

# Gator Trace Homeowners' Association Inc.

## Rules and Regulations/Architectural Planning Criteria

Revised – March 6, 2019

In accordance with the amended legal documents of the Gator Trace Homeowners Association, Inc., the following community Rules and Regulations/Architectural Planning Criteria have been established by the board of directors (“The Board”). The Board may adopt and modify or amend from time to time these Rules and Regulations and Architectural Planning Criteria for the subdivision (collectively the “Rules”). Any future amendments to these Rules will also be put in writing and will be made known to all owners and prospective owners in Gator Trace.

The Rules are designed to replace and supersede the Association’s Rules and Regulations and The Architectural Planning Criteria dated May 2007. The Board, in conjunction with the Architectural Review Committee (known as the “ARC”) and a temporary Rules committee, have endeavored over a 3-year period (2015-2017) to develop these Rules and Regulations/Architectural Planning Criteria to provide for continuous improvement and harmony of our community.

It is the intention of the Gator Trace Board of Directors to continue to maintain The Homes of Gator Trace as a premier community of quality homes. Therefore, in accordance with the authority, duties and obligations imposed upon the Association and/or the ARC by the Declaration of the Covenants and Restrictions for Gator Trace Subdivision, the Board of Directors of the Association adopt these amended Rules and Regulations (Part I) and Architectural Guidelines (Part II), as follows:

### **PART I: GENERAL**

#### **1. Enforcement:**

- a. Violations:** Upon a violation of any of the Rules set forth in this document and/or the Declaration, the home/lot owner, has full responsibility for the property and any action by tenants, guests or invitees will receive a written violation notice and have seven (7) days to correct the violation, or notify the Board in writing as to how and when the violation will be corrected. If the home/lot owner fails to correct or contact the Board with a plan in writing, a subsequent notice or notices may (but is not required) be issued to correct the violation or submit a plan to correct the violation. Should the home/lot owner fail to act, the Association may seek to levy a fine against the violating party up to \$100 per violation. A fine may be levied for each day of a continuing violation, up to \$3,000. The Association will send notice of a fine hearing and opportunity to be heard in accordance with Chapter 720, Florida Statutes, as amended from time to time. The Fines Committee (a 3-person non-board member committee) will determine whether the fine(s) proposed by the Board of Directors will be imposed against the violating

party. The responsible home/lot owner will be responsible for all costs incurred by the Homeowners Association due to the enforcement of any rule or regulation the home/lot owner, tenant, guest or invitee has violated. These costs may include attorneys' fee and court costs. Except as otherwise provided by law, such costs, in excess of \$1,000 or higher, in the aggregate, may be a lien against the home/lot and included in any lien placed on the property whose owners are in violation and refuse to pay fines and/or costs incurred. Decisions made by the Fines Committee may be appealed in a hearing to the Gator Trace Homeowners Board of Directors. The Board of Directors is empowered and determined to maintain the quality of The Homes of Gator Trace and is prepared to enforce the below rules and regulations.

**b. Attorney's Fees and Court Costs:**

The homeowner will be responsible for all costs incurred by the Homeowners Association due to the enforcement of the Rules of which said homeowner is in violation, costs of which to include, without limitation, attorneys' fees and court costs and any cost to remediate the violation. These costs may be included in any lien placed upon the property whose owners are in violation and refuse to pay fines and/or costs incurred.

**2. Nuisances:**

Nothing shall be done or maintained which may become an annoyance or nuisance to the neighborhood. In the event of a dispute or question as to what may be or become a nuisance, such disputes or questions shall be submitted to the Board of Directors of the Association which shall render a decision in writing, which decision shall be disposition of such dispute or question.

**3. Animals:**

Any animal kept or maintained on one's property must be kept, housed, maintained or otherwise permitted to remain within the community only in accordance with the City of Fort Pierce Code of Ordinances, Chapter 4-Animals, as amended and incorporated herein. Visit the following website for the current version of the ordinance: ([http://fortpierce.elaws.us/code/coor\\_apxid122916\\_ch4\\_arti\\_sec4-1](http://fortpierce.elaws.us/code/coor_apxid122916_ch4_arti_sec4-1)). It is the responsibility of the animal owner to be familiar with and in compliance with the City of Fort Pierce Animal Ordinance.

For the well-being of homeowners, the Gator Trace Homeowners Association Board of Directors has adopted certain prohibitions which are stricter than certain provisions of the Animal Ordinance.

Prohibitions:

- a. Dangerous and vicious animals and any animal which is a public nuisance as defined in the City of Fort Pierce Animal Ordinance are prohibited from

being kept on anyone's property.

- b. No reptiles or exotic animals are allowed.
- c. No animal shall be kept outside in a fenced area or in an enclosure or shelter.
- d. No more than two animals are allowed on any one property.

4. **Remodeling/Landscape:**

All major remodeling including landscape criteria are included in the Architectural Planning Criteria. Please refer to in the Architectural Planning Criteria, in Part II below, for all things related to construction, landscaping construction and improvement.

5. **Landscape Maintenance:**

All vegetation must be maintained so it creates curb appeal and is consistent with the surrounding homes. Bushes should be trimmed below the window line around the home. Bushes not in front of windows may be taller but not to exceed 4 feet above the grade of the home. No fence, wall, hedge, or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner lot or golf course lot. All hedge or shrub plantings that could obstruct sight lines shall be kept trimmed to less than forty (40) inches above the home grade level and all trees that could obstruct sight lines shall be trimmed from ground level to at least six (6) feet above home grade level. Trees must be trimmed once a year. No trees or bushes may be planted in a utility easement or right of way by the homeowner. Trees must be trimmed to ensure the site line or line of travel of a golf ball is not impeded by the homeowner's trees. Grass must be maintained and trimmed on a consistent schedule not to exceed 6 inches tall. Grass should be a cinch bug resistant variety of St. Augustine such as Floratam and should be kept weed free and irrigated. Irrigation systems should be sufficiently sized and capacity to irrigate all sodded or landscape areas and must be maintained in good working order. It is strongly recommended to direct all irrigation away from walls and concrete to minimize iron stains. Refer to the ARC for recommended trees and landscaping. Prior to making any changes to vegetation please contact the ARC for approval. No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portions of any lot unless approved by the ARC/Board.

6. **Garbage Trash and Yard Waste Disposal:**

Containers are supplied by Fort Pierce Utilities. No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept in sanitary containers. Sanitary containers and recycling bins, except during pick-up hours when required to be placed at the curb, shall be kept concealed within the garage or a constructed enclosure. Any constructed enclosure requires the approval of the ARC. Sanitary containers may be placed at

the curb for pickup the evening before pickup. The containers must be returned to the garage or enclosure by the end of the day of pickup. All yard waste generated by commercial vendors, including the trimming of bushes and trees shall be hauled away at the time of the job completion in accordance with City of Fort Pierce Code of Ordinances Chapter 16 section 16-16 definitions. Visit [http://fortpierce.elaws.us/code/coor\\_apxid122916\\_ch16\\_artii](http://fortpierce.elaws.us/code/coor_apxid122916_ch16_artii) for the current definitions. Any yard waste generated by the homeowner shall be placed in the yard waste container provided by the City of Fort Pierce. If a homeowner is trimming his/her own bushes and trees, the work should be done so that the waste can be placed on the curb no earlier in the week than one day before pickup by the City, or call the City of Fort Pierce for a special pickup. Yard waste may not be left on the curb for longer than two days.

**7. Motor Vehicles and Trailers:**

Only two, three or four wheeled vehicles are permitted within the Homes of Gator Trace and must be no larger than the maximum size able to fit inside the garage with the door closed. Golf carts, boats/boat trailers, utility trailers, recreational, two- and three- wheeled and unregistered vehicles must be parked in the garage at all times when not in use. No vehicle shall be parked on any unpaved area at any time. No vehicular maintenance/repair is permitted other than in the garage. Recreational vehicles (motor homes), boats/trailers, utility trailers, rented moving trucks/trailers may be parked in the driveway overnight for loading and unloading with prior notification to the Board of Directors. Commercial vehicles are prohibited except during construction/service hours and days for the purpose of excavation, construction, maintenance repair, replacement or demolition of a home/lot or thereof. Commercial vehicles may not be parked overnight in The Homes of Gator Trace unless enclosed in a garage. For the purposes of this provision, the term "Commercial Vehicle" means any vehicle that is primarily used for business, or which from viewing the exterior of the vehicle (or any portion thereof), display or contain any visible commercial markings, signs, displays, and equipment or otherwise indicate a commercial use, or a vehicle that the manufactures intent was for it to be used as a commercial vehicle.

- a. Residents, tenants, guests, and invitees are required to abide by the traffic ordinances of the City of Fort Pierce (Code of Ordinances Chapter 10 Motor Vehicles and Traffic). The operations of golf carts are permitted on our streets. Please note that golf community etiquette is that golf carts have the right of way. Obey all traffic signs and be a courteous driver. We have many pedestrians and cyclists in our community. Please be aware and drive friendly and cautiously at all times. Only licensed drivers may operate a golf cart, motor scooter, or any other motorized vehicle of any size or horsepower within Gator Trace. Street parking is for short term parking

loading and unloading only and only from dawn to dusk. No overnight parking on the street is permitted.

8. **Signs:**

Please see the Architectural Planning Criteria, Part II below, for signage guidelines, and application and approval process.

9. **Hurricane Preparation:**

Shuttering of a home may begin 1 week prior to the arrival of a predicted hurricane or tropical storm. They must be removed not later than 2 weeks after a storm has past. Permanently installed shutter systems are encouraged. Commercially available removeable shutter panels painted, galvanized or clear, may be used. Wood panels may also be used providing they are cut to conform to the shape and size of your windows and openings and are painted. Unnecessary potentially offensive messages on shutters are not permitted. Trees and shrubs should be trimmed prior to the hurricane season.

10. **Outdoor Grills:**

Cooking grills when not in use must be stored inside. This includes inside screen enclosures and garages. There shall be nothing stored outside of any residence.

11. **Residential Use; Commercial Uses Prohibited; Yard Sales, Etc. Prohibited:**

No residence shall be used for any purpose other than family residential purposes. No occupation, profession, trade or other non-residential use that would cause a level of noise, odor, traffic, debris or other activity inconsistent with residential use shall be conducted on any such Residential Area. No yard, garage, estate or tag sales or other like activities that invite the public into private Residential Areas will be permitted.

12. **Rentals; Guests:**

An Owner may rent or lease his/her residence for residential purposes for a minimum of six (6) months in a calendar year, subject to all of the GT Restrictions, which shall be deemed a Residential Use. Shorter-term rentals are expressly prohibited. Residents are responsible for the conduct of their guests.

## **PART II: ARCHITECTURAL PLANNING CRITERIA**

The Association's Board of Directors hereby amends the Architectural Planning Criteria and adopts the following:

### **1. Application Process:**

Whether the project is new construction or retro-fit, if the project requires permitting by the City of Fort Pierce, a provisional project approval may be given by the ARC, if requested, so the homeowner can proceed to secure permits. Once the permits are secured the homeowner submits proof of permits and final approval for the project is granted. It is the plan of the Gator Trace Subdivision to develop and maintain Gator Trace into a premier community of quality homes, but must be approved by the ARC. The ARC shall evaluate the proposed improvements or changes with emphasis upon their harmonious incorporation into the community in relation to the surrounding structures and/or improvements, topography and conformity to the restrictive covenants imposed hereunder.

If construction is not started within 90 days after ARC approval for improvements or changes, then such approval is invalid and a new request for approval shall be submitted. Construction, including landscaping, must be completed within six months of start of construction.

Homeowners or property owners should submit preliminary plans (in accordance with item 4) with as much detail as possible including general contractor contact information to the ARC for provisional project approval. The ARC will review the project plan and will either request more information, approve the plan or reject the plan. If the project requires permits based on the Code of Ordinances of the City of Fort Pierce, proof of permits will be required prior to final approval. ([http://fortpierce.elaws.us/code/coor\\_apxid122916\\_ch5](http://fortpierce.elaws.us/code/coor_apxid122916_ch5))

### **2. New Construction and Major Remodel Building Type and Dimensions:**

No building shall be erected, altered, placed or permitted to remain on any lot other than a detached single-family single-story dwelling containing not less than 1,800 square feet of livable enclosed floor area (exclusive of open screened porches, terraces, and garages). Any dwelling erected shall not exceed more than nine (9) feet eave height from the average grade level on said lot and having an attached side loading enclosed garage with a minimum inside width of 22 feet and a minimum inside depth of 20 feet, for not less than two (2) nor more than four (4) cars. Provisions for golf carts are required.

No garage, tool, storage room, or animal shelter may be constructed separate and apart from the residential dwelling, nor can any such structure(s) be constructed prior to construction of the main residential dwelling.

3. **Plans:**

All plans must be submitted in quarter-inch scale (plot Plan and Landscape Plan may be eighth-inch scale) drawn in a professional manner and are to include the following:

**Plot Plan:** An accurately drawn and dimensional plot plan showing all building setbacks, easements, drives, walks, pools, patios and lamp post;

**Foundation Plan:** Floor Plan- Exterior Elevations as they will actually appear after all back-filling and landscaping is done from finish ground up.

**Landscape Plans:** The Landscaping plans may be drawn to 1/8 inch to a foot scale. There shall be a minimum disturbance of native plants except as may be required for the house and driveway. They will include a plan showing existing Florida native trees (greater than 3 inches in diameter when measured 3 feet above the ground level) and shrubs. This plan will also identify those native trees and shrubs that require removal for home construction. ARC approval is required prior to removal of native trees and shrubs. It is the purpose of this approval to assure that no trees are unnecessarily disturbed and that the home is placed on the lot in its most advantageous position.

A Sprinkler Plan shall be a part of the Landscaping Plans. Well and pump locations shall be shown.

**Finished Floor Plans:** No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the preceding plans are approved by the ARC. No change in the grade to topography of the lot shall be made without written approval of the ARC. The finish floor elevation of the house shall not be less than eighteen (18) inches and not more than twenty-four (24) inches above the road crown and must be approved by the ARC.

4. **Builder and Construction Approval:**

All builders and contractors must be state licensed and insured. All builders and contractors are required to supply a Certificate of Insurance naming both the Gator Trace Homeowners Association Inc. and Gator Trace Master Property Owners Association Inc. as additional insured. This bond is to cover any damages to streets, curbs, drains and any other damages by the builder or contractor or his subcontractors. All home/lot owners must supply emergency contact information to the ARC for their builders and contractors.

Construction in Gator Trace by any builder or contractor, will be required to be done in a way that does not create a nuisance to the neighborhood or the golf course. Loud music is not allowed. A clean and orderly job site must be maintained at all times, both inside and outside the home. All rubbish, waste

and trash created during construction shall be kept in a contractor- furnished dumpster.

Anyone hired to apply chemicals for lawns, vegetation, pest control, and pool maintenance must be properly licensed and certified to perform this work. It is the responsibility of each home/lot owner to provide the ARC with copies of their required license, insurance, and chemical certification.

**5. Exterior Color Plan:**

The color plan must be supportive of the goal to develop and maintain Gator Trace into a premier community of quality homes. The ARC shall have final approval of all exterior color selections and each owner must submit to the ARC a color plan, including samples showing the color of the roof, exterior walls, shutters, trim, etc. The ARC shall consider the extent to which the color plan is consistent with the homes in the surrounding areas and the extent to which the color plans conform to the natural color and architectural scheme of the home. Any changes to existing color schemes require prior ARC approval.

Actual samples of all materials, such as roofing, siding, brick, stone, etc., as well as all exterior color schemes must be submitted for approval. Such samples shall be retained by the ARC until the home is complete.

**6. Landscaping Plan:**

The landscaping plan must be submitted to the ARC for written approval prior to commencement of construction. Landscaping must be Florida friendly and not include any invasive species. Consult the University of Florida website for invasive species. Palms that have a tendency to proliferate and spread such as traveler palms, cat palm and areca palms are not allowed. [http://livinggreen.ifas.ufl.edu/landscaping/invasive\\_exotic\\_plants.html](http://livinggreen.ifas.ufl.edu/landscaping/invasive_exotic_plants.html)

Landscaping according to the plan must be completed within sixty (60) days of substantial completion of the home.

**Removal of Trees:** It is the goal of the Gator Trace Homeowners Association to maintain, as much as possible, the natural landscaping of the area. The owner shall make every effort to minimize the impact upon existing Florida native vegetation in locating the home upon the lot and to incorporate as much of such trees and shrubs into the landscaping plan as practical. If trees must be removed to accommodate the home, or are considered undesirable and the ARC concurs, new trees shall be included in the landscaping plan to compensate for their loss.

**Grading of Lot:** Lot clearing, grading, construction and landscaping shall not adversely affect adjacent property. This includes drainage. Lots shall be graded to meet city requirements with a minimum requirement of eighteen (18") inches above street level.



**Landscaping Requirements:** The entire lot, including that portion of the lot between the street pavement and the right-of-way line, and that portion of the lot so cleared shall be irrigated and maintained. Sodding or plantings shall be in the entire area cleared surrounding the dwelling. All lots are required to have installed a standard underground sprinkler system. This sprinkler system shall be of sufficient size and capacity to irrigate all sodded or landscaped areas and must be maintained in good working order.

The design of the sprinkler system shall direct the irrigation away from walls and concrete. The depth of any well for irrigation shall be optimized to minimize odor and iron content. The well and pump are a requirement and shall be located on the Landscape or Plot Plan.

The sod recommended is a chinch bug resistant variety of St. Augustine, such as Floratam.

Landscaping requirements include as a minimum, foundation plants across the front, along both sides from front to back and the rear. These plantings are to be separated by no more than two (2) feet when placed across the front of the residence and by no more than three (3) feet when placed on both sides and rear of the home.

A minimum of three (3) Florida native trees are required in the front yard.

7. **Block:**

There shall be no exposed block.

8. **Roofs:**

There shall be no exposed flat roofs or roof pitches less than five (5) in twelve (12) except for flared eaves. Architectural grade, mildew resistant fiberglass shingles, flat tiles, barrel tiles, or metal may be used as approved materials. Solar panels, may be installed to provide electricity or hot water. All roofs and attachments must be approved by the ARC prior to installation.

9. **Roof Overhang:**

There shall be a maximum roof overhang of thirty (30) inches including the rain gutter, and a minimum of eighteen (18) inches at the gable ends of the roof. The ARC may consider localized exceptions for architectural appearance, such as small gables, etc. All exceptions must be approved by the ARC in writing.

10. **Exterior Flashings, Vents. Etc.:**

All exterior flashing and sheet metal work shall be of quality commercially available materials. No plumbing vents, exhaust fans, etc., are to protrude through the roof on the front side of the roof. No skylights shall be installed on either front or side roofs that would be visible from the street.

**11. Garage Doors:**

Garage openings are to be on the side of the garage, not facing the street.

**12. Driveways and Walkways:**

All dwellings shall have finished concrete, specially treated concrete or a brick driveway and shall extend, on each side, six (6) inches beyond the entrance to the side loading garage and a minimum of fourteen (14) feet in width to the street. All homes on lots designated as "A" lots require a builder or contractor-installed five (5) foot wide walk across the property from property line to property line in line with the property on each side. Other exterior walkways must be a minimum in width of three (3) feet and of a composition compatible with the surrounding dwelling, porches and patios.

Driveways and walkways must be kept clean of stains and mildew. Sidewalks and driveways may be painted to ensure a consistent look and easier cleaning. If the sidewalk is to be painted it must be the following spec and can be purchased at Sherwin and Williams.

Color: Natural Concrete

H&C Interior/Exterior Acryla-Deck water-based solid color 100% Acrylic Deck Coating. Color code: Architectural Waterborne IFC 8012NP,

| CCE*Colorant | 02 | 32 | 64 | 128 |
|--------------|----|----|----|-----|
| B1 Black     | 2  | 41 | -  | -   |
| R2 Maroon    | -  | 12 | 1  | -   |
| Y3 Deep Gold | 4  | 10 | 1  | 1   |

**13. Signs:**

During construction of a new residence, or a major change to an existing home, it is permissible for the builder or contractor to display one sign, not to exceed twelve (12) square feet, to identify the site for subcontractors and delivery of materials. Signs should contain an emergency contact number for the general contractor. Signage may only be displayed on the street side to identify the site for subcontractors and delivery of materials. This sign is to be removed upon completion of final inspections. Home "for sale" signs shall be green and white and twelve (12) inches high by eighteen (18) inches wide, and eighteen (18) inches off the ground. Signs must be removed within 2 days after closing. Except as provided above, signs may be displayed on the street and golf course side of the property.

Novelty signs require preapproval of the ARC. Please see the ARC for application process.

**14. Fences and Walls:**

Fences or walls are required to shield air conditioners, generators, irrigation pumps, controls, garbage containers, pool pumps, etc., from view of the public. Absolutely no fencing may be used on the property boundaries to separate a yard from the golf course or the penning of an animal. Invisible fence may be used to keep your pet in your yard. Owners must ensure their pet is properly trained with the fence. The composition, location, and height of any fence or wall shall be subject to the approval of the ARC. The ARC shall require the composition of any fence or wall to be consistent with the material used in the surrounding homes and other fences. Wood is not allowed unless pressure treated. Metal, fiberglass, or plastic fences shall be subject to the approval of the ARC. Fences and walls to shield the above shall not exceed six (6) feet in height above grade level. If fencing is used around pools instead of a screen enclosure, it shall be limited to four (4) feet in height and shall be approved by the ARC.

**15. Recreational Areas:**

Any swimming pool or recreational area to be constructed on any lot shall be subject to the approval of the ARC. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting sky glow and must be approved by the ARC. If one owner elects to purchase two adjoining lots and use one for recreational purposes, the lot used for recreation must be adequately screened by landscaping and/or walls or fences on both the front and side as required by the ARC. It shall be the intent of the ARC to screen any such use from public view.

**16. Mailboxes:**

Only simple white or black mailboxes and posts are permitted. A white mailbox should be on a white post and a black mailbox on a black post. Mailboxes should be installed to the USPS specifications found online at <https://www.usps.com/manage/mailboxes.htm>. The house number should be displayed on the mailbox.

Your mailbox is often how the mail carrier finds your address. It is also how the police, ambulance, and fire department finds your address. It is very important to have your address clearly displayed on both sides of your mailbox. You can put the numbers either on the box or down the post if they can be easily seen from a few houses away. The postal service recommends using numbers that are at least one inch tall, but the bigger they are, the more easily they will be seen.

**17. Lamp Post:**

The individual lamp post at each residence is used as street lights in the single-family home section of Gator Trace; therefore, it is required that each dwelling have a lamp post and that it be illuminated from dusk until dawn. The post globe must be clear glass. The lamp post shall be located approximately in the middle between the side property lines of the lot. The builder or contractor of each new dwelling shall be required to furnish and install the lamp post.

**18. Sight Distance on Golf Course, Driveways and at Intersections:**

No fence, wall, hedge, or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner lot or golf course lot. All hedge or shrub plantings that could obstruct sight lines shall be kept trimmed to less than forty (40) inches above the home grade level and all trees that could obstruct sight lines shall be trimmed from ground level to at least six (6) feet above home grade level.

**19. Utility Connections:**

Building connections for all utilities including but not limited to water, natural gas, electricity, telephone and cable shall be run underground from the proper connecting points to the building in such a manner to be acceptable to the Fort Pierce Utilities Authority. ([www.fpu.com](http://www.fpu.com)).

**20. Window Air Conditioning Units:**

No window air conditioning units shall be permitted.

**21. Athletic Equipment:**

Absolutely no permanent athletic equipment may be erected on any single family residential lot without prior approval of the ARC. Portable athletic equipment may be used but must be stored out of public site when not in use. No athletic games may be played in the streets.

**22. Supplemental Utility Attachments:**

Antennae, Satellite dishes and solar panels are all subject to ARC and board approval. Please see the ARC for application process.

**23. Construction Vehicles:**

Trucks used by service or construction companies are allowed while providing service or during construction hours. No overnight parking in the street is permitted.

**24. Temporary Living Quarters, Storage and Buildings:**

No portable buildings, storage containers, tents, trailers, vans, shacks, tanks or

other temporary accessory buildings or structures shall be erected or permitted to remain on any lot unless approved by the ARC.

**25. Automobile Storage Areas:**

No automobile garage shall be enclosed or converted to any other area. No carports shall be permitted and all garages interior dimensions shall be at least 22 feet wide by 20 feet deep. All garages must have doors that are to be maintained in a useful condition.

**26. Clothes Drying Area:**

No portion of any lot shall be used as a drying or hanging area for laundry of any kind, unless prior permission is given by the ARC. Granting of such permission will require the approval and construction of screening of the area from public view.

**27. Construction and Maintenance:**

All such activity and related personnel must not start earlier than 7:00 A.M. and must cease no later than 7:00 P.M. or nightfall, whichever comes first. Non-construction noises such as loud music or radios that are deemed a nuisance shall not be tolerated. There shall be no construction activity on Sundays or any principal holidays such as New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas.

**28. Setback Requirements:**

- a. Front Yard 25 feet
- b. Side Yard 10 feet
- c. Rear Yard 20 feet

All setbacks are from surveyed property line. The above setbacks are minimum and may be changed by the ARC for the reasons set forth:

Determine if the design of each residence reflects the sensitivity of the site plan in accordance with the golf course design, scale and overall architectural scheme of the neighboring property.

Evaluate all plans as to their harmony with the external design and location of other structures in the subdivision and the golf course design.

Factors to be considered by the ARC will include, among others, elevations, exterior surface treatment, color, lines of sight, shadows, orientation of buildings on the lot and relation to other structures in Gator Trace as well as the Gator Trace Golf Course and Country Club.

Building areas shall not exceed 27% of the total lot area.

**29. Vacant Lots:**

Any lot which does not have a dwelling on it must be kept in a neat condition at all times. Grass must be mowed regularly and kept at a height not to exceed six inches. Trees must be trimmed at least once per year. No weeds, underbrush or unsightly growth shall be permitted. An empty lot may not be used for storage of anything such as building materials, construction equipment, refuse piles, etc. Should any owner fail or refuse to keep his/her lot in a neat and orderly fashion, it is understood that the Association may enter, after proper notification, said lot and correct the infractions at the expense of the owner and such entry shall not be deemed a trespass. Such expenses incurred shall be a charge against the lot owner and collectible in the manner provided in the Declaration as amended from time to time.

**30. ARC Appeals:**

Decisions made by the ARC may be appealed to the Gator Trace Homeowners Board of Directors. The Board of Directors is empowered and determined to maintain the quality of homes in Gator Trace and is prepared to enforce the above Architectural Planning Criteria.