

ARCHITECTURAL REVIEW CHECKLIST

This checklist should be completed by the Owner and their contactor, and reviewed by the Property Manager before the Application for Architectural Review is submitted to the Architectural Control Committee ("Committee") for review and approval.

PLEASE CHECK ALL ITEMS BELOW THAT APPLY TO THIS APPLICATION:

1. ___ Owners have closed and has title to the property. Application will not be reviewed until Owners have closed on the purchase of the Home.
2. ___ Owners have signed and initialed the application and all required affidavits, acknowledgments and indemnification agreements.
3. ___ One (1) complete sets of all plans, specifications, drawings and other supporting documents for the planned Improvement prepared by an architect, general contractor, landscape architect, engineer or other person determined by the Committee to be qualified. Dimensions of each improvement must be included in the documents submitted.
4. ___ Lot survey showing location of the Improvement in relation to the Home and Lot boundaries, clearly marked and drawn to scale and indicating dimensions and measurements, as well as property line setbacks and the adjacent lots. If applicable, air conditioning and generator pads, sidewalks, stoops on adjacent lots must also be shown. Some examples include fences, gate locations, pools, generators, landscaping, etc. Upon completion of exterior structural improvements (pool, patio, and sidewalks, etc.) an "as-built" survey showing the completed ground elevations of the rear and side yard drainage swales at the property lines will be required to receive Committee approval of the final inspection.
5. ___ Satellite dish location is identified.
6. ___ Construction access and material storage area is clearly identified on the Lot Survey or site plan.
7. ___ Location of the pool drain overflow is clearly identified and located on the side of the Lot.
8. ___ Location of all pool, air conditioning and generator equipment is shown for the Lot and adjacent lot, and meets property line setbacks.
9. ___ Drainage Plan.
10. ___ Landscaping Plan.
11. ___ Color photos of the proposed improvements identifying the materials to be used.
12. ___ Color photos of the Home and lot depicting the areas of the Home and lot to be affected by the improvement.
13. ___ Paint color code from paint manufacturer.
14. ___ Copy of contractor/subcontractor's license and insurance certificate to include general liability (minimum of 1 million dollars) & workers compensation OR State of Florida workers compensation exemption. General liability certificate must list the RiverCreek Homeowners Association, Inc. as an "Additional Insured".
15. ___ A contract with Mac Irrigation, Inc. is attached for any modification to the irrigation system. Mac Irrigation can be contacted at 561-498-7145. Owner is responsible for any charges required by Mac Irrigation, Inc. for capping and/or modifying the irrigation system.
16. ___ A Security Deposit of \$5,000.00 made payable to **RIVERCREEK HOMEOWNERS ASSOCIATION, INC.** for large Improvements to cover the costs of any incidental damage caused to Association Property, an adjacent Home or Lot, or any other property (whether real or personal) by virtue of Owner's construction or installation of the Improvements. This security deposit is required at the Association's sole discretion for improvements such as pools, patio extensions, screen enclosures, major landscaping, etc. The security deposit, less any damages caused by the construction or installation of the Improvements, will be returned after the final inspection following the installation or construction of the Improvement. Please note that a Final Survey from Rhodes and Rhodes or other professional land surveyor must be provided by the homeowner to request the final inspection and approval of deposit release.

Notes:

- The Committee has forty-five (45) days from receipt of the completed application and complete set of all required documents to complete the review.
- Owner must sign all forms, attach any required certificates, lot survey, plans and any other exhibits for the Improvement that may be required. If the application is submitted without the required documentation, photos, plans and exhibits, it will be returned to the Owner to complete and resubmit.
- ACC Applications are accepted in person or virtually and by appointment **ONLY**. Please contact your Property Manager at **561-578-8131** or email at rcreekpm@grsmgt.com to request an appointment. In person appointments

are available Sundays between 11:00 am-4:00 pm, virtual appointments are available weekdays from 5:30pm-6:30pm (this will change when Property Manager is on site full time).

FOR COMMITTEE/MANAGEMENT USE ONLY

Date Complete Package Received from Owner: _____

Property Management Reviewer: _____

Property Manager Comments for Owner if package incomplete:

OWNER'S AFFIDAVIT

I have read, understand, and agree to abide by the Declaration of Covenants, Restrictions and Easements for the Association. In return for approval, I agree to be responsible for the following:

- a. Allowing reasonable access to the Lot by the property management company and committee members or their designees to conduct site visits as part of the review process, and on-going construction observations.
- b. All losses or damage caused to others, including common areas, as a result of this Improvement, whether caused by Owner or others;
- c. To comply with all applicable governmental laws, statutes, ordinances, codes, rules and regulations, including landscape and minimum tree requirements;
- d. To correct any encroachments caused by the Improvement;
- e. To comply with the conditions of approval required by the Association for the Improvement (if any);
- f. To complete the Improvement in accordance with the approved plans. If the Improvement is not completed as approved, said approval will be revoked and the addition or modification shall be removed by the Owner at the Owner's expense.
- g. Owner further acknowledges that the existing drainage swales have been designed and established between homes (side yard and/or rear yard) to provide positive drainage away from Home and convey storm water off the lots. The Association and/or Declarant shall not be responsible for any impact that proposed Improvement may have on drainage. The Owner shall be responsible for all associated costs to correct drainage problems caused by the Improvement.
- h. Costs associated with irrigation modifications as a result of this Improvement. The Owner must notify Mac Irrigation (561-498-7145) to make modifications to any irrigation system prior to work being initiated. All required modifications shall be at the Owner's expense. Owner shall be responsible for any damage and repairs to the irrigation main and valves located in adjacent lake and open space tracts that is caused by their Improvement.
- i. Owner acknowledges that removal and replanting of trees and shrubs voids any warrantee that may exist.
- j. Assuming maintenance responsibility for any new landscaping installed.
- k. Providing contractors and material suppliers access to construction areas only through Owner's property.
- l. Ensuring that all areas affected by construction of the Improvement (i.e. landscaping, irrigation, common areas, etc.) are restored to their original condition. Owner will be notified of any damage or deficiencies in writing and will be required to correct any damages. Failing that, the Owner is responsible for all costs necessary for the Association to properly restore the affected areas.
- m. Holding harmless and indemnifying the members and representatives of the Committee, the Declarant, and the Association generally, from any and all losses, claims, demands, suits, actions, causes of action, liabilities (including, without limitation, property damage, personal injury and/or death), judgments, damages (including, without limitation, all secondary, incidental, consequential, special and/or punitive damages), fines, liens, encumbrances, penalties, costs and expenses of whatever nature or kind (including, without limitation, Legal Fees), related to, arising out of and/or resulting from the Improvement.
- n. If Owner or its contractor plan to dig anywhere on the Lot for any reason whatsoever, Owner or contractor must contact the underground utility locate company, Sunshine811 (telephone – 811 or website – www. sunshine811.com) to have them locate and mark all the underground utilities near the location of the proposed digging to endure that everyone is aware of any gas, electric cable, water, sewer, and other utility lines that may be located in the area where the digging will take place.

I acknowledge that the Committee does not review or assume responsibility for the structural adequacy, capacity, safety or compliance with any applicable law, rule, regulation, code or ordinance of the proposed Improvement, or for performance, workmanship, quality of work, or schedule of any contractor.

I agree to abide by the decision of the Committee or Association. If the Improvement is not completed as approved, within the specifications submitted in this application and any conditions of approval required by the Committee, and I refuse to correct or remove the Improvement, I may be subject to legal action by the Association and responsible for the Association's reasonable attorneys' fees.

OWNERS:

Print Name: _____
Date: _____

Print Name: _____
Date: _____

COMMITTEE REVIEW

Lot # _____

Approved by the Architectural Control Committee: _____

Approved, subject to the following conditions: _____

Deferred, due to the following missing information: _____

Denied, not approved for the following reason: _____

Signature of Committee Member: _____ Date: _____

GENERAL SUBMITTAL GUIDELINES

To expedite review of this application, please submit the information listed below for the specific category. Every Improvement is unique so these items may not be inclusive and the Architectural Control Committee ("Committee") reserves the right to request additional information. All plans must clearly depict the proposed Improvement and its relationship to the Home and Lot (i.e.: fences, pools, screened cages, pool equipment, patios, additions, etc.), and shall be drawn at an appropriate scale.

1. Fences

- Lot survey indicating the location of the fence with respect to the property lines and existing improvements within the Lot.
- Type of fence including materials, height, drawings, color, finish and decorative style. Fences must be a 4' high bronze aluminum rail.
- Location and swing direction of any gates.
- Proposed landscaping plan surrounding the proposed fence (if required, see 7 below).

2. Painting

- Identify proposed colors, including paint manufacturer, color name and color number.
- Provide paint color samples.
- Elevation view of structure showing areas to be painted (elevation survey) specifying the locations of each paint color (i.e. stucco color x, trim bands color y, door color z, etc.).

3. Driveways and Concrete Patio Extensions

- Lot survey indicating location of proposed extension drawn to scale on the survey.
- Type of materials (driveways must be brick pavers).
- Color and paver pattern information, preferably samples.
- Landscape plan showing impact to existing landscape and any proposed replacement plantings.
- Items on Attachment "A" are required.

4. Screen Enclosures

- Lot survey depicting location of proposed screen enclosure.
- Description of proposed type of screen enclosures.
- Plans and specifications provided by the contractor indicating dimensions, height, screen roof type (e.g. mansard, gable or flat), location(s) of screen door(s) and accessories (e.g. kick plates).
- Plan and elevation views of screen enclosure.
- Identify colors including, as appropriate, colors for screening, aluminum framing, kick plates and glass. (all aluminum must be bronze in color.)
- Landscape plan showing impact to existing landscape and any proposed replacement plantings.
- Concrete slab or footer is required, along with the items on Attachment "A."

5. Pool and Pool Additions (including spas)

- Lot Survey depicting location of proposed pool, deck, pool equipment's on Lot, and the mechanical equipment on the adjacent lot. (Note the property line setback referenced in Attachment B.)
- Architectural rendering of the pool and deck.
- Plans for fencing or screening (see Items 1 and 4 above).
- Identify pool deck type, color and pattern, preferably samples.
- Identify coping material and color, preferably samples.
- Landscape Plans showing impact to existing landscape and any proposed replacement plantings. Plan shall also include shrubs to conceal pool equipment from the road and any lake.
- Items on Attachments "A" & "B" are required.

6. Room Additions

- Lot survey depicting location of proposed addition on the Lot.
- Architectural drawings including plan and elevation views of the proposed room addition.
- Identify exterior paint colors including paint manufacturer, color name and color number.
- Provide roof color verification, preferably with sample. Roof material and color must match existing Home.
- Landscape Plan showing impact to existing landscape and any proposed replacement plantings.

GENERAL SUBMITTAL GUIDELINES

(continued)

- Items on Attachment “A” are required.

7. **Landscaping**

- Lot survey depicting location of existing plantings with respect to property lines and existing improvements.
- Scaled landscape plan illustrating placement of proposed trees, shrubs and groundcover.
- Description of proposed landscaping material (trees and shrubs) including plant type, height and quality of planting materials.
- Some landscape additions that are major in scope may require items on Attachment “A.”

8. **Hurricane Shutters and Satellite Dishes**

- Shutters require description of type of shutters and color. (Brochure is helpful if available).
- Permanently installed hurricane shutters may not stay up year-round. Accordion or roll down style shutters may not stay closed or down. No hurricane shutters shall cover window or door openings except during periods of hurricane watch or a hurricane warning that impacts the community.
- Satellite dishes require details regarding size, color, type and location where dish will be mounted.
- Identify the proposed satellite dish location on the Lot Survey or site plan. (Satellite dishes cannot be located on the front elevation of home.)

9. **Generators**

- Lot survey depicting location of proposed generator on the Lot and the mechanical equipment on the adjacent lot. (Note the property line setback referenced in Attachment “C”).
- Landscape plans showing impact to existing landscape and any proposed replacement plantings. Plan shall also include shrubs to conceal above ground equipment from the adjacent lot(s), road and any lake.
- Items on Attachment “C” are required.

COMMITTEE APPROVAL: If the Committee approves the application, the Owner is authorized to contact their Contractor and begin work immediately.

COMMITTEE DENIAL: If the Committee does not approve the application, the reason for denial will be stipulated in a letter. If additional information is needed, the Owner will be allowed to resubmit with all the required information. No work shall commence unless and until the Committee has provided its written approval for the Improvement.

Owners are responsible for obtaining all necessary permits and approvals from the appropriate Building Department(s) and governmental agencies, as applicable.

Note: Any Architectural renderings submitted to the Committee will not be returned to the applicant.

ATTACHMENT A

POOLS, PATIO EXTENSIONS, MAJOR LANDSCAPING REQUIREMENTS AND OTHER MAJOR IMPROVEMENTS

1. The following checks must be submitted with the application:
 - Non-refundable Application Fee of **\$50.00** made payable to GRS Management Associates.
 - Refundable Security Deposit in the amount of **\$5,000.00** made payable to RiverCreek Homeowners Association.
2. It is recommended that Owner should not make final payment to their contractor until the Security Deposit is returned after the Committee's final inspection is approved.
3. Please contact GRS Management Associates when the Improvement is complete to schedule the Committee's final inspection.
4. The Security Deposit will not be returned to the Owner until all conditions of the approval have been satisfied and the final inspection has been approved.
5. Generally, the following plans shall be required for most applications:
 - Lot Survey – Plan showing all requested structural and site changes (i.e. fence, pool, screen enclosure, pool equipment, patio, additions, etc.) drawn on the Lot at an appropriate scale.
 - Landscape Plan – Plan showing landscape to be removed and added, that must include species and size of proposed trees and shrubs with the location of placement. If applicable, existing adjacent side and rear yard landscape buffers must also be shown.
 - Drainage Plan – Plan showing any changes to the drainage patterns. For pools the drainage plan must show the location of overflow drain and pool equipment. If the pool equipment is located in the side yard, Owner shall demonstrate that drainage flow in the side yard swale will not be impacted, and the pool equipment meets the side setback requirements.
6. Photos of the following areas, prior to installation, must be included in the application:
 - Front of home including sidewalk, driveway areas, and landscaping.
 - Both sides of home (including adjacent yards, if affected) and all landscaping.
 - Rear of Home and Lot including landscaping and areas to be altered.
 - Lake easement area and lake bank.
7. Upon completion of exterior structural improvements (pool, patio, sidewalks, room additions, etc.) an "as-built" survey showing any changes from the approved plans and the completed ground elevations of the rear and side yard drainage swales at the property lines will be required to receive Committee approval of the final inspection.

NOTE: The refundable Security Deposit (**\$5,000.00**) will be returned to the Owner by the Property Management Company after approval of the Committee's final inspection is issued by its inspector, following completion of the approved Improvement. Most approval delays are a result of improper final grading and changes to the existing drainage of the subject and adjacent Lots. Please allow a minimum of thirty (30) days after Security Deposit refund request has been requested to receive the refund.

ATTACHMENT B
POST-CLOSING POOL REQUIREMENTS

1. Owners must receive Architectural Control Committee Review approval prior to their Pool contractor's start of construction or their job will be shut down immediately via notice from the Property Manager or Association. Owners who do not receive approval prior to the start of construction will be fined \$2,500, plus legal fees, which must be paid to the Association before construction may commence.
2. Pool contractors who do not build in accordance with the approved plans can be fined up to \$2,500 per occurrence and forced to remove the portions of the pool or screen enclosure that do not conform with the approved plans.
3. Owner and their pool contractor are responsible for obtaining all necessary permits and approvals from the appropriate Building Department(s) and governmental agencies, as applicable.
4. Access to areas of pool construction is only allowed through Owner's Lot, and Owner is responsible for repairing any damages done to adjacent Lots and common areas caused by the construction.
5. Owner's pool contractor is responsible for removal all dirt, rocks, concrete, debris and trash from the Community. All excavated fill (dirt) from the pool construction or any other improvement must be removed from the Community by the Owner's contractor the same day the pool is excavated or the dirt generated. No dirt or debris can be left on the Lot, adjacent lots, street, swale, lake bank, preserve or any adjoining common area property during or after construction is complete.
6. There will be no signs displayed anywhere within the Community per the Declaration of Covenants, Conditions and Restrictions. Only permit boards will be allowed to be displayed, and they must be on the Lot in which the related work is being performed.
7. Repeat offenders of the architectural guidelines, misuse, damage to Association or Declarant property or any other violation or breach of contracts or Community guidelines may be excluded from working in the Community. The Association will have no liability to any person in accordance with Section 3, Article VIII of the Declaration.
8. A Certificate of Completion must be received from the local Building Department prior to the Committee's final inspection and return of any refundable Security Deposits.
9. The irrigation zones (pipes) in the location of proposed pool must be cut and capped. Zone lines for the balance of the lot must remain functional during the pool construction. Contractor shall not tamper with the irrigation valve serving the subject and adjacent lots.
10. Silt fences must be installed at the rear and side yard property lines PRIOR to any construction.
11. No construction materials may be dumped or stored in the road right-of-way, lake bank or adjacent lot. All materials must be stored on the subject lot. For lake front lots, no material/dirt is allowed to be stored within the lake tract which includes the 20' lake maintenance easement.
12. Any damage to the road right-of-way must be repaired/restored to their original condition. This includes the asphalt, concrete sidewalks, curb, and sod within the road right-of-way.
13. All pool overflows must be plumbed on the sides of the pool (NOT the rear). Overflow shall be minimum 15' from the rear of the deck or screen enclosure.
14. Prior to final grading and sodding, the contractor shall have the side yard swales staked and graded to insure positive drainage per the original design plans for the Community. It is suggested that the Contractor or Owner contact the project surveyor, Rhodes & Rhodes Land Surveying, Inc. for staking, grading and as-built survey information at 239-405-8166.
15. Upon installation of sod, the contractor shall have the surveyor obtain "as-built" elevations of both side yard swales. Elevations shall be shot at 20 foot intervals along the side yard property lines from the front to rear of the property. Said as-built grades shall be submitted to the Property Manager for inspection and approval by the inspector for conformance with the original design plans, and to ensure the swales are properly graded to drain storm water away from the Home and in the appropriate direction.

16. If the pool deck is to be constructed near the rear property line, the existing grade at the rear property line must not be compromised and/or changed. If the pool deck grade is higher than the existing grade, a short retaining wall must be built at the grade transition.
17. Sod seams at tie-ins shall be cut-in to match the adjacent sod/grade.
18. Pool Equipment, including all piping, must be located within 3'-6" from the exterior wall of the Home so that adequate side yard drainage can be maintained. Piping from the pump to underground must be located behind or in front of the equipment pad, not on the side. The proposed pool equipment must also be separated by more than 10' (front to rear) from existing mechanical equipment on an adjacent lot. The addition of pool equipment on the side of a Home may require installation of roof gutters between homes to properly direct drainage consistent with the original design plans for the Community. At time of application for Architectural Review, a site plan and detailed Drainage Plan shall be submitted showing the location of all existing and proposed mechanical equipment on the Lot and adjacent lots with complete measurements to demonstrate compliance with this condition.
19. Landscape shrubs, minimum 36" high, shall be installed in front of and behind all pool equipment to screen it from the road and any lake. For pie-shaped and corner lots landscape shrubs shall also be installed on the side of the pool equipment if it does not impact the side yard drainage swale.
20. Once the pool construction has been approved by the Building Department, upon request by Owner, a final inspection will be completed by the Association's inspector to ensure compliance with the approved applications and that all of the above have been addressed. If the Association's inspector notes a deficiency with any of the above, requiring an additional inspection, a fee of \$150 will be deducted from the Security Deposit for each additional inspection required. Any cost incurred by the Association to make necessary damage repairs not completed by the pool contractor will also be deducted from the Security Deposit. Once the Association has approved the final inspection, the Security Deposit will be returned to the Owner.
21. It is highly recommended that the final payment to the pool contractor is not made until all Building Department and Association inspections have been approved and the Owner's Security Deposit is returned.

ALL OF THE ABOVE REQUIREMENTS MUST BE MET BEFORE ANY DEPOSITS WILL BE RETURNED.

ATTACHMENT C
PERMANENT GENERATOR GUIDELINES

Without limiting the generality of the criteria included in the Rules and Regulations of the Association and without curtailing the right of the Committee or the Board in rejecting certain requests or employing judgment in evaluating requests, the following guidelines shall be considered when evaluating requests for a permanent emergency generator and any underground propane storage tank and other appurtenances applicable to the permanent generator (collectively, a "Generator System"). Note that, even in the event of strict compliance with the following guidelines, prior approval from the Committee shall be required for each and every installation of a Generator System on a Lot:

1. **Location:** No above-ground portions of a Generator System shall be permitted to be installed within any portion of the front yard of a Lot. No portion of a Generator System shall encroach onto: (a) any Association Property, (b) any other Lot in the Community, (c) any easements benefiting or burdening the Lot including, without limitation, utility easements, drainage easements, lake maintenance easements, fence and hedge easements, wall and hedge easements, maintenance and roof overhang and encroachment easements, or (d) drainage swales on the Lot. In addition to the foregoing, the locations of the various components of the Generator System shall otherwise comply with all Governmental Requirements. The location of the Generator System shall also comply with all applicable setback requirements.

All portions of a Generator System must be located within 3'-6" from the exterior wall of the Home so that adequate side yard drainage can be maintained. The proposed above-ground equipment must also be separated by more than 10' (front to rear) from the existing mechanical equipment on an adjacent lot. At time of application for Architectural Review, a site plan shall be submitted showing the location of all mechanical equipment on the Lot and adjacent lots with complete measurements to demonstrate compliance with this condition.

In addition to the above, every effort shall be made to site generators at the furthest possible distance from the neighboring home's windows and/or doors, and all Generator Systems shall have user preselected exercise times limited between the hours of 11:00 AM - 5:00 PM.

2. **Applications Submittals:** All applications for Generator Systems shall include, in addition to other standard information: (a) the make, model, and propane capacity for all components of the Generator System, and (b) an indemnification and hold harmless agreement from the Owners of the Lot in favor of the Association, the Committee and all other Owners. With the application for installation of a Generator System, the Owner shall be required to submit a Lot Survey to the Committee showing the location and placement of all components of the Generator System. The Lot Survey shall depict (i) the location of all components of the Generator System including, without limitation, the distances from the Home on the Lot and the Home adjacent to the Lot on the side where the Generator System or any portion thereof is to be installed, (ii) the size and layout of the slab that the physical generator will be installed on, (iii) the location of all easements and applicable setbacks (referenced above) affecting the Lot to show that no portion of the Generator System encroaches thereon, and (iv) the location, size and species of any landscape shrubs to be installed to screen the above-ground portions of the Generator System as required below.
3. **Screening:** Generators shall be screened from view of the street and any lake using minimum 36" tall landscape shrubs. Where possible on pie-shaped and corner lots, generator shall be screened from view of adjacent Lots. Owner shall be required to submit a landscaping/screening plan to show proper screening of the Generator.
4. **Compliance with Governmental Requirements:** For any Generator System approved by the Committee, the Owner shall at all times be responsible to comply with all Governmental Requirements relating to the installation and use of the Generator System including, without limitation, applicable set-back requirements and maximum sound level restrictions. In that regard, all approvals for a Generator System shall require the Owner to obtain all necessary building permits and other approvals required by the Governmental Requirements. Regardless of an approval by the Committee, no Generator System may be installed or used without such building permits and approvals. No portion of an Owner's Security Deposit shall be returned to an Owner unless and until evidence satisfactory to the Committee of such compliance with Governmental Requirements has been delivered to the Committee.
5. **Plumbing:** A licensed and insured LP gas contractor must be used to install any necessary plumbing and connections.
6. **Maintenance:** All Generator Systems must be regularly and properly maintained, repaired and replaced, as applicable, by the Owner of the Lot on which such Generator System is installed.

7. Required Removals: For any Generator System, if approved, the Owner shall be responsible for the costs associated with any required removal, repair and/or replacement if the Generator System is erected on or too close to a lot line common with a Lot where the house is not yet under construction or, if under construction, not yet closed to the new Owner.
8. Limitations: Not all Lots in the Community may be able to have Generator System installed thereon due to, among other things, the Governmental Requirements, applicable setback requirements, location of easements and the configuration of the Lot. Accordingly, even if an application for a Generator System is approved by the Committee, there is no guarantee that a particular Lot will accommodate a Generator System thereon. Accordingly, each Owner shall be responsible to confirm that their Lot can accommodate a Generator System prior to making application to the Committee and/or applying for any necessary permits and approvals.

ALL OF THE ABOVE REQUIREMENTS MUST BE MET BEFORE ANY DEPOSITS WILL BE RETURNED.