



**AMELIA CONCOURSE PHASE 2**  
**Architectural Review Board (ARB)**  
**Rules and Regulations**

## **AMELIA CONCOURSE PHASE 2 HOME OWNERS ASSOCIATION**

### **ARCHITECTURAL REVIEW BOARD COMMUNITY RULES, REGULATIONS**

This document is intended to provide a consolidated, easy to follow guide for homeowners and residents in the Amelia Concourse Phase II community. It incorporates the explicit rules from the Declaration of Easements, Covenants, Conditions and Restrictions for Amelia Island Phase II (“Declaration”) and those rules promulgated by the Board of Directors. This is not an all-inclusive list and all Homeowners should be familiar with all governing documents available from the Community Property Management Company:

ALSOP Property Management  
112 N. Ponce de Leon Blvd. Unit C  
St Augustine, FL 32084  
904-647-2619

With regard to rules, the actual language of such Declaration provisions shall govern any issues of interpretation. Failure of an Owner to comply with any limitations, or restriction, or the Declaration of Covenants and Restrictions for Amelia Concourse Phase II, Subdivision Documents, or any Rules and Regulations promulgated by the Association shall be grounds for action, which may include, without limitation, an action to recover sums due to damages, injunctive relief or any combination thereof. An Owner shall be also responsible for the legal fees incurred by the Association in connection with the enforcement of the above documents.

It is the responsibility of the Homeowner to ensure all residents on their property are familiar with the information, rules, and regulations contained herein. Property owners who rent out their home are required to ensure all tenants are aware of the information, rules, and regulations herein.

#### **ENFORCEMENT PROCESS**

The Board of Directors shall have the authority and standing on behalf of the Association to enforce, in courts of competent jurisdiction, the decisions of the ARB.

In the event any proposed improvement is contracted without prior approval of the ARB, or is not considered to be in compliance with approval given, or deemed to otherwise violate the provisions of the Declaration and these Rules and Regulations, the BOD has the specific right to require the Owner to stop, remove, and alter and improvements in order to complete with the requirements.

The Board of Directors shall have the authority to impose fines, or fines upon the Owner for failure of the Owner, his family, guests or invitees, tenants, or occupants to comply, provided the following procedures are adhered to:

If the Homeowner is found to be in non-compliance, no more than two (2) warning letters with recommended corrective action for non-compliance for a single violation within a contiguous twelve (12) month period from the last dated warning letter will be sent to the Homeowner.

Upon the third warning for same violation, the homeowner is subject to possible fines, loss of voting

privileges, and will be given notice to appear in front of the Enforcement Committee for a hearing on the non-compliance detailed in the letters.

Upon completion of the Enforcement Committee hearing, the members of the Enforcement Committee will decide for imposing fines or not imposing fines and their determination will be submitted to the Board. The Homeowner will be notified in writing no later than twenty-one (21) days after the meeting of actions taken on the non-compliance issue.

Daily fines will accumulate and unpaid fines after thirty (30) days of notice can be subject to additional actions including lien placement on the homeowner property.

## **SECTION 1. APPROVAL REQUIRED FOR ALL IMPROVEMENTS.**

In order to ensure the continued value of the property as a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance, the Architectural Review Board (ARB) reserves the right of exclusive power and discretion to approve, or disapprove, all improvements placed on the property. The ARB will provide a reason for applications that are not approved.

The required application form must be completed and submitted for any proposed improvements. No improvement may be made on any part of the Property without the prior consent of the ARB. Applicants receiving approval of proposed improvements may thereafter make minor changes to landscaping and vegetation without further approvals, so long as such changes are harmonious with the previously approved landscaping plans.

**If any improvement is completed prior to submission and is denied, the Owner will have thirty (30) days from date of written notification to correct the issue**

## **SECTION 2. SUBMISSION AND REVIEW OF PLANS**

### **A. Submittal Process**

Prior to making any improvements ~~or new construction~~, the Applicant shall submit detailed plans, and specifications set forth in Section 3 below. The ARB reserves the absolute right to refuse approval of any plans which in its opinion are not suitable or do not comply with the terms of this document. The ARB shall evaluate each application for its total effect upon the Applicant's parcel and the overall property. This evaluation may involve matters of judgment and tastes that cannot be reduced to an objective list of measurable criteria. The approval of any improvement or new construction does not obligate the ARB to approve applications involving similar designs, aesthetic appearance or locations on a parcel for other proposed improvements or new construction.

## **SECTION 3. PLANS AND SPECIFICATIONS: APPROVAL PROCESS**

In connection with the review of any proposed improvement ~~or new construction~~, and unless waived by the ARB, the Applicant shall submit the following documents (accompanied by such additional information and materials, which in the opinion of the ARB may be required for its review):

1. Survey that includes, but not limited to all property lines, setbacks, easements, flood plain boundaries, conservation area boundaries, driveways, walkways and fences. The proposed surface contours and elevations of portion of the property shall be in compliance with the drainage plan as set forth by the county.
2. Scaled Floor plans or plans denoting location and dimensions of improvement.
3. Elevation drawings showing all sides of any contemplated structure(s).
4. Summary specification list of proposed materials and samples or photographs of external materials and colors, which cannot be adequately described.
5. Landscaping plans showing location, size, quantity and species of plants, trees and other vegetation proposed for use.

After reviewing the application which is deemed complete (that is, a signed application form and all items required for review), the ARB has thirty (30) days in which to approve or disapprove the said application. Applicant will receive written and signed notification of the ARB's decision. The ARB's failure to act within this specified period shall **NOT** constitute approval whereupon the work may begin.

**SECTION 4. ARCHITECTURAL PLANNING CRITERIA**

In order to achieve the objectives stated in Section 1 of this document and to help applicants plan and design proposed improvements, the following standards are adopted as the Architectural Planning Criteria to be followed.

**A. Single family Dwelling Units**

Zoning:	RS-2
Max Lot Coverage by Building:	35%
Max Building Height:	35'
Min Setbacks:	
Front:	25'
Side:	10'
Side Corner:	10'
Rear:	10'

**B. Roofs and Chimneys**

1. The main roof must have a minimum 5:12 roof pitch with small accent areas that can be smaller or greater, but not less than 4:15 for accent areas or structural reasons
2. All chimneys are required to have caps. All chimney caps, in addition to spark arrestors, must be painted to match the chimney color (or complimentary color of the home is brick)

**C. Windows and Doors**

1. Decorative glass front doors, screen doors and storm doors are permitted as long as they are approved by the ARB.
2. The frame for a screen door or storm door, must match the existing trim on the home.

**D. Storm Protection Devices/ Storm Shutters**

1. Permanently installed storm protection devices require ARB Approval.
2. The devices must blend into the architectural detail on all elevations.
3. Application for installation must include detailed scale drawings of all elevations
4. Storm protection devices may be deployed no more than twenty-four (24) hours before the effective time of a declared hurricane watch and must be removed within forty-eight (48) hours of a storm passing.

**E. Air Conditioners**

1. All air conditioner equipment must be located behind or on the side of the house.
2. All equipment must be screened from view with vegetation that is as tall as the A/C equipment within one (1) year of planting, or with fencing approved by the ARB.
3. No window air conditioner units or similar type, that penetrates the exterior of the structure, shall be installed in any structure on the property.

**F. Gutters**

1. All gutters must match the color of the fascia or the installed drip strip
2. Downspouts must match the color of the fascia or the body color of the home

**G. Driveways and Walkways**

1. The driveway and apron must be constructed out of poured in place concrete, stamped concrete pavers, or brick pavers.
2. County sidewalk must be constructed out of poured in place concrete even where it crosses over the driveway.
3. All walkways must be constructed out of poured in place concrete, stamped concrete pavers, or brick pavers.
4. Front and back porches must be constructed out of poured in place concrete, stamped concrete pavers, pavers, stained or tiled, as long as they are approved by the ARB.

5. Driveways and walkways must be installed as to not restrict or impede the designed flow of drainage.
6. Driveway extensions shall not exceed the total width of the garage.

#### **H. Landscaping**

Landscaping is an essential design element to the community and to the individual homes within this community. Landscape design should be integrated into the design of the home from its inception. The use and preservation of native and naturalized landscape materials is strongly encouraged. Planting plans should strive to have as strong an impact as possible at the time of installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.

All landscaping will be in accordance with the requirements of the applicable City/County Landscape ordinances. Nothing herein shall be construed to be less than nor to reduce the requirements of the City/County. Landscape plans shall not be at a smaller scale than 1"=10'-0". Landscape on lots must start at the street pavement and must extend to the Conservation Area in the backyard; to the normal water line at lake edge; and/or must extend to and blend with any common area landscape, built or natural, in order to create a continuous landscape improvement. All trees, shrubs, screen material, berms, paving patterns, ground cover areas and any other information necessary to convey the design intent shall be shown. Plant names, height, spread and quantities of all material should be shown. Plant distances in the case of hedge material and ground covers, and spot elevations where earthwork is part of the design intent, will also be required. Stone type, dimensions, and quantities shall be shown.

##### **1. Acceptable Landscape Materials and Practices**

- a. All trees and shrubs shall be Florida No. 1 or better as defined in "Grades and Standard for Nursery Plants," Part I and Part II, State of Florida, Department of Agriculture, in the most current edition.
- b. Grass sod shall be Floratam St. Augustine, Floratine St. Augustine or Zoysia
- c. All shrub beds and natural areas not covered with sod shall receive a three (3") inch layer of mulch or stone
- d. Bare ground is not acceptable

##### **2. General Guidelines**

- a. Planting and mounding is to be executed in such a manner as to provide positive drainage of all areas. It is the responsibility of the owner/ builder/landscape contractor to insure positive drainage is maintained.
- b. All sites must be graded to maintain positive drainage

- c. All yards, from street pavement to property line, conservation area line or normal water line, must be finished with appropriate sod; excepting perimeter foundation shrubs, other shrub and ground cover beds or areas of existing tree preserve.
- d. When installing a pool, the landscape plan must be adjusted to accommodate the minimum perimeter foundation and include shrubs, which wrap and extend around each corner of the enclosure or corner of the deck. The perimeter shrubs must wrap each corner.
- e. Corner Lots with side yards towards the street must be landscaped in a character similar to that of the front yards.
- f. No artificial vegetation is allowed.
- g. Decorative Landscape Borders are permitted with approval from the ARB.
  - i. Borders may be constructed of concrete, stone, or metal.
  - ii. Color must match or complement the primary color of the residence and landscape material on the property
  - iii. Plastic decorative landscape borders are prohibited.

### **3. Irrigation Systems**

- a. All yards must be supplied with an automatic irrigation system with a rain sensor
- b. Irrigations wells are not allowed
- c. An additional water meter for agricultural use may be installed

### **4. Trees**

- a. Existing trees may be substituted for required trees at the discretion of the ARB, and must be a minimum distance of 15 feet from the slab. (Type, caliper, and condition of tree considered.)
- b. If a Homeowner wishes to remove and existing tree or replace an existing tree, the Homeowner must submit an application to the ARB.

### **5. Mulch and Stone**

- a. Natural mulch and stone are approved materials for use in hedge beds.
  - i. Mulch can be brown, black, or red in color
  - ii. Stones must have a minimum diameter no smaller than one (1") inch and a maximum diameter of two (2") inches.

- b. White rock, sand, pebbles, wood chips or similar materials shall not be an acceptable alternative to grass, or ground cover in the yard.

**I. Garages**

1. No garage shall be converted to living space
2. Garage screen doors are strictly prohibited
3. Carports are not permitted

**J. Temporary Moveable Structures**

1. No sheds, exterior storage structures or temporary movable structures are to be erected or permitted to remain on any portion of the Property.
2. Temporary movable structures include, but are not limited to, above-ground swimming pools, boats, trailer, mobile homes, and tents

**K. Freestanding Structures**

1. Any freestanding structure contemplated for a lot such as a pavilion, gazebo, cabana etc. must be submitted to the ARB for written approval
2. Approval will be granted only upon merit of the structure and determination that it will not adversely affect the neighborhood

**L. Playground Equipment/ Freestanding Chimneys/ Recreation Structures**

1. All lots will be required to screen/ filter from view any Playground Equipment, Freestanding Chimneys and Recreation Structures from view of streets, adjacent and surrounding properties.
  - a. Equipment must be screened with vegetation or fencing
  - b. At installation, the vegetation must screen a minimum of fifty (50) percent of the height of the structure.
  - c. The vegetation must maintain its foliage for twelve months of the year.
2. Prior to installation, a detailed plan/picture including height, materials, color must be submitted to the ARB for approval.
3. Playground Equipment, Freestanding Chimneys and/or Recreation Structures must be placed behind the rear of the home
4. Basketball goals/hoops are permitted.



- a. Portable basketball hoops must be placed out of view when not in use
  - b. In-ground basketball hoops must be approved by the ARB prior to installation. The design plan must include placement, brand, photo and dimension of the equipment
  - c. In-ground basketball goals shall be installed pursuant to local, state, and federal weather/storm codes and follow all manufacturer's guidelines for installation
  - d. In-ground pole must be installed at least eighteen (18) inches in the ground and secured by concrete footing.
  - e. Equipment must be properly maintained and may not have torn nets, multi-colored posts, or structural damage. Improperly maintained basketball goals/hoops must be promptly removed at the owner's expense.
5. Maximum Height of any structure is twelve (12) feet.

**M. Screen Room Enclosures and Florida Rooms**

1. All plans must be submitted to the ARB for approval prior to construction
2. All drawings must include dimensions, transition detail between existing house and new structure, roof material (a sample shingle is to be supplied or picture of existing home to show roof color).
3. Two-story screen room enclosures and Florida rooms are strictly prohibited.
4. Screens must be black, or dark bronze (almost black)
5. The roof on a screen room must be constructed of the same color screen or be constructed with shingles to match the roof on the existing home, and meet roof pitch standards.
6. The plans must include door locations, and indicate if a kick plate will be installed.
  - a. If a kick plate is to be installed, landscaping must be installed to screen the kick plate from view from adjacent properties
  - b. A landscaping plan with the types and gallon size of materials to be used must also be submitted
7. Florida Rooms must:
  - a. Meet roof pitch standards;
  - b. Have a roof with shingles to make the roof on the existing home; and

- c. Be constructed of the same materials as the body of the house or complimentary materials

**N. Window Treatments and Coverings**

1. No reflective window coverings or treatments are permitted
2. All window covering shall have linings or other treatment so that the exterior appearance of the window appears neutral.
3. No intimidating, harassing, abusive, discriminatory, derogatory, demeaning, obscene, or profane objects shall be placed in windows visible from the street or other properties.

**O. In-Ground Swimming Pools**

1. In-ground swimming pools are allowed with ARB approval.
2. The submittal must include a current survey showing location of pool, pool equipment, screening for the pool equipment and construction access.
3. The submittal must include the color of the pool surface (tile & marcite) and sample of the pool deck material. Brochures illustrating the pool surface colors and deck material are acceptable.
4. Pool equipment must be screened, from view from the adjacent properties with landscaping, or a fence. (I.E., hedges such as ligustrum and viburnum).
5. A plan for construction access is to be included and if access is on property other than your own, an approval letter from that property owner is required.

**P. Hot Tubs**

1. Above ground hot tubs are permitted with ARB approval
2. Above ground hot tubs must be contained within a screen room or Florida room.
3. The submittal must include the dimensions of the hot tub, with pictures or brochure.
4. The submittal must include a landscaping or fencing plan to completely screen the tub from view from adjacent properties.
5. In-ground hot tubs must abide by Swimming Pool standards.

**Q. Antennas and Satellite Dishes**

1. No more than one (1) satellite dish and one (1) antenna may be installed on any one property

2. Any exterior antenna or satellite dish must be submitted to the ARB for approval

**R. Grading**

1. No portion of the property shall be graded and no changes in elevation of any portion of the property shall be made which would adversely affect any adjacent property
2. All homes abutting drainage retention areas must have sod installed down to the normal water level

**S. Trash Containers**

1. All garbage and trash shall be stored in closed containers which must be placed and maintained in accordance with rules and regulations adopted by the County
2. All garbage and trash containers shall be kept within an enclosed area in a location approved by the ARB except when being made available for pick-up.
  - a. Enclosures shall match the exterior siding of the primary dwelling, to include, but not limited to, exterior siding, paint colors, trim, or made from vinyl fencing material four (4) feet high.
3. Bins for trash and recycling pick-up may not be placed curbside before 5:00 pm the day before pick-up and must be removed by dusk the day of pick-up

**T. Mailboxes**

1. In compliance with USPS, centrally located mailbox kiosks have been installed throughout the community in lieu of individual mailboxes

**U. Exterior Accent Lighting, Herb Gardens, and Lawn Ornaments**

1. Exterior accent lighting is allowed.
2. Seasonal holiday lighting is authorized to be displayed 30 days prior to the holiday and must be removed within seven (7) days after the holiday unless conditions do not allow.
3. Artificial vegetation/plants are not allowed.
4. Herb gardens are permitted in the rear of the property and must be screened from view with a fence and/or landscaping.
5. Lawn ornaments shall be tasteful and be secured in a manner as to not allow the object to become a wind hazard during a storm.

## V. Flags and Flag Poles

1. No covenant shall be deemed to restrict and Homeowner's rights under FLA STAT § 720.304 or H.R.42 – Freedom to Display the American Flag Act of 2005
2. Homeowners may display one American flag, not to exceed 4-1/2 feet by 6 feet from a flag holder properly mounted to the exterior of the primary dwelling located on their property.
3. Homeowners may display an official flag of a current recognized Armed Force of the United States of America, not to exceed two flags. Any flag flown shall not exceed 4-1/2 feet by 6 feet and must be flown from a flag holder properly mounted to the exterior of the primary dwelling located on their property.
4. Homeowners may erect a freestanding flagpole no more than twenty (20) feet high, as measured from the ground, on any portion of the homeowner's real property as long as the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement.
  - a. Freestanding flagpoles must be approved by the ARB and include height and location installation.
  - b. The homeowner may display in a respectful manner, one official United States flag, not larger than four and one-half (4-1/2) feet by six (6) feet and one additional official flag of the State of Florida, the United States Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, or POW-MIA flag. Such additional flag must be equal in size, or smaller than, the United States flag.
  - c. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.
  - d. Yardarm type flagpoles are not allowed.
5. No flag may be displayed that is intimidating, harassing, abusive, discriminatory, derogatory, demeaning, obscene, or include profane gestures or symbols. The ARB reserves the rights to request removal of a flag that is deemed to display any such material.
6. Seasonal holiday flags are permitted to be flown 30 days prior to the holiday must be removed no later than seven (7) days after the recognized date of the holiday
7. Small seasonal garden flags are permissible
8. No more than four (4) flags are permitted to be flown at any one time as long as the

flags do not violate the rules included in this section. The American flag will be the highest flag on display.

#### **W. Fences**

1. All fence requests must be submitted to the ARB for approval
  - a. Submissions must include a site plan with location of the fence, fence material, height, and location of any gates
2. No fencing may extend beyond the front boundary of the home.
3. Fencing may extend forward of the midpoint of the house to create a flowing fence line with the adjacent house, enclose windows, gas meters, AC units, and garage side access doors.
4. No fencing shall extend outside the property limits onto water banks or wetlands, or beyond the front boundary of the house
5. No fence shall be installed outside of the Building Restriction Line (BRL) of the street or curbside of the home
6. Fences may be installed in a drainage easement or maintenance easement, but it will be the homeowner's responsibility to repair or reinstall the fence if it is removed for maintenance purposes. Homeowners that install fences in drainage easements may be required to add gates to allow access for the pond maintenance company. Fences must be installed so the bottom is at least six (6) inches above grade so as not to interfere with the flow of storm water.
7. If a fence already exists along a shared side or rear property line, no other fence may be installed along the same property line (i.e. fences may not be installed back to back)
8. Lake Lots approved fencing options include:
  - a. Four (4) foot black, aluminum, open picket fence on all sides of the property
  - b. Four (4) foot black, aluminum, open picket fence on the lakeside of the property, with six (6) foot white vinyl, tongue and groove, privacy, fencing along the property line and facing the street. A gradual, sloped transition from the white vinyl fence to the black aluminum fence is required.
  - c. The fence along the lakeside of the property shall include a gate to allow owners to maintain the lake slope down to the water's edge
  - d. The top rail must be flat, without pickets.

9. Non-Lake Lots approved fencing options include:
  - a. Six (6) foot, white vinyl, tongue and groove, privacy fencing on all sides of the property
  - b. Four (4) foot black, aluminum, open picket fence can be used on the rear property line for lots which abut the Preserve and Conservation areas
  - c. The top rail must be flat, without pickets
10. On corner lots, single gates, not more than five (5) feet wide, may be installed on the property line perpendicular to the street with ARB approval. Double gates may be allowed if the side area of the house allows for complete egress

**X. Signs and Banners**

1. For Sale signs placed by a licensed realtor are permitted and must be removed when the property is sold
2. Political flags are permitted to be displayed in accordance with the following:
  - a. Political Signs can be displayed no earlier than thirty (30) days prior to an election and must be removed within twenty-four (24) hours of the election
  - b. Political signs must be respectful and cannot contain and profanity
3. No sign may create an obstruction or other safety hazard
4. Signs must be placed within the homeowner's property limits
5. No more than three (3) signs may be displayed at any one time
6. Event signs or banners must be removed within twenty-four (24) hours after the event
  - a. Examples include, but are not limited to, yard sale, garage sale, birthday, or graduation signs
7. Signs or banners that advertise a business of any kind are prohibited
8. Any sign or banner not addressed above may be displayed with proper written approval from the ARB
9. Any sign or banner that does not meet the above criteria must be promptly removed from the property within forty-eight (48) hours of written notice

## SECTION 6. PARKING AND VEHICULAR RESTRICTIONS

### A. Personal Vehicles

1. All vehicles shall be parked and stored within the garages or paved driveway within the property.
2. Only automobiles bearing current license and registration tags, as required by law, shall be permitted to be parked or stored anywhere on the property except wholly within the garage
3. No parking is allowed on the street rights-of-way, park areas, swales, or other common property
4. No resident shall conduct vehicle repairs or restorations for greater than twenty-four (24) hours, except wholly within the garage
5. No Resident shall keep a vehicle on their lot that is deemed to be a nuisance by the ARB

### B. Boats, RV, Trailers, Commercial Vehicles

1. No commercial vehicle, trailer, recreational vehicle, motor home, boat, or boat trailer may be parked or stored on the property except in the garage.
2. No bus, tractor-trailer, or any other truck larger than a full-sized pickup may be parked on the property.
3. Boats, recreation vehicles, campers and trailers may be temporarily parked in driveways for the purpose of cleaning, trip preparation, loading and unloading for a period not exceeding forty-eight (48) hours in duration over a seven (7) day period. Moving the vehicle does not restart the clock.
4. At no time shall anyone be allowed to sleep in the vehicle or use it's plumbing.

## SECTION 7. SIGNAGE

### A. Address Plaques

1. A polished brass-finished address plaque of approximately six (6") inches high by 10 to 17 inches wide, varies by numbers, will be installed on each residence. An example is:



2. To ensure compliance with 911 regulations and a harmonious streetscape throughout the community, address plaques will be installed above the frame surrounding the garage door at the corner which is closest to the entry.

## CHANGE LOG

DATE	CHANGE
2/21/2021	<p><b>Section 3H: Landscaping-</b> Addition of Decorative Borders, stones</p> <p><b>Sections 3L: Playground Equipment/ Freestanding Chimneys/ Recreation Structures-</b> Addition of In-ground basketball hoops</p> <p><b>Section 3U: Exterior Lighting, Herb Gardens, and Lawn Ornaments-</b> Removed ARB approval for exterior lighting and lawn ornaments; Removed reference to front patio potted plants</p> <p><b>Section 3V: Flags and Flagpoles-</b> Additional guidance added</p> <p><b>Section 3W: Fences-</b> Updated type of fencing allowed for lakefront homes</p> <p><b>Section 3X: Signs and Banners-</b> New section added</p> <p><b>Section 6: Parking and Vehicular Restrictions-</b> New section added that gathers related items from throughout document in one section.</p>
4/26/2021	<p>General formatting corrections and addition of Change Log</p> <p><b>Section 2B-</b> Removal of ARB Fee Schedule</p>