

# Xanadu by the Sea

PROPERTY OWNERS ASSOCIATION



## APPLICATION FOR STRUCTURE/PROPERTY MODIFICATION

Lot Owner Name: \_\_\_\_\_ Address: \_\_\_\_\_ Xanadu Place  
Contact phone number / email: \_\_\_\_\_  
Lead contractor name & contact info: \_\_\_\_\_  
\_\_\_\_\_

Describe in detail the type of alteration including the materials to be used:

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Submit a copy of any drawing to illustrate what the final exterior appearance of the alteration will be. Manufacturer cut sheets should be included if available to show any new products incorporated in the work. Color samples must be provided with the submission. Please note, if the work involves repainting of the structure, a sample of the new body color must be applied to the existing structure in an area at least 2' x 2' square to permit inspection prior to the work being completed.

Approval by the Association must be obtained **prior** to commencement of any work. It is the responsibility of the owner to obtain all permits as required and is strongly suggested that only licensed and insured contractors be hired.

Dated: \_\_\_\_\_  
\_\_\_\_\_ Owner signature

\_\_\_\_\_ Owner signature

By the Association:

Approved: \_\_\_\_\_ Approval Denied: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

Acting for the Board of Directors or Architectural Review Committee

# **Xanadu POA Construction Rules (Board Approved December 2023)**

For any construction project that has been reviewed and approved by the Xanadu Property Owners Association (POA) Board of Directors (BOD), the following Rules shall apply.

The Jupiter Management (JM) Property Manager (PM): Candace Coldwell will coordinate project information with the BOD.

Email: [Candace@jupitermgt.com](mailto:Candace@jupitermgt.com) Tel: 561-743-4607

1. The Property Owner (PO) [Association Member] will provide the final Town of Jupiter (TOJ) Approved plans to JM prior to the commencement of any construction along with the required security deposit and initial architect review fee.
2. Any deviation from the TOJ Approved plans, and the plan set in the possession of Xanadu POA, will require the PO to resubmit the amended plans to the PM and the BOD for review prior to commencement. If further architect review is deemed necessary by the BOD, additional architect review fees will be assessed and must be paid prior to said review and construction proceeding.
3. Prior to commencement of any demolition/construction, the security deposit must be in the possession of the Xanadu POA. Failure to do so may result in a fine.
4. The PO must provide Xanadu POA PM with two-week notice before anticipated commencement of actual demolition/construction.
5. Prior to immediate commencement of demolition/construction, the PO, General Contractor (GC), PM and a designated BOD Member, will tour the property to record any pre-existing damage. Photos or video is preferred for a factual record.
6. No signage of any nature (e.g., GC/Builder) other than the Permit Box, shall be allowed on the PO's (Members) lot during the construction period.
7. The PO and GC shall abide by the following work rules:
  - a. The PO shall be responsible to oversee all activities of the GC and its vendors, contractors, and sub-contractors. It is not the responsibility of the Xanadu POA, nor the BOD, nor the neighbor Owners to oversee the construction project, but rather it is the sole responsibility of the PO (as Member within Xanadu POA).
  - b. The PO shall ensure the GC and its contractors are properly insured for General Liability, Workers' Compensation, Auto liability, Commercial Liability. Evidence shall be provided to the Property Owner and may be requested by the BOD at any time. Any uninsured damage caused by the PO's contractors, sub-contractors or workers shall be the responsibility of the PO. Damages will be paid in full by the PO to either Xanadu by the SEA POA or the affected homeowner (other PO). Note - ask Attorney Rene for the proper legal jargon
  - c. The PO shall review the Xanadu POA Amended and restated Declaration of Covenants, Restrictions and Conditions to ensure they are fully aware of the Xanadu POA rules and restrictions, including this summary document.
    - i. Section VI Residential Restrictions (C), (D), (E), (F), (H), (I), (J), (J.A), (O), and (T).  
Note: Item T refers to allowed work times which are Monday through Saturday from 7:30am to 8:00pm, no work is permitted on Sunday or holidays.
    - ii. Section VII Plan Approval (All).
    - iii. Section VIII Duration, Remedies and Amendments – (All) Violations and Fines.

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- iv. The Architectural Requirements Acknowledgement Sheet shall be signed and delivered to the PM before Demolition/Construction can commence. Failure to do so may result in a fine per day beginning the day prior to actual commencement up to the day the Acknowledgement is received by Xanadu POA and the construction site is found in compliance with the Xanadu POA bylaws guidance.
- d. Vehicle Access & Site Maintenance:
  - i. The Property Owner shall provide its discreet gate code to the GC for the GC use. The PO and GC, and its contractors and vendors are not to manually attempt the gate opening for any reason. Contact the Property Manager during normal business hours. Failure to follow this instruction may result in repair costs being charged to the PO as the Gate access area is under video surveillance.
  - ii. At no time are any vehicles associated with the activities of the P O, or POs lot, to block, impede, hamper, or generally disrupt the normal flow of traffic on Xanadu Place or any cul-de-sac. No more than two (2) contractor vehicles are to be parallel parked (and not across from any POs driveway) on Xanadu Place without prior approval from the JM.
  - iii. Any vehicle that spills any liquid, damages any common area such as the Xanadu Main Gate, Mail Houses, Xanadu Place roadway, Miami Curbs, Common area signage, Landscaping, or the property of others shall be responsible for the cost of repair. The PO shall advise the PM if there is any damage, to which the PM will gather all affected parties to determine an adequate resolution (Like Kind and Quality).
  - iv. The GC will drop off necessary daily supplies on the PO's lot and park excess vehicles on Beach Road (AIA).
  - v. The Lot shall be enclosed with (no logo) construction windscreens (black or green) to prevent dust and debris from flowing onto neighboring properties.
  - vi. Dust dampening is required with the use of sprayed water. The Lot shall be cleaned on a daily basis and no residual debris shall be left that may blow around or cause a visual nuisance.
  - vii. Any trash or debris generated at the POs job site must be picked up and disposed of properly. Dumpsters must be emptied on a regular basis and covered to prevent overflow.
  - viii. Noise and Nuisance - The PO, GC, contractors and support personnel working at, or on, the POs lot shall not play radio/music unless at a low volume as to not cause a disturbance.

POs are reminded of their responsibility to control the actions of contractors and workers hired by the PO or GC to ensure that no other PO and neighbor is inconvenienced or denied the quiet enjoyment of their property.

# **Xanadu POA Construction Rules (Board Approved December 2023)**

Reviewed and Accepted – Property Owner/Association Member

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Construction Plan No: \_\_\_\_\_

GC Acceptance: \_\_\_\_\_ Date: \_\_\_\_\_ JM or BOD Acceptance: \_\_\_\_\_ Date \_\_\_\_\_

**XANADU BY THE SEA CONSTRUCTION REQUIREMENTS  
ARCHITECTURAL REQUIREMENTS**

1. No structure shall exceed two stories in height. The first floor elevation shall be a minimum of one and one-half feet (1.5') above the crown of the subdivision road (now known as Xanadu Place) or the adjacent cul-de-sac, or as required by the Town of Jupiter, whichever is greater.

2. Each dwelling shall contain a minimum of one thousand five hundred (1,500) square feet of enclosed living area, exclusive of a two-car garage, screen porches and patios, etc.

3. There shall be a minimum of four (4) parking spaces within the property line. This could be a combination of two in the garage and two outside the garage. Each outside parking space should be a minimum of nine (9) feet wide and eighteen (18) feet long. Parking in the street and cul-de-sac will not be permitted. Garages shall be enclosed.

4. Driveways shall be of concrete, cobblestone or approved paver blocks or similar products approved by the Board. Concrete curb and sidewalk to remain.

5. The Association shall charge a security deposit as a condition for approving any new construction, additions, major exterior renovations or certain interior renovations which may involve heavy equipment, dumpsters or vehicles that may damage roadways, sidewalks or other common areas, proposed by an owner. The deposit shall be ten percent (10%) of the value of the addition, up to a maximum of Five Thousand Dollars (\$5,000.00). The security deposit shall be utilized in the event there is any damage to the common property as a result of the equipment, vehicles or work performed by or on behalf of the owner. Upon completion of the proposed construction, the unused portion of the security deposit shall be returned to the owner.

Explanation: With the new construction and renovations occurring and planned to occur, within Xanadu, there has been an increase in heavy vehicle traffic, and damage to the common areas, roadways and sidewalks. This provision protects Xanadu and acts as a control for the owner/builder to exercise caution when working within the community.

6. Exterior shall be wood frame or wood frame appearance in design pending pre-approval of the Board.

7. As for exterior colors, a paint sample must be attached and pre-approved by the Board.

8. Landscaping plans to be approved by the Board or its designated committee. Landscaping should be contained within the property lines and include an automatic sprinkler system. Landscaping must be completed at the end of construction before obtaining a certificate of occupancy.

#### MANNERS OF CONSTRUCTION

1. Construction materials and debris must be contained on the construction site or on a nearby site if written permission is provided by the lot owner. Continuous cleanup and removal of debris from construction site so as to ensure the safety and welfare of the neighborhood is required. In the event of hurricane warnings, the owner, builder, contractor and subcontractor must secure all materials. Temporary sanitary facilities shall be provided on site. Location of sanitary facility should be in such a place as not to be unsightly to neighbors.

2. Construction parking: No parking on sidewalks, cul-de-sacs or street other than delivery of pertinent building materials or supplies. Exception will be considered upon an individual basis by pre-approval of the Board.

3. Building time according to the Town of Jupiter Ordinances: Start at 7:30 a.m. and end at 8:00 p.m. Monday through Saturday. No work allowed on Sunday or holidays.

4. Replace or repair any damage to adjoining common property including streets, sidewalks and landscaping prior to issuance of a certificate of occupancy.

5. No sign of any kind shall be displayed to the public view on any lot, or the common area, except one sign of not more than five (5) square feet advertising of an "open house" related to the sale of a property. The open house sign may not be displayed overnight.

6. The period of time for completion shall not exceed nine (9) months.

7. (a) There must be a minimum separation of ten (10) feet between dwellings and no dwelling shall be constructed within ten (10) feet of any other dwelling except in those instances where

two adjacent dwellings both utilize the same lot line as a zero lot line for construction purposes.

(b) Observe the following set-backs:

Collector drive	10 feet
Cul-de-sacs	20 feet
Xanadu boundary line	5 feet
Side and rear	zero feet

NOTE: These guidelines do not necessarily reflect all applicable building restrictions and are subject to change. All building must conform to the "covenants" and the applicable building and zoning ordinances of the Town of Jupiter and other applicable governmental agencies.

#### PROCEDURE OF PLANS

1. Submit all plans for construction, including landscaping plans.

2. Final plans and specifications for submittal to the Town of Jupiter Building Department shall consist of three (3) complete sets and shall also include landscape plans, drawn to scale, and indicating size and type of exterior materials, roof, driveway and exterior color.

3. A check made payable to Xanadu By The Sea Property Owners Association in the amount of two hundred fifty dollars (\$250.00) shall be remitted at the time of submission of the plans to the Association's architect to cover the cost of reviewing the plans. All assessments and special assessments must be paid in full prior to any review. The Board reserves the right to increase this amount in the event that there is an increase in the cost of the architect's review.

4. Plans are to be submitted in a timely manner to allow for a regularly scheduled monthly board meeting for review and approval. The Board or authorized committee shall have at least thirty (30) days for review.

5. No final approval or plans shall be granted by the Board until a bond has been issued to the Association. The bond shall be an amount equal to ten percent (10%) of the construction costs as determined by the same method used by the Town of Jupiter to



calculate permit fees and shall be submitted to the Board and held until the house is completed.

I (We) hereby acknowledge that I (we) have read and received a copy of the Xanadu By The Sea Architectural Requirements and will comply with all of the requirements therein.

\_\_\_\_\_  
Witness (as to Owner)

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
Witness (as to Owner)

\_\_\_\_\_  
OWNER

Dated: \_\_\_\_\_

This is not a certified copy