



Exhibit "C"

Architectural Planning Criteria

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this 22 day of May, 2019.

By: Larry Vavroch
[Signature]
Notary Signature

Personally Known or Produced Identification Type of ID produced FLDL



Approved by Board of Directors, April 24, 2019

[Signature]
Larry Vavroch, President
Deer Run Community Association

WHEREAS, the Declaration of Covenants and Restrictions for Deer Run, as originally recorded in OR Book 2244, Page 155 through 180 of the Public Records of Brevard County, Florida, and as has been amended from time to time, provides that the architectural review and control functions of Deer Run Community Association Inc., (“Association”) shall be administered and performed by the Architectural Review Board (“ARB”); and

WHEREAS, the above-referenced Declaration provides that the Board of Directors of the Association on recommendation of the ARB shall adopt and modify or amend from time to time Architectural Planning Criteria for Deer Run, which Criteria are to be set forth in writing and made known to all owners and prospective owners in Deer Run.;

NOW THEREFORE, the Board has established a committee to be known as the ARB in accordance with the duties and obligations imposed upon said committee by the Declaration, the Board of Directors of the Association, on recommendation of the ARB, does hereby adopt the following Architectural Planning:

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1 ARCHITECTURAL REVIEW OVERVIEW

1.1 Purpose

In the interest of creating a quality community, Deer Run Community Association, Inc. (“the Association”), pursuant to Article VII of its Declaration of Covenants and Restrictions, hereby amends and restates the following Architectural Planning Criteria for Deer Run. As set forth herein, the Architectural Review Board (“ARB”) and the Association shall have the right to review, approve, and/or disapprove the plans and specifications for improvements to or alterations of any Lot or structure thereupon, and to enforce the Criteria. All members of the Association are required to comply with these criteria. The authority, methodology, and criteria for these reviews are defined in the Deer Run Declaration of Covenants and Restrictions (“Covenants”) and these Deer Run Architectural Planning Criteria (“Exhibit C”) recorded in the official records of Brevard County.

1.2 Precedence

In the event of a conflict between this Deer Run Architectural Planning Criteria document, the text of the Deer Run Covenants and Restrictions recorded in the Brevard County Public Records, and Brevard County Ordinances and Building Codes the order of precedence is:

- a) Brevard County Ordinances and Building Codes to the extent they are more restrictive than the Deer Run Covenants and Restrictions or Deer Run Architectural Planning Criteria.
- b) Deer Run Covenants and Restrictions
- c) Deer Run Architectural Planning Criteria

1.3 Review and Approval

1.3.1 Items Requiring Review and ARB Approval

Activities that require application, review, and prior written ARB approval include, but are not limited to the construction of, alteration or modification of, demolition or removal of, installation of, or improvement to, any of the following:

- a) New dwelling (residence), detached building, barn (stable), storage shed
- b) Dwelling, detached building, barn, storage shed update or modification (e.g., re-roof, re-side, changing color when re-painting, etc.)
- c) New or altered replacement of fence (perimeter, tennis court, child play area, screening)
- d) Swimming pool and/or enclosure construction
- e) Tennis courts and other installed play structures
- f) Lot clearing, removal of (except for non-native invasive) tree(s) four (4) inches or greater in diameter, filling or grading of lots, ponds, and landscaping associated with construction of dwellings, detached structures, barns (stables).
- g) Towers, antennas, solar panels
- h) External animal enclosures
- i) External above ground storage tanks

1.3.2 Review Process

To facilitate these reviews, the Deer Run Community Association Board of Directors (“BOD”) has designated a five-member Architectural Review Board (ARB) to review proposed improvements or modifications.

1.3.2.1 Application for Review

Prior to beginning any activity requiring ARB approval, an application including plans and specifications must be presented to the ARB for review. There will not be a fee charged for the ARB review.

1.3.2.2 Required Documentation

This application shall include a site plan, drawings, brochures, and descriptions adequate for the ARB to confirm the project’s adherence to the Covenants and Architectural Planning Criteria. The ARB may also require submission of samples of building materials proposed for use on any Lot or any other additional information as reasonably necessary for the ARB to completely evaluate the proposed improvements in accordance with the Covenants and the Architectural Planning Criteria.

The ARB may generate guidelines for applications for required submission materials, and if so shall make them accessible at designated locations. Currently they may be obtained at the designated property management office or online at DeerRunHOA.org. The ARB will make the location where these guidelines or applications may be obtained publicly by postings in the Common Area Club House (273 Cavalier, Palm Bay, FL), Deer Run newsletters or Deer Run Web Site. They also may be obtained from the Deer Run BOD or ARB members.

1.3.2.3 Submission for Review

The plans and/or specifications for any project requiring prior written ARB approval shall be submitted to the designated property management company, which contact information can be obtained publicly on signage at entrance, postings in the Common Area Club House (273 Cavalier, Palm Bay, FL), Deer Run newsletters or online at DeerRunHOA.org.

1.3.2.4 Building Permit

Though the documents required for ARB review closely parallel those required by the Brevard County building permit application, ARB review does not supplant or relieve a Lot owner from Brevard County requirements to obtain appropriate Brevard County building permits. A building permit must be obtained (if required by Brevard County) and a copy provided to the ARB prior to beginning any construction, modification, or improvement.

1.3.3 Approval

Construction, modification, or improvement may not begin until written approval is received from the ARB. In the event that the ARB disapproves any application, the ARB shall state with specificity reasons for the disapproval.

1.3.4 ARB Failure to Act

Should the ARB fail to act upon any complete application within thirty (30) days from the receipt thereof by the ARB and designated property management company, and after five (5) days written notice by the Lot owner to the Association and management company that the application has not been approved or denied, then such inaction shall be deemed approval of the submission.

1.3.5 Appeal of ARB Decision(s)

An applicant whose application has been denied in whole or in part by the ARB, or who has been otherwise aggrieved by a decision of the ARB may appeal to the Association's Board of Directors within (10) days of the date of the decision or denial. An appeal can be sent by email to bod@deerrunhoa.org. A member of the BOD or designated property management company will contact the Lot owner to confirm receipt of the appeal. Notwithstanding the foregoing, any Lot owner in good standing maintains the right to address the BOD at any regularly scheduled BOD meeting. If the appeal is not denied by the Board of Directors in writing within thirty (30) days, the appeal shall be deemed approved.

1.4 Construction

1.4.1 Deposit Requirements

For projects involving lot clearing or new home construction, a construction and compliance deposit in the amount of two thousand dollars (\$2,000.00) is required from the Lot owner prior to beginning of lot clearing or construction. The deposit will be returned without interest upon completion of the construction or improvement in accordance with approved packages.

1.4.2 Contractor Requirements and Insurance

All contractor work shall be performed by licensed and insured contractors. For new home construction, copies of licensure and insurance certificates naming the Association as an additional insured and showing adequate and reasonable coverage for the Association are required to be submitted with the application.

1.4.3 Time for Completion

There is a one (1) year deadline for the completion of work or alteration described in an application for approval. The ARB may extend in writing such deadline as may be necessary or reasonable upon request of the applicant.

1.5 Remedies Cumulative

The Association shall have all available remedies at equity or at law for the enforcement of these Criteria. In the event construction or other alterations are performed contrary to these Criteria, or are commenced without prior written approval by the ARB, the Association may: demand mediation; institute an action seeking damages and/or injunctive relief including but not limited to order for the removal of the offending work or restoration of the property to its condition prior to the unapproved work or alteration; levy fines; or seek any other available and appropriate remedy without limitation, and the remedies available shall be cumulative such that the selection of one or more remedies shall not exclude the availability of others. The Association shall be entitled to recover attorney's fees and costs in the event it is required to enforce the provisions of these Criteria.

2 BUILDING(S)

2.1 Dwelling (Residence)

- a) All new dwelling (residence) construction or any addition, alteration or modification to the external aspect(s) or appearance of a dwelling (residence) require prior written ARB approval.

- b) The dwelling shall be setback a minimum of one hundred (100) feet from the front lot line, twenty-five (25) feet from side lot lines, and thirty (30) feet from the rear lot line. If the lot is a corner lot, the setback from the side lot line facing the side street shall be a minimum of fifty (50) feet.
- c) No dwelling shall exceed (2) two stories in height nor contain less than two thousand (2,000) square feet of living space exclusive of garages, screened porches patios, terraces, decks or entryways. The square footage is defined to be the enclosed living space (under air) less the exterior walls.
- d) The topmost point of the dwelling roof line shall not exceed thirty (30) feet above the finished first floor level. Any second floor living area shall be within the space defined by the roof line of the building.
- e) The ARB reserves the right to restrict the height to which the ridge of the roof or any element of the dwelling including chimneys, flues and vents may extend to preserve views and aesthetics for the overall benefit of the community.
- f) Flat roofs (roofs with no pitch) shall not be permitted on any building structure.
- g) Dwelling roof overhangs must be a minimum twenty-four (24) inches beyond the exterior walls of the building. Roof overhangs on gable ends must be a minimum of eighteen (18) inches beyond the exterior wall.
- h) All dwellings shall be constructed of new materials for areas of structure support.
- i) The exterior of all dwellings shall be of natural stone, brick, stucco, architectural grade vinyl siding, or lapped siding.
- j) Exterior sheet siding (e.g., T1-11), exposed concrete, or cinder block or unfinished materials are not permitted.
- k) Roof materials shall be of architectural grade asphalt/fiberglass shingles, clay tile, metal, or aluminum in accordance with Brevard County building and wind codes. Any metal roofing must be painted, finished or coated with a color compatible with the exterior color of the home. All dwellings will have a minimum of 6/12 roof pitch on the main living area of the building.
- l) Finish building materials shall be applied to all sides of the exteriors of the buildings. Colors should be harmonious and compatible with colors of natural surrounding and other adjacent buildings. The ARB shall have the right to approve or disapprove materials and colors and may make such decisions on purely aesthetic grounds, based solely on its own judgement. Any color change from the original approved package requires ARB approval.
- m) Room additions such as Florida rooms, patios, or screen enclosures shall be in the rear of the dwelling only and not extend beyond the sidewalls of the dwelling.
- n) Exterior stairways may be constructed only after obtaining the prior written consent of the ARB.
- o) Each dwelling must provide at least a two (2) car enclosed garage with the garage door facing away from street(s) at no less than a forty-five (45) degree angle.
- p) All dwellings shall have a paved driveway of permanent construction of concrete or concrete / brick pavers and be a minimum of twelve (12) feet wide.
- q) Gravity septic systems only or as Brevard County code mandates.

2.2 Detached Structures

The requirements in this section are for structures such as (but not limited to) garages, workshops, carports that are built separate from and not attached to the dwelling (residence). Requirements for barns (stables), storage sheds less than three hundred (300) square feet, and accessories such as dog houses and animal enclosures are defined in separate following sections.

- a) All new detached structure construction, addition, alteration or modification to the external aspect(s) of a detached structure require prior written ARB approval.
- b) Detached structures such as garages, workshops, etc. shall not be built unless a dwelling (residence) exists or is being built concurrently with the detached structure.
- c) A minimum setback from the rear of the home to the front of the detached structure will be, twenty-five (25) feet. The structure will be setback a minimum of twenty-five (25) feet from the side lot line and a minimum of thirty (30) feet from the rear lot line. If the lot is a corner lot, the setback from the side lot line facing the street shall be a minimum of fifty (50) feet.
- d) All detached structures will have permanent foundation and conform to all Brevard County building and wind ordinances.
- e) The total square footage areas of all detached structures, barns (stables), and storage sheds combined will have no more than one and one-half (1½) times the square footage of the primary dwelling (residence) air-conditioned living area.
- f) No detached structure will exceed twenty-five (25) feet in height.
- g) The ARB reserves the right to restrict the height to which the ridge of the roof or any element of the structure may extend to preserve views and aesthetics for the overall benefit of the community.
- h) All detached structures will have a minimum roof pitch of 4/12.
- i) Flat roofs (roofs with no pitch) shall not be permitted on detached structures.
- j) Detached structures will have a minimum overhang of twenty-four (24) inches from the exterior wall. Roof overhang on gable ends shall be a minimum of eighteen (18) inches.
- k) Detached structures shall be constructed of new materials.
- l) All detached structures require roof and wall materials harmonious with the primary dwelling.
- m) The exterior of all detached buildings shall be of natural stone, brick, stucco over cement block, architectural split face block, metal, architectural grade vinyl siding, or lapped siding in accordance with Brevard County building and wind codes.
- n) Exterior sheet siding (e.g., T1-11), exposed (non-architectural) concrete or cinder block or unfinished materials are not permitted.
- o) Roof materials shall be of architectural grade asphalt/fiberglass shingles, clay tile, metal, or aluminum in accordance with Brevard County building and wind codes. Any metal roofing must be painted, finished or coated with a color compatible with the exterior color of the dwelling (residence).
- p) Finish building materials shall be applied to all sides of the exteriors of the buildings. Colors should be harmonious and compatible with colors of natural surrounding and other adjacent buildings. The ARB shall have the sole right to approve or disapprove materials and colors so and may make such decisions on purely aesthetic grounds, based solely on its own judgement.
- q) Exterior stairways may be constructed only after obtaining the prior written consent of the ARB.

- r) Carports must be shielded from view and have solid wall on any street side.

2.3 Barns (Stables)

Barns (Stables) will meet all the requirements of detached structures with the following exceptions:

- a) All new barn (stable) construction, addition, alteration or modification to the external aspect(s) of a barn (stable) require prior written ARB approval.
- b) Barns shall not be built unless a dwelling (residence) exists or is being built concurrently with the barn (stable).
- c) A minimum setback from the front lot line to the barn will be one hundred twenty-five (125) feet. and from the rear of the home to the front of the barn will be one hundred (100) feet. The structure will be setback a minimum of fifty (50) feet from the side lot line and a minimum of fifty (50) feet from the rear lot line. If the lot is a corner lot, the setback from the side lot line facing the street shall be a minimum of seventy-five (75) feet.
- d) Barns will be exempt from needing a permanent foundation and from roof overhang requirements of detached structures. A minimum twelve (12) inch roof overhang on exterior walls is acceptable.
- e) Barns must be Brevard County permitted and adhere to all Brevard County building and wind ordinances and be ARB approved.
- f) The total square footage areas of all detached structures, barns (stables), and storage sheds combined will have no more than one and one-half (1½) times the square footage of the primary dwelling (residence) air-conditioned living area.
- g) Finish building materials shall be applied to all sides of the exteriors of the buildings. Colors should be harmonious and compatible with colors of natural surroundings, dwelling, and other adjacent buildings. The ARB shall have the sole right to approve or disapprove materials and colors so controlled and may make such decisions on purely aesthetic grounds, based solely on its own judgement.
- h) Exterior sheet siding (e.g., T1-11), exposed (non-architectural) concrete or cinder block or unfinished materials are not permitted.
- i) Exterior stairways may be constructed only after obtaining the prior written consent of the ARB.

2.4 Storage Sheds

- a) All sheds require prior written ARB approval.
- b) Storage sheds shall not be built unless a dwelling (residence) exists or is being built concurrently with the storage shed.
- c) Storage sheds will be limited to one (1) with a maximum size of three hundred (300) square feet.
- d) The total square footage areas of all detached structures, barns (stables), and storage sheds combined will have no more than one and one-half (1½) times the square footage of the primary dwelling (residence) air-conditioned living area.
- e) Sheds shall be purchased new or constructed of new materials.

- f) The setbacks for all sheds will be twenty-five (25) feet from the side and rear lot lines and twenty-five (25) feet from the rear of the home. If the lot is a corner lot, the setback from the side lot line facing the street shall be a minimum of fifty (50) feet.
- g) Sheds must have a gable, hip or mansard style roof; however, they will be exempt from the roof material, roof pitch, and roof overhang requirements of detached structures.
- h) The shed shall be permanently anchored to the ground and must adhere to all Brevard County building ordinances for sheds.

3 LOT(s)

3.1 Land Clearing & Tree Removal

- a) Any lot clearing requires prior written ARB approval.
- b) All portions of lots, easements, and adjacent road right-of-way will be cleared.
- c) All non-native invasive plants and trees must be cleared as required by the Brevard County.
- d) Removal of trees must be done according to Brevard County code.
- e) No tree or shrub, the trunk of which exceeds four (4) inches in diameter (except for non-native invasive trees) shall be cut down or otherwise destroyed without the prior written approval of the ARB.

3.2 Utilities and Easement

- a) All utility connections, including without limitation, water, electricity, telephone and television lines, to all dwelling Units or other permitted structures on any Lot, shall be constructed underground from the lot line to such building structure in a manner subject to the proper written consent of the ARB.
- b) A ten (10) foot easement and right of way is expressly reserved along the side lot lines of all Lots to permit the construction and maintenance by the Developer, its successors and assigns and public utility companies, of water, gas, electric, drainage, telephone, cable television and other services of like nature. When more than one lot or a combined portion thereof is used as a building site the easements noted above will revert to the perimeter of said building site provided existing easements are not already in use.

3.3 Filling, Grading and Ponds

- a) No fill will be placed on any lot without Prior written ARB approval.
- b) If two (2) adjoining lots are utilized as one dwelling site, both lots must be cleared and filled for proper drainage.
- c) Owners shall preserve, protect, and maintain the existing ditches and swales located in the road right-of- way and easements contiguous to their Lots, and between lots.
- d) All areas between road pavement and the lot line which have been affected by construction shall be restored to their original condition by the Owner for whom the construction was undertaken.

- e) At the location where any driveway crosses any such ditch or swale, the Lot owner shall install drainage pipe of the size and material designated by both Brevard County and the ARB to facilitate proper drainage and conformity with adjacent Lots.
- f) A culvert pipe must be installed at the front swale of the property before the filling of a lot takes place; the Brevard County sets the elevation of the culvert pipe. This will allow water to flow as intended and must be kept clear of any and all debris during construction.
- g) Lots must be filled to avoid house pad or septic system hump and blend gently into the surrounding area.
- h) All ponds constructed in front of Dwelling Units shall be not less than fifty (50) feet from the front lot line nor shall they be less than fifty (50) feet from any side lot line if constructed on a corner Lot.
- i) No ponds may be dug without prior written approval from the ARB and Brevard County.
- j) All ponds must have erosion control on all slopes.
- k) All ponds will be maintained. Unsightly growth will not be allowed in or around ponds.

3.4 Landscaping

- a) Landscaping associated with dwelling (residence), detached structure, barn (stable) construction requires prior written ARB approval.
- b) All portions of lots not improved with structures, ponds, flower beds or paving will be kept as lawns or pasture.
- c) Landscaping as approved by the ARB shall be installed no later than sixty (60) days following occupancy of, or completion of, any building, whichever occurs first.
- d) All lands forming portions of a public right-of-way between the boundary of a Lot and the pavement installed within the right-of-way, shall be grassed by the adjacent and abutting Owner and maintained by him as a portion of his lawn.
- e) Landscaping of property shall comply with Brevard County Landscaping Ordinance.
- f) All lots will require sod from the rear line of the dwelling (residence) forward to the road and to both sides of the property.
- g) Any other disturbed areas from within the rear line of the dwelling (residence) forward to the road and to both sides of the property will require sod, seed or mulch.
- h) No unsightly growth shall be permitted to grow or remain upon any Lot.
- i) If one owner elects to purchase two (2) adjoining lots and use one for recreational purposes, landscaping and/or fences on both front and side must adequately screen the lot used for recreation and be out of public view.
- j) Notwithstanding anything to the contrary, "Florida friendly landscaping" as provided for in Florida Homeowners Association Act shall not be prohibited by the Association or the ARB.

3.5 Intersection Sight Lines

No fence, wall, hedge, or shrub planting which obstructs sight lines and elevations between two (2) and six (6) feet above the roadway shall be permitted to remain on any corner lot nor shall trees be permitted to remain

within such distances of intersections unless the foliage line is maintained at sufficient height to prevent obstruction of sight lines.

4 ACCESSORIES

4.1 Fencing

- a) All fences in public view¹ require prior written ARB approval.
- b) All perimeter fencing will have a minimum nominal four (4) by four (4) inch pressure treated posts with minimum nominal six (6) inch tall pressure treated rails.
- c) Perimeter fencing may be either three (3) rail, four (4) rail, or crossbuck style.
- d) Entrance gate(s) may be either three (3) or four (4) rail gate(s) consistent with the perimeter fence, stylized metal gate(s), or decorative painted metal stockade gate(s). No metal farm gates will be allowed at any property entrance.
- e) Fence height is not to exceed six (6) feet or the current Brevard County code.
- f) Wood, vinyl, PVC, or high-density polyethylene (HDPE) fences of same dimensions and design are acceptable upon ARB approval.
- g) No metal fence may be erected except to enclose a tennis court, to enclose a child play area for the safety of children, or to enclose a dog area.
- h) Fences for child play area or dog area must be a painted metal stockade style constructed directly behind the rear of the dwelling (residence) and within close proximity of the Dwelling Unit and isolated from public view¹.
- i) There shall be no unfinished exposed block fences or walls permitted on any Lot.

4.2 Antennas, Satellite Dishes, Towers, Solar Panels

- a) Although towers and antennas are generally prohibited, the ARB may permit them in cases where the Lot owner can show that the tower or antenna will not adversely affect neighboring properties, telecommunications systems, or cell towers. The ARB may impose special conditions or requirements on approval thereof to ensure compatibility and to reduce adverse effects. Towers and antennas must be constructed behind the rear of the dwelling (residence). Tower/Antenna height shall be no greater than seventy-five (75) feet. Towers and antennas shall require the prior written ARB approval.
- b) Satellite dishes less than three (3) feet. in diameter may be mounted on the rear or side of the dwelling (residence) as required for alignment to the satellite.
- c) Satellite dishes greater than three (3) feet. in diameter must be constructed behind the rear of the dwelling (residence) and shielded from the view of any streets and surrounding lots. The placement of any such satellite dish shall require the prior written ARB approval.

¹ They will be considered isolated from public view if at a point in the centerline of the street and in the center line of the house the structure is not visible, and they are behind the rear plain of the house and covered by a fence or shrubbery.

- d) Solar panels shall not be placed on the front side of the dwelling (residence) roof. A drawing showing size and location of solar panels must be submitted to the ARB and require prior written ARB approval.

4.3 Swimming Pools and Enclosures

- a) Swimming pool and pool enclosure construction or replacement require prior written ARB approval.
- b) No above ground pools.
- c) The outside edge of any pool wall cannot be closer than three (3) feet to a line extended and aligned with the sidewall of the dwelling.
- d) Pool screening or enclosure cannot be visible when facing the front of the dwelling from the street.
- e) All pool equipment including, but not limited to, pumps, filters, and heaters shall be hidden from view by an appropriate enclosure, screening or landscaping. Any enclosure or screening is to be constructed of materials consistent with the dwelling (residence).

4.4 Tennis Courts, Basketball Goals, Trampolines, and other Play Structures

- a) Tennis courts and other permanent installed play structures require prior written ARB approval.
- b) Tennis court enclosure, if any, must be constructed behind the rear of the Dwelling Unit and shall be constructed not less than twenty (20) feet from the rear and side lot lines or less than fifty (50) feet from the side lot lines if constructed upon a corner Lot.
- c) A child play area, if enclosed by a metal fence, must be constructed directly behind the rear of the dwelling (residence), within close proximity of the dwelling and isolated from public view². Fencing shall be in accordance with section 4.1.
- d) The size of any such tennis court enclosure or child play area enclosure shall require the prior written approval of the ARB.
- e) All basketball backboards, trampolines, swing sets, playhouses and any other games and play structures shall be located at the rear of the dwelling or on the inside portion of the corner lots within the setback lines.
- f) No platform, play house, or other structure of similar kind or nature shall be constructed on any part of a lot located in the front of the rear line of dwelling and must have prior approval of the ARB.
- g) Playhouses, swing sets and similar structures do not need a permanent foundation.

² They will be considered isolated from public view if at a point in the centerline of the street and in the center line of the house the structure is not visible, and they are behind the rear plain of the house and covered by a fence or shrubbery.

4.5 Dog Houses and Animal Enclosures other than Barns (Stables)

- a) A diagram submittal and prior written ARB approval is required for all animal enclosures outside the dwelling (residence).
- b) All dog houses and animal enclosures will be rear of the dwelling (residence) and be setback a minimum of fifty (50) feet. from the side lot line and a minimum of fifty (50) feet from the rear lot line. If the lot is a corner lot, the setback from the side lot line facing the street shall be a minimum of seventy-five (75) feet.
- c) All dog houses and animal enclosures will be isolated from public view³
- d) A dog area, if enclosed by a metal fence, must be constructed directly behind the rear of the dwelling (residence), within close proximity of the dwelling and isolated from public view³. Fencing shall be in accordance with section 4.1.

4.6 Flags, Flag Poles & Signs

- a) Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, which cannot be larger than the United States flag.
- b) Flags and flag poles shall be in accordance with Brevard County ordinances.
- c) The maximum flag size shall be four and a half (4 ½) by six (6) feet.
- d) The maximum height of a flagpole shall be thirty-two (32) feet.
- e) Flagpoles shall be setback a minimum of fifty (50) feet. from the front lot line and twenty-five (25) feet. from side and rear lot lines. If the lot is a corner lot, the setback from the side lot line facing the street shall be a minimum of fifty (50) feet.
- f) No sign larger than six (6) square feet of any kind including "For Rent" or "For Sale" or other similar signs may be erected on any lot without written approval of the ARB. It being understood that the ARB will not grant permission for said larger signs unless their erection is reasonably necessary to avert serious hardship to owner.

4.7 Outdoor Lighting & Screening

- a) Any lighting of pool or other recreational area shall be designed to buffer the surrounding dwellings (residences) from the lighting.

³ They will be considered isolated from public view if at a point in the centerline of the street and in the center line of the house the structure is not visible, and they are behind the rear plain of the house and covered by a fence or shrubbery.

4.8 Exterior Equipment / Trash Containers & Refuse / Storage Tanks

- a) All exterior physical plant equipment, including but not limited to air-conditioning equipment, pool equipment, water purification and water softening equipment and sprinkler pumps shall be hidden from view by an appropriate enclosure, screening or landscaping. Any enclosure or screening is to be constructed of materials consistent with the dwelling.
- b) No above ground storage tanks, including but not limited to, those used for storage of water, gasoline, oil, or other liquid or gas shall be permitted unless isolated from public view⁴. All above ground storage tanks require prior written ARB approval.
- c) Garbage and refuse shall be placed in suitable containers which shall be concealed and contained within buildings or shall be concealed by means of a screening wall or materials similar to and compatible with that of the building or buildings on the Lot or shall be concealed by sufficient landscaping to provide a permanent screen at all times of the year.
- d) No refuse, refuse pile or any other unsightly object shall be allowed to be placed or remain anywhere on any lot.

4.9 Construction Activity / Portable Toilets

- a) Construction activity may only take place between the hours of 7:00 am and 7:00 pm Monday through Saturday.
- b) Construction may not take place on Sunday or National Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas Day).
- c) Installation of portable toilets will be temporary and are only allowed during construction of dwelling (residence), detached structure, barn (stable). All portable toilets will be set no closer than twenty-five (25) feet from the road.

⁴ They will be considered isolated from public view if at a point in the centerline of the street and in the center line of the house the structure is not visible, and they are behind the rear plain of the house and covered by a fence or shrubbery.