

PORT MALABAR HOLIDAY PARK
MOBILE HOME PARK RECREATION DISTRICT
ARCHITECTURAL CONTROL COMMITTEE

Rules and Regulations
Dated 4/28/26

The purpose of the ACC Board is to assist our lot owners with navigating and understanding our deed restrictions, rules and regulations and policies. The Board will also advise the lot owner what additional requirements are necessary from Palm Bay's building and/or zoning commission to comply with the city's requirements.

Meetings are scheduled twice monthly on first and third Tuesday at 9:30 AM. Applications must be received in the District Office on the Tuesday prior to the next scheduled ACC Meeting.

The Architectural Control Committee (ACC) shall be comprised of five (5) committee members and two (2) alternates. The five (5) members will consist of one (1) Chairperson, one (1) Vice-Chairperson, one (1) Secretary and two (2) board members. The alternates can attend all meetings and fill any absences by committee members. There must be a majority of ACC members and/or alternates to have a meeting. Only (5) members at any meeting will be eligible to vote on issues in front of the board.

There will be a two (2) year term for members of the ACC Board with a rotation where no more than (2) members leaving at the same time. If any member wishes to continue on the ACC Board after a two (2) year term, they must submit a letter to the Board of Trustees requesting approval for another two (2) year term. Alternates will not be included in terms nor term limits. (No member shall serve any more than two (2) consecutive terms.)

If an ACC member is terminated or resigns before the end of their term, that person must wait at least one year from the date of resignation to re-apply. Special consideration will be given to extenuating circumstances (illness, family issues, etc.) and will be determined by the ACC Board and the Board of Trustees. (***Approved by Trustee Board 3/11/24***)

Any resident that wishes to submit a letter of intent to the ACC Board must have lived in Holiday Park for a period of one 1 year prior to submission letter.

VIOLATIONS:

Per a majority of the Board of Trustees on July 6, 2021, authority was granted to the ACC to conduct periodic residential reports on any violations. It is the responsibility of the District office to follow-up with respective homeowner.

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ACC VIOLATION COMPLAINTS:

All violation complaints must be in writing, dated and signed.

APPLICATION:

1. Homeowner shall be responsible for submitting an application to the ACC for improvements on outside of unit. Applications are available at the District Office or at the Holiday Park website, www.holidayparkfl.com
2. The application must be completed in full before ACC review and approval.
3. Improvements include:
 - a. Addition to existing mobile (Florida room, screened-in room, sheds)*.
 - b. Adding electrical to existing Florida room, screened-in room, sheds*.
 - c. Closing in screened room with windows*.
 - d. All concrete work, driveway, parking areas, walkways, and patios*.
 - e. Plantings (no city permit required) ACC application is required with no fee.
 - f. Fencing of any type, including fencing around garbage bins and recycling bins.
 - g. Removal and replacement of existing unit must be approved by ACC*.
 - h. No driveway/carports shall be allowed in front of the unit. Additional driveway will be decided case-by-case. Additional driveway must be in pavers only. No driveway paver paths permitted. No poured cement on either side of the mobile/driveway. Landscaping may be considered upon application to the ACC.

***City of Palm Bay permit requires prior ACC approval. Contact Building (permits/Inspections) City of Palm Bay, FL**

Room Additions and Add-On-Structures outside the original footprint of the unit:

- a. Must be attached to original structure to comply with current City of Palm Bay Building Codes.
- b. To be constructed to conform in appearance with original structure and of the same color as the existing unit.
- c. Must have a full concrete pad and footers.
- d. Must be in compliance with ACC Rules and Regulations.
- e. Be built to a set of plans approved by Palm Bay City Building Department.
- f. Must obtain all ACC applications and City permits as required.

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In order to be considered for approval of an application, all applicants must be in compliance with all Deed Restrictions, Rules and Regulations of the Park and must have no outstanding violations against said property, unless application is to correct violation. The contractor and owner/representative must be at the meeting when their application is reviewed. The contractor may represent the owner, but the owner cannot represent the contractor.

***NO WORK CAN BEGIN UNTIL THE COMPLETED APPLICATION GOES THROUGH THE FOLLOWING STEPS:**

- a. ACC review and approval. If approved, the project must be reviewed by City of Palm Bay and permit issued.
- b. Present City permit to District Office to be copied for your file.
- c. District Office will return your approved permit. Place approved permit in front window of your unit.
- d. All ACC applications and City of Palm Bay permits must be returned to the District Office upon completion of project and placed in property file.

CONTRACTORS MAY NOT WORK IN THE PARK ON SUNDAYS AND LEGAL FEDERAL HOLIDAYS; WORK HOURS ARE 8:00 AM TO 5:00 PM

THE ARCHITECTURAL CONTROL COMMITTEE SHALL HAVE THE AUTHORITY TO PLACE A STOP ORDER ON ANY PROJECT IN VIOLATION OF THESE GUIDELINES AND DEED RESTRICTIONS.

If you are in disagreement with your ACC ruling, you have the right to appeal to the Board of Trustees.

The District Office does not have authority to override ACC denials.

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NEW UNIT

All manufactured homes must be a good match for each lot before approval to proceed.

Contractor and Owner/Contractor representative shall attend the committee meeting when an application for a new unit is presented to the ACC.

No homes older than (10) ten years may be placed on a lot in Holiday Park and must be a minimum of (16) sixteen feet.

The ACC has the authority to make an exception from the rules under the following conditions:

- a. Exceptions are not excessive.
- b. There must be a good reason for the exception.
- c. All setbacks, front lines, sidelines, and rear lines must be adhered to.
- d. Any exception must be approved by the majority of the ACC.
- e. Exceptions are not in conflict with the Deed Restrictions.
- f. When necessary, an exception may be appealed to the Board of Trustees for consideration.
- g. There shall be only single-story homes permitted in the Park and be a width of no less than (16) sixteen feet.
- h. A certified plotted pinned survey will be required with the application when a unit is being replaced or placed on an empty lot. The survey must include the home, utility shed, carport, driveway, air conditioner, and steps.
- i. The Homeowner or Contractor shall be responsible for locating all property lines and supply flagged markers a minimum of (2) two feet in height at each property marker.
- j. All new units must have a utility shed at the end of the carport no less than 9x12 which includes electric and is attached to the house roof and placed on concrete pads with footings and tie downs.
- k. Air Conditioning Compressors must be marked on the plans and placed at ground level either on side or back of the unit out of the setback.

The unit shall not be placed upon any lot unless there is also affixed thereto a carport and single driveway which shall be a minimum (12) twelve feet wide and minimum of (34) thirty four feet long, or a double driveway a minimum of (20) twenty feet wide and (18) eighteen feet long. Carport and driveway must be sufficient to accommodate (2) vehicles. Driveway must be abutted to unit.

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Property Lines:

Home will be completely setup on piers, leveled with running gear and tongue removed. An (18) eighteen inch minimum clearance, per current City of Palm Bay, requirements shall be established between the ground and the lowest point of any portion of the chassis I-beams. Home and all permanent structures must be set back a minimum of (10) ten feet from front and rear lines and side setbacks a minimum of (6) six feet. Corner units must be (10) ten feet from the property line street side.

Carports:

- a. All existing carports must be maintained or replaced if damaged or destroyed.
- b. New or replacement carports must comply to current City of Palm Bay Building Codes and ACC application, as required.

Sheds:

No Garage allowed on any lot. Owner must apply to the ACC for approval before installation and comply with the City of Palm Bay current restrictions/permits/zoning review. A maximum size of a new shed is not to exceed 240 square feet. All Rubbermaid type storage units/sheds must have Department of Community Affairs approved stamp.

Must be on proper foundation, i.e., pavers or concrete, have skirting and tie-downs.

The shed must be placed a minimum of five (5) feet from nearest structure and conform to all setbacks. Shed siding color must match the mobile unit colors. Skirting must be installed within 30 days after shed placement. All sheds and ramps not using vinyl skirting must use a hardware cloth or wire mesh, not to exceed ½-inch openings in size behind the block or brick, to keep unwanted animals from under shed.

Skirting:

Must be of stucco, vinyl or concrete base and must be of a termite resistant material and enclose the bottom of the mobile unit. The front of the home shall be closed solid, planters are optional. All older homes not using stucco, vinyl, or horizontal slats (in good working order) should use a hard wire cloth or wire mesh not to exceed ½ inch square opening, either behind or in front of the block or brick to keep unwanted animals out. All homes must have adequate ventilation, according to the City of Palm Bay current building code requirements. All homes must be protected from weed eater around skirting.

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Solar Panels:

- a. Will be allowed on mobile roof only.
- b. **No** solar panels are allowed to be placed on the lawn.

Steps:

Must not exceed (8) eight inches in height and no less than (9) inches in depth. Special exceptions may be made for handicapped persons and must conform to the Americans with Disability Act. Placement of all handicap ramps must be approved by the ACC.

Wind Generator:

No wind generator (windmill) allowed on any lot.

Deck and Flagpoles:

Application and approval from the ACC is required.

Gutters:

If installed on a unit, gutters should have elbow joints that are at least (4) four inches from the ground.

ACC application and approval required for any gutters placed anywhere other than on unit.

Gutters should remain free of unsightly weeds and growth thereby possibly preventing interior and exterior leaks.

Sufficient Tie Downs:

Must be attached to each unit and conform with the City of Palm Bay current codes.

Colors:

Units, add-ons, and sheds being painted or re-sided must conform to the **aesthetic value of the community.**

House Numbers:

(3) three inches to (6) inches in height and must be attached to both sides of the mailbox and on the home.

Power Washing:

The exterior of the home shall be free of mold, mildew and/or dirt.

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UNIT REMOVAL

All property owners removing a mobile home must get an application from the District Office and come before the ACC Board. The contractor and all sub-contractors must have a current Florida license and be insured before removing said home.

Any owner removing a mobile home shall have (90) ninety days to replace the unit, otherwise the lot must be returned to ground level. No structure shall remain above ground level, including but not limited to porches, foundations, carports, driveways, sheds and all concrete pads and any other man-made structure. Lot shall be completely covered with sod and or grass seed. Any delays may be brought to the ACC for consideration of an extension and approval on a case-by-case basis.

LANDSCAPING

All landscaping work is to be started within (90) days of application approval and completed within 90 days from starting date, weather permitting.

Plantings:

PLANTINGS WILL NOT BE APPROVED IF LOCATED IN EASEMENTS, OR RIGHT-OF-WAY.

New trees outside an established flowerbed must have ACC application (no fee). All new plantings bordering mobile shall have a minimum (5) five feet clearance from nearest obstacle, i.e., shrub, tree, fire hydrant, utility post, etc., and must not go over property line or into easement. There will be no fee for landscaping projects.

All areas that are left inaccessible to lawn mowers (under (5) feet grass area radius between obstacles) will be owner's responsibility. Homeowners are responsible for keeping their yard clean and clear of stones and debris.

Trees should be bordered around the base and maintained since no weeding or weed eating will be done behind or between trees less than (24) twenty-four inches in diameter. If this is not done, the District will give you a 30-day notice to do this work or give you the alternative of paying a fee for the service.

All trees must be kept clean of dead branches and palm fronds for safety reasons. All fruit droppings must be removed.

All trees must be kept trimmed above (5) five feet from ground level in order not to hinder

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mower from cutting the grass under the tree.

All cacti, needled plants or otherwise dangerous plants, shall be planted and kept trimmed in such manner that creates no hazard to ground maintenance staff or others.

The committee shall compare your request with plant species that are commonly known as invasive. Two well-known invasive plantings that are not allowed are all types of bamboo and peppertree. The District shall maintain a list of plants considered invasive by USDA.

Borders:

All mulched or stone beds must be bordered with appropriate materials that create a barrier between bed and grass area (acceptable borders are concrete stones abutted to each other thereby not allowing growth between the stones, landscape timber, rolled plastic landscape trim 3" above ground level). A border should be around plantings so there is a barrier for the weed eater.

Tree Removal:

Approval must be received from ACC prior to removing any tree on your property. The stump of any tree must be removed or ground down (2) two inches below ground level. If tree is on property line, owner must obtain written approval from all parties concerned. Residents must make arrangements for a special pick up with the current garbage removal contractor.

Pavers:

Installation of any pavers requires an ACC Landscape Application.

PAVER BASE

Material: Crushed concrete or other acceptable material.

PAVER BASE DEPTH

Walkway: 2" or greater

Driveway/Additional Parking: 4" or greater

PAVER THICKNESS

Walkway: 1.96" or greater

Driveway/Additional Parking: 2.36" or greater

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SODDING AND SEEDING GRASS AREA

Sodding shall be done in such a manner that does not create a raised level from one grass area to another. Spot sodding or plugging shall be done in such a manner that the grass is even. Freshly planted sod and seeded areas that the owner wishes not to have mowed during the routine mowing should be roped off and flagged the by resident.

The ACC Rules and Regulations were amended 12/08/14, 04/10/17, 04/22/19, 07/26/21, 03/11/24, and 04/28/26.