review**

(1) Except for repair and restoration of Improvements to their pre-existing condition, no construction or exterior alteration or painting of buildings, utilities, signs, pavement, fencing, landscaping, and other Improvements may be initiated, without the review and prior written approval of the plans and specifications for such construction or alteration by the Design Review Board. The procedure for submission and the content of such plans shall be in conformity with planning and design criteria promulgated and amended from time to time by the Design Review Board as outlined in this Design Standards Manual.

(2) One set of plans and specifications shall be submitted to the Design Review Board showing all intended construction and alterations on the subject Lot, including but not limited to site plan, tree survey, landscape plan, sidewalk construction, exterior elevations, paint colors, shingle samples, exterior materials samples, and other descriptions necessary to describe the project. Plans and specifications in regards to topography and finished grade elevation must also be submitted for approval by the Design Review Board prior to the commencement of any excavation work or activity which will alter the existing topography of the Lot. The Design Review Board shall notify the Lot Owner, in writing, within thirty (30) days of receipt of all required evidence, of the Design Review Board's approval or disapproval of any project. Said written notice may be signed by any one member of the Board. If the evidence required by the Board is not included with the original submission, then submission will be deemed incomplete.

(3) The plans, specifications, and location of all contemplated construction shall be in accordance with the terms hereof and with all applicable codes, and ordinances of the local governing agency issuing permits for construction or land alteration in effect at the time of such proposed construction or alteration. The Design Review Board shall have the right, in its sole discretion based on this Design Review Manual and the Covenants and Restrictions, to approve or disapprove any Lot improvement, including but not limited to building, fence, wall, screened enclosure, grading, floor elevation, drainage plan, mailbox, solar energy device or object, yard decoration, or other improvement, whether as new construction or additions, modifications or alterations to Lots.

(4) Approval of plans, specifications and other materials, whether by the Design Review Board or the Board, shall be effective for one (1) year from the effective date of such approval. If construction of the building, structure or other Improvement for which plans, specifications and other materials have been approved, has not commenced within one (1) year period, such approval shall expire and no construction shall thereafter commence without a resubmission and approval of the plans, specifications and other materials previously approved. Any such prior approval shall not be binding upon the Design Review Board in any respect.

## **II. Design Standards**

### **1. Clearing:**

(a) It is the intent of the Design Review Board to maintain as much of the natural wooded character of each lot as reasonably possible. Existing trees and vegetation are to be preserved

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when possible and incorporated in the final landscaping plan. All areas not left in their natural state and that are cleared shall be sodded or replanted.

(b) If any unauthorized clearing takes place on any Lot, restoration of said Lot to its original condition must be made. The restoration plans as to location of plant material, size, and type must be submitted to the Design Review Board for approval. If the Owner of any Lot (or his contractors, agents or invitees) that has been cleared without written authorization of the Design Review Board fails to restore said Lot or any common areas damaged by the Owner (or his Contractors, agents or invitees) within fifteen (15) days of receipt of written notice from the Design Review Board, then the Design Review Board may make such restoration; the cost of which shall be a lien against the Lot and a debt of Owner which may be enforced in the same manner as enforcement of Assessments as set forth in the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for James Landing.

### **III. Landscaping**

(1) All landscaping must conform to all codes and requirements of the local governing agency. A landscape plan must be submitted to the Design Review Board for approval prior to construction.

(2) No existing living tree greater than four (4) inches caliper, measuring three (3) feet above the ground, shall be removed from any Lot for any reason except disease, or posing a threat to property.

(3) A minimum of three (3) native trees are required to be planted for each residence. At least one of these trees must be planted in the front set back area of each residence. These trees shall be a minimum of 8' to 10' in height and have a drip line of a minimum of 3'. The trees shall remain perpetually on each lot. In the event they die either by disease or neglect they shall be replanted with the same or similar type of tree to comply with these minimum requirements. Upon notification by the Homeowners Association and/or the City of Melbourne each homeowner shall have thirty (30) days to replant/replace said trees required under these restrictions. Credit for trees can be given by the Design Review Board for existing native trees that are used in the final landscaping plan of each residence.

(4) All lots shall be fully sodded with a variety of St. Augustine sod. The sprinkler system shall be kept in working order and the sod shall be kept in a condition consistent with the neighborhood. If sod becomes diseased or dies it shall be promptly replaced.

### **IV. Roofs, Shingle Material and Exterior Elevations:**

(1) No primary portion of straight gable or hip roofs may be built with a pitch lower than 5/12. All roofs shall be pitched except for those areas over porches and patios.

(2) The type, color, and style of all shingle and roof covering materials must have written approval of the Design Review Board prior to installation. Shingles must be fungus-resistant 240 lb. architectural grade dimensional shingles, or higher quality.

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(3) Galvalume or Aluminum METAL roofing is permitted in panel metal or stamped metal (shingle, slate, shake or barrel tile) in colors other than mill (silver unpainted). Stone coated metal and 5-V crimp are prohibited based upon appearance, product history and algae accumulation.

(4) The Design Review Board may reject any exterior elevation based on the roof line, shingle type or exterior elevation appearance that in its judgment is not within character in keeping up with the standards of the subdivision.

### **V. Exterior Covering, Siding and Paint:**

(1) There shall be no artificial brick or stone, aluminum, vinyl or other siding materials used on the exterior of the buildings or other structures without first receiving written approval of the Design Review Board as to type, color, and texture of the material.

(2) All paint used on the exterior body of any residence shall be subdued in its tone. Colors should be selected to harmonize with the natural environment of the subdivision. They should not be bright or stand out. No more than one paint color may be used for the body of each residence and no more than two accent trim colors. Paint colors shall be submitted for approval prior to being applied on any residence.

### **VI. Garage Doors:**

All garage doors shall be of wood or steel construction and shall be decorative in design to complement the exterior elevation of each individual residence. Garage doors should remain closed when not in use.

### **VII. Dwelling Size:**

The ground floor of the main structure exclusive of any open porches, patios (enclosed or otherwise), breeze-ways and garages, shall not be less than 1,200 square feet for a one-story dwelling and not less than 1,000 square feet for the ground floor of a dwelling of one and one-half or two stories. Each residence shall have an enclosed garage for a minimum of two cars. No carports shall be permitted.

### **VIII. Building Location:**

No building, other than that allowed by City of Melbourne Code, shall be located on any Lot nearer than 25 feet to the front Lot line and no building shall be located nearer than 5 feet to an interior Lot. For all lots that border along the west and south subdivision property lines (i.e. Lots 1 through 6, and Lots 29 through 43, Block 2; and Lots 1 through 4, Block 4), no building shall be located nearer than 25 feet to the rear subdivision property line. For the purpose of this manual, eaves, concrete slabs, steps and open porches shall not be considered as a part of the building; provided, however, that this shall not be construed to permit any portion of a building on a Lot to encroach upon another Lot. If there is any conflict between this covenant and zoning regulations of the proper governing authority said zoning regulations shall apply.

### **IX. Post Lights:**

Each residence shall be required to install and maintain an exterior post light in the front set back area. Said post lights shall be uniform in design and in a standard location on each lot.

## **X. House Numbers and Mailboxes:**

The location of house numbers shall be as uniform as possible on each residence. All mailboxes shall be uniform as to type, color and design. The location and type of mailboxes and house numbers shall be determined by the Design Review Board. Mailboxes shall be black galvanized metal mounted on a wooden post. Existing cedar exterior mailboxes may remain until such time of necessary replacement. The exterior mailbox and/or post may be painted with the trim or body color of the house. Plastic exteriors are not approved.

## **XI. Fences, Walls, Hedges, or Mass Planting of Any Type:**

- (a) No fence, wall, hedge, or mass planting of any type exceeding a height of six (6) feet above the finished graded surface of the grounds upon which it is located, shall be constructed, planted, placed or maintained upon any Lot without the written consent and approval of the Design Review Board. No fence to be constructed on any lot shall be of wire, chain link, or cyclone style of fences. Fences shall be constructed of either wood or vinyl. No fence shall be constructed that mixes the two materials.
- (b) Wood fences shall be four (4) feet to six (6) feet in height, constructed of a minimum of  $\frac{3}{4}$ " wood, board on board or shadowbox type, and shall remain natural or natural stained/preserved.
- (c) Vinyl fences shall be four (4) feet to six (6) feet in height, and constructed in one of the following styles: Tongue and Groove Privacy, Tongue and Groove with Lattice, Picket Semi-privacy, or Shadowbox.
- (d) No fence or wall shall extend beyond the rear building line of any residence, except those used for screening purposes and in no case shall any fence extend beyond the front building line of any residence. Fencing shall not be permitted to be constructed with a height above four (4') feet within thirty-five (35') feet of the high-water line of any lake in the subdivision nor shall be permitted to be constructed along the rear line of any lot abutting the lake. All fences must be in conformance with all city codes and set back requirements.
- (e) Prior to construction of any fence or wall on any Lot, the Owner must submit a detailed sketch showing the location and style of the proposed fence or wall to the Design Review Board to obtain written approval. **Attachment 1 (Fence Installation Requirements)** must also be submitted with any fencing request.

## **XII. Ground Maintenance:**

- (a) Grass, hedges, shrubs, vines, trees, and mass plantings of any type on each Lot shall be kept trimmed and shall at regular intervals be mowed, trimmed and cut so as to maintain the same in a neat and attractive manner. Grass should never exceed ten (10) inches in height. Trees, shrubs, vines, and plants, which die, shall be promptly removed and replaced.
- (b) All Lot Owners owning Lots adjoining Common Areas shall be required to install grass or to landscape to the edge of the water or vegetation located in that Common Area.

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(c) No weeds, vegetation, rubbish, debris, garbage, objects, waste, or materials of any kind whatsoever shall be placed or permitted to accumulate upon any portion of a Lot which would render it unsanitary, unsightly, offensive, or detrimental to the Properties of the Subdivision, as determined by the James Landing Property Owners Association.

(d) No building material of any kind or character shall be placed or stored upon any Lot so as to be open to view by the public or neighbors, unless such material is being used daily and continuously for the construction of buildings or structures upon the Lot on which the material is stored.

### **XIII. Antennae, Aerials, and Satellite Dishes:**

All exterior antennas or aerials shall be placed in the rear yard of the lot and in such a manner so as to be as unobtrusive as possible, and in no event shall exceed a height greater than ten (10) feet above the highest point of the roof. Any earth satellite signal reception equipment shall not be visible from any street and shall be screened from other property within the subdivision. Installation of wireless cable must be made no closer than ten feet from the rear building line of the residence and must have written approval prior to installation.

### **XIV. Parking:**

The parking of commercial vehicles (which description shall include trucks (larger than a pick-up truck), tractor-trailers, semi-trailers, and commercial trailers) at any time on driveways, otherwise on said premises, on common areas, or on the public streets of said subdivision, is prohibited except for loading and unloading purposes or when parked entirely within a closed garage. Boats, motor homes, watercraft, campers, travel trailers, and similar recreational vehicles may only be placed and kept or stored upon a lot containing a residence, placed no further forward than 10' behind the front building line of the residence, with landscape or with 6' fence screening so as to make same not visible from the street (including side street in the case of corner lot or adjoining lot), or in a closed garage. Inoperable vehicles or vehicles under repair may only be placed and kept on a lot in a closed garage.

### **XV. Occupancy Before Completion: (deleted)**

### **XVI. Maintenance and Repair:**

All dwellings, structures, buildings, outbuildings, walls, driveways and fences placed or maintained on the Properties or any portion thereof shall at all times be maintained in good condition and repair.

### **XVII. Completion of Construction:**

After commencement of construction of any Improvements upon a Lot, such construction shall be diligently and continuously prosecuted to the end that Improvements shall not remain in an



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unfinished condition any longer than is reasonably necessary for completion thereof. The Owner or Tenant of a Lot on which Improvements are being constructed shall at all times during the construction period keep all streets or roads contiguous or adjacent to the Lot free from any dirt, mud, garbage, trash or other debris which might be occasioned or generated by such construction.

### **XVIII. Liability and Accountability:**

All members of the Design Review Board and any and all officers, directors, employees, agents and members of the Association, shall not be liable or accountable, either jointly or severally, in damages or otherwise to any Owner or other person or party whomsoever or whatsoever by reason or on account of any decision, approval or disapproval of any plans, specifications or other materials required to be submitted for review and approval pursuant to the provisions of Article 12 of the Declaration or Covenants, Conditions, Restrictions, Reservations and Easements, or any mistake in judgment negligence, misfeasance or nonfeasance related to or in connection with any such decision, approval or disapproval.

### **XIX. Amendments to Design Review Manual:**

The Design Review Board is authorized to promulgate and amend from time to time this Design Standards Manual.

Attachment 1 Fence Request form added September 19, 2018

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### Fence Installation Requirements:

1. Any fence must be installed within the property owner's surveyed boundary lines.
2. The location of the fence must be marked on the property.
3. A representative of the JLPOA must be permitted to review the installation layout on location at the property.
4. The fence must meet the standards as set forth in the James Landing Design Standards Manual.
5. The property owner must notify the JL POA of the date and time of commencement of the work by calling BaySide Management at (321) 676-6446 at least (2) two business days prior to any work being done.

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**Property Owner's Signature**

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**Date**

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