



WINDOVER FARMS OF MELBOURNE HOMEOWNERS ASSOCIATION, INC.

4025 Windover Way, Melbourne, FL 32934 (321) 259-2216

APPLICATION FOR POOL CONSTRUCTION

Date: _____

Lot Number _____

HOMEOWNER

Name _____

Address _____

City _____

State _____ Zip _____

Phone: Home (_____) _____

Work (_____) _____

Fax (_____) _____

Cell (_____) _____

E-Mail: _____

CONTRACTOR

Name _____

Address _____

City _____

State _____ Zip _____

Phone: Home (_____) _____

Work (_____) _____

Fax (_____) _____

Cell (_____) _____

E-Mail: _____

Note: In order to prevent delays, it is recommended that the property owner and/or contractor attend the ARC meeting.

POOL CONSTRUCTION PERMIT INSTRUCTIONS

Note: The Windover Farms of Melbourne Homeowners Association, Inc. Architectural Review Committee is herein referred to as the "ARC". The Windover Farms of Melbourne Homeowners' Association Declaration of Covenants, Conditions, and Restrictions are herein referred to as "WFM Deed Restriction".

1. APPLICATION TIMETABLE

Applications for new **Pool Construction** must be submitted to the Homeowners' Association Manager's Office located in the Pavilion not later than **10 days** prior to the ARC meeting. **Incomplete applications will not be considered.** ARC meeting are held on the **3rd Tuesday** at the Pavilion office at **7:30 p.m.** (Meeting dates subject

to change, please call the office to confirm the date). The Association Manager's Office Telephone: (321) 2592216, FAX: (321) 259-0552, E-Mail: windoverfarms@cfl.rr.com.

2. FEES

A \$1000 deposit fee will be required for the review of an application for construction of a pool. This fee will be deposited into an escrow account and will be fully refundable upon satisfactory completion and final inspection by the ARC of the pool construction. Any construction and/or work changes made without prior ARC approval will result in the forfeiture of deposit.

3. ACTIONS REQUIRED PRIOR TO SUBMITTING APPLICATION

Note: This is a checklist for both the applicant and the ARC. Prior to submitting this application, the applicant should review each item and initial same in the space provided to indicate compliance. Proof of these actions or the instruments involved must accompany this application.

- _____ A. Site plan, by licensed surveyor showing exact location of house, pool, equipment, septic system, etc. (may use existing survey on file with office)
- _____ B. Landscape plan showing vegetation that will be removed and will be added by name, size, and quantity. For trees, diameter/caliper must be shown. Note: WFM Deed restrictions require 25% replacement value for all pine trees over three (3) inch diameter that are removed and 50% replacement for all hardwood trees over 3 inches. These replacement trees must be hardwoods and at least three (3) inches in diameter.
- _____ C. The removal of any existing trees for the installation of the pool requires approval by the ARC.
- _____ D. Copies of County permits. (Must be submitted prior to any work)
- _____ E. Pool Plans
- _____ F. I will leave _____% of the lot natural as indicated by the accompanying plans. (Every effort must be made to locate the pool on the lot to save as many trees and as much natural vegetation as is reasonable and possible.)
Note: All areas cleared must be sodded
- _____ G. I/We the applicants(s) have read and understand the WFM Deed Restrictions, the sign policy for Windover Farms of Melbourne, and the County Noise Ordinance as it pertains to Construction activities.
- _____ H. Initials here indicate that all above described documents which are applicable and all the following questions have been answered. Items which are not applicable have been so noted.

APPLICATION DETAILS (Answer all questions or write in "NA" if the question does not apply to your situation.)

A. SWIMMING POOL, SAUNA, ETC.

- 1. Swimming pool has screen enclosure? _____ Yes _____ No
- 2. Swimming pool has fence enclosure? _____ Yes _____ No

Note: Pool must be either screened or fenced. If Yes to fence enclosure a separate fence application must be submitted.

- 3. Swimming pool enclosure color _____

Note: Pool equipment must be screened from view. It must not be visible from the street or from a neighbor's yard.

Please indicate one of the following screening choices:

Fence painted to match house color _____ Material _____

Stucco wall painted to match house color _____

B. ON-GOING CONSTRUCTION

1. As construction progresses, periodic inspections will be made by members of the ARC to assure compliance with the approved plans, with WFM Deed Restrictions, and other approved policies of Windover Farms of Melbourne. Under no circumstances can any changes be made without the prior approval of the ARC. Note: Noncompliance will result in construction delays and fines. **Pool construction and all landscaping including sod and tree replacement, etc must be completed within 90 days from the time that ground is broken.** (If necessary an extension may be requested from the ARC.

2. I/We understand that a final inspection will be required to ensure the property is in complete compliance with the approved construction application and the WFM Deed Restrictions. This inspection will take place prior to the return of the refundable construction deposit. Upon completion of the inspection and correction of any compliance issues, the Association Manager will send us a letter stating that our property is in compliance. My/Our initials here signify my/our agreement with this procedure. _____

3. I/We the owner(s) of Lot Number _____ have received a copy of the WFM Deed Restrictions and acknowledge having read and understood all requirements. I/We further agree to protect all trees and "natural areas" as shown on this application. If, for any reason, trees or natural areas designated for preservation are destroyed, I/We agree to replace same (as specified in the WFM Deed Restrictions.) I/We agree that construction will be completed as per submitted plans. I/We also agree that the ARC shall be the final interpreter of the WFM Deed Restrictions and this application. My/Our initials here signify my/our willingness to abide by these statements. _____

4. **I/We agree that in the event it becomes necessary to fill in a swale for access to a lot, a temporary culvert will be placed in a manner as to allow for proper drainage. [10-12" Pipe per BC Road & Bridge].**

This application is complete and accurate to the best of my/our knowledge.

(TO BE CONSIDERED, THIS APPLICATION MUST BE SIGNED BY THE LOT OWNER AND THE CONTRACTOR)

Lot Owner(s) _____ Date _____

_____ Date _____

Contractor _____ Date _____

Package reviewed by _____ Date _____

Found to be ____ or not ____ for review.

Comments _____

CONSTRUCTION VIOLATIONS AND PENALTIES

The following penalties will be assessed and withheld from the refundable portion of the building deposit

<u>Violation</u>	<u>Occurrence</u>	<u>Penalty</u>
Encroachment	1st Offense	\$700/Stop Work/Legal
Over-clearing	1st Offense/Stop Work	\$700/Stop Work/Legal
Barricading of Trees	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
No Temporary Culvert	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
Construction Debris/Trash Not Contained or Removed	Each Occurrence	\$100
Landscape Plan/Not Followed	At Completion	\$700*
House/Roof Colors	At Completion	\$700*
A/C & Pool Equipment Not Screened	At Completion	\$700*
Unpainted Metal Vents	At Completion	\$700*
Staining Mail Box Posts	At Completion	\$700*
Builders Sign Policy Not Observed	Each Offense	\$200
Construction Parking	1st Offense	\$100
	2nd Offense	\$200
	3rd Offense	\$300
Dogs/Loud Music	Each Occurrence	\$100

The items with an {*} indicates the deposit will be held until completion of construction. If the violation has been corrected, 75% of the deposit will be refunded. In terms of the time frame that will be used for compliance and corrections, the ARC has agreed to a maximum of 5 days for remedies except in the case of changing house or roof colors. As with all the violations, penalties and schedules contained herein, the ARC reserves the right to change or amend any of the requirements as appropriate depending on the circumstances of each individual homeowner or builder. However, it is the intent of the ARC to follow these requirements to the maximum extent possible in order to maintain consistency and fairness to all Windover Farms of Melbourne property owners.

Lot Owner(s) _____ Date _____
 _____ Date _____

Contractor _____ Date _____