

Tidelands Estates (Village at Palm Coast)

DESIGN AND DEVELOPMENT GUIDELINES & APPLICATION AND REVIEW PROCEDURES

**Revision Date - March 26, 2018
As Approved by the BOD of Tidelands Estates**

This page is intentionally blank

TABLE OF CONTENTS

TABLE OF CONTENTS	<i>i</i>
INTRODUCTION	1
REVIEW AND APPROVAL PROCESS	2
General.....	2
Review Fees.....	3
Construction Deposit	3
Preliminary Review – Prior to Permitting	4
Final Review – Requiring Permitting	5
Alteration/Addition Review	6
Final Inspection.....	6
Conduct	7
Appeal.....	8
Disclaimer.....	8
GENERAL COMMUNITY GUIDELINES	9
General.....	9
Temporary Improvements.....	9
Equipment Screening	9
Utility Services	9
Refuse and Storage Areas.....	9
Fences	10
Signs.....	10
Flags and Flagpoles	10
Lawn Furnishings & Decorative Items	10
Wells	11
Sales and Rentals	11
SITE DEVELOPMENT GUIDELINES	12
Site Placement.....	12
Setbacks	12
Maintained Vegetative Buffer (MVB).....	12
Drainage and Grading	13
Driveways.....	13
Game and Play Structures	13

Swimming Pools	14
Easements and Common Areas	14
Docks along the Custer Waterway & Cimmaron Waterway -- Docks, Boat Docks, Floating Docks & Bulkheads (Seawalls) along the Salt Waterways.....	14
Docks along the Intracoastal Waterway -- Docks, Boat Docks, Floating Docks & Bulkheads (Seawalls, Coquina and Rip Rap).....	14
DWELLING GUIDELINES.....	15
General Architectural Scheme	15
Minimum Dwelling Size.....	15
Roof Construction	16
Dwelling Heights.....	16
Finished Floor Elevations.....	16
Exterior Materials	16
Exterior Features	16
Exterior Colors	17
Chimneys.....	17
Garages	17
Energy Efficiency.....	18
Antennas	18
Window Air Conditioners	18
Hurricane Shutters	18
LANDSCAPING & IRRIGATION SYSTEM REQUIREMENTS.....	19
General.....	19
Landscaping Plan	20
New Additions to Landscaping.....	20
Trees	20
Shrubbery.....	20
Sod & Ground Cover	21
Mulch.....	21
Plant Materials	21
Irrigation	21
Fertilizers and Pesticides	22
Easements and the Maintained Vegetative Buffer (MVB)	22
ATTACHMENT # 1 - VIOLATIONS & FINES SCHEDULE.....	23
ATTACHMENT # 2 - ARC Transmittal	25

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION	26
(page 1 of 3).....	26
(page 2 of 3).....	27
(page 3 of 3).....	28
ATTACHMENT # 4 - BUILDER’S CONSTRUCTION COMPLETION TRANSMITTAL.....	29
ATTACHMENT # 5 - SUGGESTED & RECOMMENDED GROUND COVER, SHRUBS AND TREE LIST....	30
ATTACHMENT # 6 - HOMEOWNER APPLICATION	31
Exterior Modification or Addition - Not Requiring Permitting	31
ATTACHMENT # 6A - HOMEOWNER APPLICATION.....	32
Exterior Modification or Addition - Requiring Permitting but no architect review	32
ATTACHMENT # 7 - DESIGN REVIEW APPLICATION FOR EXTERIOR PAINT: walls, doors, trim & banding accent colors.....	33
ATTACHMENT #8 - STRUCTURAL COMPONENTS (DOCKS, FLOATING DOCKS, BOAT-HOUSES, BOAT-LIFTS)	34
WITHIN THE INTRACOASTAL, CUSTER & CIMMARON WATERWAYS	34
DOCKS, BOAT-LIFTS AND BOAT-HOUSES	34
DOCK / STRUCTURE CONFIGURATION DIAGRAM	35
CANTILEVER EXTENSION WALKWAYS FOR BOAT-HOUSES / BOAT-LIFTS.....	36
FLOATING DOCKS.....	36
ATTACHMENT # 9 - OUTDOOR LIGHTING REQUIREMENTS	37
Floodlights:.....	37
Boat dock lighting:	37
Landscape lighting:	37
ATTACHMENT # 10 - PLANT INSTALLATION AND REPLACEMENT.....	38
New Construction Installations – (dissatisfaction with the plants your builder installed).....	38
New Additions to Landscaping.....	38
Landscape Maintenance Company	38
Irrigation	38
ATTACHMENT # 11 - IRRIGATION / SPRINKLER SYSTEM REQUIREMENTS & GUIDELINES.....	39
Irrigation System Design Components	39
Irrigation Specifications.....	39

INTRODUCTION

The intent of these Design & Development Guidelines is to help assure that the Village at Palm Coast, (DBA) Tidelands Estates, will be a community of quality homes and buildings with Florida Mediterranean Modern style and aesthetically pleasing architectural designs that are harmonious with surrounding structures and topography. This document promotes the use of long-lasting materials, high-quality construction standards and native Florida landscaping.

The Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens for Tidelands Estates (the Covenants) established the requirement for a standing committee called the Architectural Review Committee (ARC) whose function it is to review and approve or disapprove plans for any proposed construction, modification, addition or alteration to existing Lots, maintained vegetative buffer areas, open spaces and common areas within Tidelands Estates. The Covenants grant the ARC broad discretionary powers regarding design, construction and development including architectural style, colors, textures, materials, landscaping, overall impact on surrounding property, and other aesthetic matters, as well as powers to ensure these guidelines are followed.

The Tidelands Estates ARC has prepared these Design & Development Guidelines to aid builders and homeowners in designing and constructing homes and other improvements within Tidelands Estates. Specifically, they:

- Provide a systematic and consistent design review process.
- Ensure the site and the design of each structure is compatible with existing terrain and vegetation, to complement and enhance the community's aesthetics.
- Ensure all dwellings comply with the Covenants and the Design & Development Guidelines.
- Ensure landscape plans provide pleasant surroundings and functional satisfaction while blending with the native Florida landscape and neighboring properties.

These guidelines are in addition to all building associated with Tidelands Estates and, accordingly, all builders and Property/Home Owners should familiarize themselves with the provisions of the Covenants and the Design & Development Guidelines. All terms used in these guidelines shall be defined in accordance with definitions used in the Declaration of Restrictive Covenants and Easements.

The ARC will be evaluating each application for overall compliance with the Covenants & Guidelines, including the manner in which the home site is developed. This evaluation relates to matters of compatibility and visual appeal that cannot be reduced to a simple list of measurable criteria. It is possible, therefore, that a house plan might meet the individual criteria defined in these guidelines and still not receive approval if, in the sole judgment of the ARC, its overall aesthetic impact is unacceptable. The approval of an application for one home site shall not be construed as creating any obligation on the part of the ARC to approve applications involving similar designs pertaining to different home sites.

Approval by the ARC does not constitute approval by any public permitting agency. The City of Palm Coast requires building permits for home building and additions that will necessitate compliance with local and state building codes.

REVIEW AND APPROVAL PROCESS

General

The design review and construction processes have the following elements:

1. Fees and Deposits
2. Preliminary Review
3. Final Review
4. Final Inspection
5. Conduct

Thorough and timely submission of information along with compliance of the standards set forth in these guidelines will prevent delays and minimize frustration of all parties involved. Questions concerning the interpretation of any matter set forth in these guidelines should be directed to the ARC. All applications must be submitted with the appropriate fee and security deposit as outlined herein. Applicant must be current with all Tidelands Estates HOA dues and/or any assessments.

A two-step procedure, preliminary review followed by final review, will help ensure improvements built within Tidelands Estates are of the highest quality while taking into account the desires of the owners and builders to complete construction in a timely manner.

IMPORTANT NOTE: The Architectural Review Committee requires that all building and certain additions be done by a licensed contractor/builder with demonstrable experience in building custom homes. The Tidelands Estates ARC reserves the right to reject an application for approval on the basis of builder qualification. The property owner is responsible for assuring that a qualified builder is employed and that the builder employs fully qualified and licensed sub-contractors. If there are any questions regarding a builder's qualifications, the Tidelands Estates ARC should be contacted.

In the event a pool, spa or dock is constructed concurrently with the original construction of a Dwelling and that construction is under the control of the Dwelling builder, no additional review fee or construction deposit is required. All plans for all structures are to be reviewed at the time of the preliminary and final reviews in order for this exemption to apply. However, when the builder of the Dwelling submits the plans at a later date, or when the builder of the Dwelling is not the owner's contractor for the pool, spa or dock, then additional fees may be required.

For exterior modification or addition to an existing home, which require permitting, use the application found in Attachment [#2](#), [#3](#) and [#6A](#) of this document. For exterior modification or addition to an existing home, which does not require permitting, use the application found in Attachment [#6](#) and [#7](#). **If there is a question of project intent, please send an email to the Tidelands Estates HOA contracted Management Company.**

Review Fees

	<u>Construction</u>	<u>Review Fee</u>
A.	Preliminary/Final Review (Non-Refundable) - New Home Construction - the original alteration of a home site from its natural state into a residential dwelling. Any review (after the 3 rd review) to obtain final approval and authorization to start construction will be an additional fee per review. (see item “C” below)	\$ 2,500
B.	Major Alteration or Addition - a structural or site modification that takes place after the original construction that is significant enough to warrant the issuance of a building permit by a governmental authority. This includes pools, spas and docks.	\$ 500.00
C.	Changes to, or Resubmission of Plans - whenever a submission for which the ARC previously granted Final Approval and Authorization to begin is resubmitted for Final Approval to the ARC due to a change in the originally approved plan, or whenever a submission whose approval was previously denied by the ARC is resubmitted by a Builder or Homeowner for Final Approval.	minimum \$100.00
D.	<u>Unapproved</u> changes by the Builder / Homeowner will require submission of an additional application and fee.	minimum \$100.00

Construction Deposit

Builders shall deposit funds with the Tidelands Estates ARC Management Representative according to the following schedule. These funds will be held in a non-interest bearing account established by our Management Company until the improvements are complete and the ARC performs its Final Inspection:

<u>Construction</u>	<u>Deposit</u>
Dwellings (Home Construction)	\$ 5,000
Pools and Spas	\$ 2,000
Docks	\$ 2,000
Other Major Alteration or Addition	\$ 3,000
Paver Driveway	\$ 1,000

If the Tidelands Estates ARC needs to use these funds for any of the purposes listed below, the ARC shall, give the builder five business days within which to begin to correct the problem. If the action is not begun within that time, the ARC has the authority to remedy the situation and withdraw funds from the construction deposit to cover the expenses. Furthermore, the ARC has the authority to impose fines when a builder fails to rectify a situation where notice has been served.

The builder must replace any funds withdrawn from the construction deposit within seven (7) days of notification of the withdrawal by the ARC. The ARC may deny access to the building site, in the event of a failure to replace funds.

The construction deposit will be used to offset any costs incurred by the Association or the ARC in order to:

- Repair damage to any property caused by the builder or his subcontractors, suppliers and representatives during construction;
- Pay for the cost of any cleanup of the site and adjacent property not performed by the builder;
- Bring the home site and any structures thereon into compliance with the requirements of the Covenants;
- Recover legal fees and other costs incurred by the ARC in order to correct any construction or alteration not performed in substantial compliance with the plans receiving Final Approval; and
- Pay any fines or penalties imposed by the ARC or the Association for violation of any rules of conduct or regulations governing use of property within Tidelands Estates (See schedule of fines and penalties, [Attachment #1](#)).

Preliminary Review – Prior to Permitting

All builders must submit preliminary or conceptual drawings and specifications or other information to the Tidelands Estates ARC for Preliminary Review prior to the Final Review. The “Architectural Review Committee Transmittal” form (see [Attachment #2](#)) as a cover sheet shall be used along with a fee of \$2,500 for this submission.

The ARC will review the information at their regularly scheduled meeting of each month. The ARC will then submit in writing its approval or disapproval and recommendations as to the plan within two weeks of this meeting. A preliminary approval granted by the ARC does not constitute approval for beginning construction but only approval of the conceptual information being reviewed. Submittals for Preliminary Review of any new home construction shall include at a minimum two (2) sets of the following and shall be designed by a Registered Florida Architect or qualified architectural designer, and a Registered Florida Landscape Architect or Landscape Designer:

- A. The “Design Review Application” form (see [Attachment #3](#)).
- B. The survey of the home site prior to the proposed construction.
- C. Conceptual site plan showing the location and dimensions of all improvements and setbacks.
- D. Conceptual floor plan.
- E. Conceptual exterior elevations.

- F. Conceptual landscape plan (including easement area associated with the property) must include a tree survey which will render subsequent approval from the Authority(s) Having Jurisdiction. (If applicable).
- G. Photographs of the home site taken from each corner.
- H. Such other information, data and drawings as may be reasonably requested by the ARC.
- I. Samples of product materials including: roof tiles, exterior stone facade, accent bricks/stone, driveway / patio pavers, all exterior paint colors of walls trim & banding, etc. (See [Attachment #7](#))
- J. The required review fee of \$2,500

Final Review – Requiring Permitting

No construction of the building or structural improvement, no clearing, landscaping or other site improvements, and any alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design have received final approval by the ARC to commence construction. Also, final approval will not be granted when the Association assessments for the Lot have been deemed delinquent. Builders shall not submit for any local government permits prior to obtaining ARC final approval without specifically being authorized to do so by the ARC.

The final review submittal must incorporate all ARC comments on the preliminary review submittal.

The Tidelands Estates ARC and the Tidelands Estates HOA management company will notify builders of final approval in writing and will authorize construction to begin by letter.

Before actual clearing of the Lot, the builder will meet with the ARC Representative(s) to discuss trees to be preserved and the proposed drainage plan for the Lot. Construction must commence within six (6) months of the date of final approval or final approval becomes void. Construction must be completed and a “Certificate of Occupancy” issued within eighteen (18) months of final approval. ARC approval is not an assumption of liability or an endorsement of the structural design or engineering of the buildings, nor does it render judgment on compliance with local and state building codes. If final approval is granted subject to conditions, the conditions shall be satisfied within sixty (60) days of issuance or final approval shall become void.

The “Architectural Review Committee Transmittal” form (see [Attachment #2](#)) shall be used as a cover sheet for the final review submittal and shall include at a minimum the following:

- A. The “Design Review Application” in the event the preliminary review is skipped or if there have been changes since the preliminary submittal.
- B. Site plans at a minimum scale of 1"=10' showing: a clearing and grading scheme with proposed and existing land contours, grades and flow of the site drainage system with relevant elevations shown; location, size and species of any tree having a diameter of four (4) inches or more; and, the dimensions and locations of all buildings, access drives, parking, utilities (sewer, water, telephone, TV cable), street pavement location, and all other proposed improvements to the site.
- C. Landscape and Irrigation Plans: Two sets of the final landscape and irrigation plans shall refine the conceptual plan taking into account remaining natural vegetation. The final plans

shall be at a minimum scale of 1"=10' showing: the size, type and location of existing and proposed trees; the location of all planting areas including existing plant material incorporated into the plan; a listing of the species and size of all stock at the time of planting; and an irrigation plan.

- D. Plans at a minimum scale of 1/4"=1'0" for all floors, cross sections and finish elevations including projections and wing walls (floor plans should also show total square feet of air conditioned living area). Plans should include porches and garages.
- E. Plans, elevations, types of materials and other information associated with any other site improvement or ornamentation, exterior lighting, walls, screening walls, hedges, enclosure, patios, decks, pools, porches, and signage. See [Attachment #9](#) for the outdoor lighting requirements.
- F. Provide samples of product materials of all exterior finishes to be incorporated into the plan as outlined in the "Exterior" section of this document including: roof tiles, exterior stone facade/vener, accent bricks/stone, driveway/patio pavers, exterior paint colors, etc. See [Attachment #3 –Design Review Application \(page 3 of 3\)](#)
- G. Information including data and drawings as requested by the ARC.
- H. The Construction Deposit.

The builder shall have trees slated for preservation marked for an on-site review by the ARC prior to submission of the Final Review application to the ARC

Alteration/Addition Review

If, after the initial new home construction, an owner desires to alter, add to, or in any way change the exterior appearance of the home, sufficient information shall be included with Attachment [#2](#), [#3](#) and [#6](#) along with the fee (see fee schedule) and submitted to the Management Company to allow it to fully understand the proposed alterations or addition. Such information must include manufactures literature, brochure, and specifications if available. Provide samples of product materials of all exterior finishes to be incorporated into the plan as outlined in the "Exterior" section of this document including: roof tiles, exterior stone facade/vener, accent bricks/stone, driveway/patio pavers, exterior paint colors, etc. See Attachment [#3](#), [#6A](#), [#7](#), and [#9](#) -Design Review Application.

Final Inspection

The ARC Representative(s) will monitor the activities and progress of the builders and their employees closely throughout the construction phase. This monitoring includes both the construction activity/progress and conformance with rules and regulations governing use of property within Tidelands Estates.

Unless otherwise approved by the ARC, construction must be completed within 18 months of the date of final approval. The ARC shall have the right to enter upon and inspect any property at any reasonable time before, during, or after the completion of work for which approval is required under these guidelines. Following the pouring of the foundation, the builder shall submit a survey of the foundation to the ARC.

Upon completion of construction, a builder shall give written notice to the ARC using the "Construction Completion Transmittal" form ([Attachment #4](#)). Attached to the notice shall be a

final survey and a copy of the Certificate of Occupancy for the newly constructed improvement. The ARC will then conduct a final inspection and provide the results by letter. Provided the inspection determines that the improvements were constructed in substantial compliance with the plans and specifications submitted for final approval, the ARC will authorize the Tidelands Estates HOA–management company to return the construction deposit (less any amount withheld for reasons described above).

Builders and homeowners are *advised* that the Tidelands Estates HOA Board of Directors granted to the ARC specific powers regarding the remedy or removal of any non-complying construction within Tidelands Estates. In this regard, if the ARC finds that any improvement was not performed or constructed in substantial compliance with the submittals receiving Final Approval, the ARC, having served notice, will give the builder five work days to remedy or remove the non-complying improvement. If a builder fails to remedy or remove the non-compliance, the ARC may do so and charge the action to the builder or homeowner.

Conduct

All builders shall be held responsible for the acts of their employees, subcontractors, vendors, suppliers and any other persons or parties involved in construction or alteration of the home site. The ARC will impose violation fines per the violation fine schedule on [Attachment #1](#). In this regard, a builder shall be responsible for the following:

- A. Ensuring that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion. Placement of dumpster(s) on the site is required upon the start of foundation. (Dumpster(s) may be placed on adjoining Lot with written permission of the Lot owner.)
- B. Ensuring there is no burning
- C. Installing and maintaining silt fencing on sites that prevent the possibility of sand/soil eroding off the home site; this includes all Lots adjoining the lake, buffer and common areas. Ensuring roadways are clear and storm drains are protected from sand erosion, construction materials and debris at the end of each work day.
- D. Maintaining portable toilets at the construction site from the completion of site clearing. Portable Toilets are to be kept on the construction site (Property Owner’s Lot) and **not** in the roadway or on any other adjacent properties.
- E. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or wellbeing of other personnel on the site or affect the quality of workmanship. Violators will be removed and repeat offenders will not be allowed into Tidelands Estates for six months.
- F. Ensuring that all persons for whom the builder is responsible are properly insured.
- G. Ensuring that all persons for whom the builder is responsible do not commit any violations of the rules and regulations of the ARC.
- H. Limiting working hours for construction personnel from 7:00 a.m. to 7:00 p.m. (or sunset when earlier) Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction work will be allowed on Sundays or the following holidays: New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day. The ARC may allow exceptions to this rule under special circumstances and with prior written authorization.
- I. Prohibiting construction personnel from having children or pets in Tidelands Estates.

- J. Prohibiting the playing of loud music or other sounds from non-construction activities.
- K. Prohibiting use of adjacent property for access or storage of material or equipment unless written permission is obtained from the property owner.
- L. Limiting all builders, employees, subcontractors and suppliers to construction related activities at the designated site only. (NO FISHING, TOURING, ETC.)
- M. Ensuring all builders, employees, subcontractors and suppliers use only designated construction access routes. Builders are required to contact the Tidelands Estates HOA management company for security and access control guideline documents.
- N. Prohibiting the mixing of stucco, mortar or concrete on the street. (This includes, but is not limited to, portable mixers and cement trucks.)

Appeal

If an application for Preliminary Review or Final Review has been denied, if an approval is subject to conditions which a builder or Property Owner believes are harsh or unwarranted, or if there are disputes of any other matter related to actions of the ARC, the builder or Property Owner may request a hearing before the Tidelands Estates HOA Board of Directors. At the hearing, the builder/homeowner/ Property Owner will be allowed to present their position on the matter and make requests or recommendations as to an alternative action. After the hearing, the Tidelands Estates HOA will review the information presented and notify the builder of its final decision on the hearing.

Disclaimer

In connection with all reviews, acceptances, inspections, permissions, consents, or required approvals by or from the Tidelands Estates HOA or the Tidelands Estates ARC contemplated under these guidelines, neither the ARC, any member of the ARC nor the Tidelands Estates HOA shall be liable to a Property Owner or to any other person on account of any claim, liability, damage or expense suffered or incurred by or threatened against any owner or such other person and arising out of or in any way related to the subject matter of any such reviews, acceptances, inspections, consents or required approvals, whether given, granted or withheld by the Tidelands Estates HOA or the Tidelands Estates ARC. Approval of any plan by the ARC does not in any way warrant that the improvements are structurally sound or in compliance with St. Johns River Water Management District or other city, county, state, and federal government agencies regulations and codes, nor does it eliminate the need for approval from the City of Palm Coast Building Department.

The ARC's approval of any plans or improvements is not an endorsement or guarantee of the structural integrity of any improvement constructed in accordance with those plans or of the methods of construction to be used in the construction.

GENERAL COMMUNITY GUIDELINES

General

No structures shall be erected, placed or permitted to remain on any Lot other than one single family Dwelling constructed in accordance with the ARC approved architectural plans, except for “temporary improvements” discussed below.

Temporary Improvements

No temporary building or structure shall be permitted on any home site; however, office trailers, temporary buildings, barricades, temporary power poles and the like may be permitted during the construction of a permanent improvement, and provided that the ARC shall have approved the design, appearance, and location of the same. All such temporary improvements shall be placed on the home site and not on the roadway. They shall be removed prior to the ARC Final Inspection.

Equipment Screening

The ARC requires all new home construction or additions to include a screening enclosure wall made of concrete with a stucco finish to enclose outside equipment such as: condenser, generator, pool equipment. Gas containers may be placed above ground but must be “enclosed on all sides by a decorative wall or other screening.” At a minimum, all outside equipment screening shall be surrounded by heavily planted evergreens that are maintained at a height sufficient to mask it from view. Screening walls shall be partially hidden by landscaping approved by the ARC.

Utility Services

All buried and external electrical installations shall conform to the Local, State, and National Electric Code. Above ground electrical transformers and other equipment may be permitted if properly screened and approved by the ARC. In addition, all gas, water, sewer, oil, and other pipes for gas or liquid transmission shall also be placed underground whenever possible or within or under buildings. Gas tanks shall either be buried or screened in the same manner as A/C and pool equipment. Nothing herein shall be deemed to forbid the installation and use of temporary power or telephone services prior to the construction of approved improvements.

Refuse and Storage Areas

Garbage and refuse shall be placed in containers and shall be capped and contained in such a manner that they are inaccessible to animals. The containers shall be concealed within buildings, or by means of a screening wall of material similar to and compatible with that of the building. These elements shall be integrated with the building plan, be designed so as not to attract attention, and shall be located in as inconspicuous a manner as is reasonably possible.

Fences

No fence, wall, gate, hedge or other structure shall be installed or maintained on any Lot, except as originally installed by the Construction Company unless approved in writing by both the Tidelands Estates HOA and the Tidelands Estates ARC as provided herein. In no event shall any fence be permitted in the front, side or rear yard area of any Lot. The entrance to an owners dock is permitted to have a gate with signage saying "Private Property". Invisible low voltage pet fences may be permitted with ARC approval. No other fences are permitted in Tidelands Estates.

Signs

Builder information including only name and phone number, and the Lot number, may be placed on the standard building permit box provided it fits on the box. Signage that is prohibited includes: "For Sale" or "For Rent" signs, advertisements, billboards or solicitation, political endorsement signs or advertising structures. No signage or signs are allowed to be visible on the grounds, on any improvement, on the exterior of any home, in any windows within public view or from docks on the waterways. Property owners are prohibited from parking their personal commercial vehicles in their driveway within public view. If a builder wishes to have a model home in Tidelands Estates, one model home sign may be placed on the front lawn. This sign must be in good taste and have the pre-approval of the ARC. Temporary signs advertising the location of an "Open House" may be used at the request of a homeowner. An "Open House" must be held on Saturday and/or Sunday only between the hours of 12:00 PM to 3:00 PM. One sign may be used at the main entrance to the development and one sign on the front lawn of the home. These signs are to be placed no earlier than 11:00 AM and be removed no later than 4:00 PM on the same day

Flags and Flagpoles

Homeowners may display only American Flags and must follow the Federal Flag Code and Florida State Statutes 720.304 (2)(a). Homeowners must apply for permission from the Tidelands Estates ARC to install a flagpole; and must specify the following criteria to receive approval:

1. The location will be within the building setback area.
2. The pole height cannot exceed 15 feet for a single story residence or 25 feet for a two-story residence. The maximum flag sizes are nominally 3'x5' for 15' high poles and 4'x6' for 25' high poles.
3. No exterior lighting will be permitted; flags must be lowered at dusk.

Lawn Furnishings & Decorative Items

The use of any decorative items, including but not limited to statues, gates, rocks, planters, bird baths, fountains, plant hangers and other ornamental accessories whether free standing or attached to any portion of the exterior of a Dwelling Unit must be submitted to the Tidelands Estates HOA and the Architectural Review Committee for review and written approval prior to use, installation or construction.

Wells

The construction and /or use of individual wells for any purpose on any Parcel is prohibited. This restriction will prevent the removal of ground water and avoid saltwater intrusion or destruction of the natural underground aquifer.

Sales and Rentals

No Dwelling Unit may be sold, rented or sublet without express written notice to the Tidelands Estates HOA Board. This provision is for the purpose of making certain that subsequent property owners and renters understand the rights and obligations of Member or Occupants of Lots. In addition to the notice requirement, the Tidelands Estates HOA Board may require the use of a registration form to be completed by prospective purchasers or renters.

No Dwelling Unit may be rented, leased or sublet, for a period of less than thirty (30) days. All enforcement procedures applicable to the Declaration of Restrictive Covenants and Easements shall be equally applicable to enforcement of this section.

SITE DEVELOPMENT GUIDELINES

Site Placement

All buildings and other improvements shall be placed as approved by the ARC. Tidelands Estates has several large, old growth trees. They are invaluable and it is the goal of the ARC to keep as many of these trees as possible in our Development. The ARC expects all Property Owners and builders to support this goal and, therefore, the existing topography and landscape shall be disturbed as little as possible. The ARC will review the proposed location of all improvements on the site prior to clearing the Lot.

Setbacks

“Setback Line” is defined in Section 3.08.02 of the Land Development Code of Flagler County & the City of Palm Coast. The minimum setbacks for Tidelands Estates shall be as follows:

- Front Yard - 25 feet from the front Lot line.
- Rear Yard - 20 feet from the rear Lot line.
- 10 feet from the rear Lot line to swimming pools screen enclosures.
- Side Yard - 7.5 feet from the side property line, 20 feet for side yards abutting any street.

“Stem wall Construction” all dwelling units constructed on Lots 45 through 63 shall be constructed on “stem walls”.

No building or structure, including porches, walls, decks and swimming pools, shall be erected so as to encroach, at ground level, into any of the setback lines. The location of normal air conditioning units, pool equipment and their required screening within setback areas is permissible as long as it is in conjunction with an approved structure on the Lot.

Refer to official documents by the Authority Having Jurisdiction regarding additional setback requirements.

Maintained Vegetative Buffer (MVB)

Property owners that have a Maintained Vegetative Buffer (MVB) along the Intracoastal Waterway are required to submit a “Letter of Modification” for any changes made to the Maintained Vegetative Buffer (MVB). The procedures for obtaining Tidelands HOA & St. Johns River Water Management District (SJRWMD) approval are as follows:

1. Assuming that the resident is not going to do the work themselves, have the contractor prepare the landscaping plan and the “Letter of Modification” and submit to the Tidelands Estates HOA management company ATTN: Tidelands Estates HOA President.
2. The “Letter of Modification” with the landscaping plan submission must be signed by the Tidelands HOA due to it being HOA property.

3. There will be **no** HOA fee required, however the SJRWMD does have a fee that the homeowner is responsible to pay.
4. The letter will be signed by the Tidelands Estates HOA president and forwarded directly to the SJRWMD by the Management Company for SJRWMD action / decision.
5. The response from SJRWMD will come back to the Tidelands Estates Management Company and the resident will be informed of the SJRWMD decision.
6. No work will be done on the Maintained Vegetative Buffer until approval is received from SJRWMD.

To ensure compliance with the regulations of the St. Johns River Water Management District (SJRWMD), the Tidelands Estates HOA has contracted with a landscape maintenance company to provide an evaluation report for every Lot along the Intracoastal Waterway that has a Maintained Vegetative Buffer (MVB). The landscape maintenance company will provide each property owner that has a Maintained Vegetative Buffer with a “recommendation plan” for compliance. Additional information can be found at the [HOA’s website for the ARC committee](#).

Drainage and Grading

Special attention shall be given to proper site surface drainage; grading shall not interfere with natural drainage flows and runoff from one home site will not discharge onto surrounding home sites. Paved areas shall be designed to allow surface water to drain naturally and not allow water to collect or stand. Site plans shall show the drainage plan for the home site.

Driveways

Parking spaces, garages, curb cuts and the driveway to the garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography and compatibility with surrounding improvements. All home sites shall have a driveway consisting of a broom brushed concrete finish and/or concrete pavers with stable and permanent construction at least 12 feet wide but no wider than 18 feet. Concrete driveways are not to be painted or stained unless approved by the ARC. Concrete pavers color and pattern are to be approved by the ARC. Samples of the pavers (material and color) must be submitted to the ARC for approval. (See [Attachment #3 – page 3 of 3](#)).

Game and Play Structures

All basketball backboards and other fixed games and play structures are subject to approval by the ARC and shall be located at the rear of the Dwelling so as not to be visible from the street. Portable sports or game equipment may be used in the driveway, but must be stored inside at night or when not in use.

Swimming Pools

Any swimming pool or spa to be constructed upon any home site shall be subject to review of the ARC. The design submittal must include all design components including materials, finishes, and colors for the pool, pool deck, bronze screen enclosure, 4' black anodized fences for around pools, additional landscape or any other requested element. The pool or spa and its enclosure shall not extend towards the side Lot lines beyond an imaginary line projected rearward from the sides of the Dwelling. No above ground swimming pools shall be permitted on any Lot.

Easements and Common Areas

No structures, including walls or paving shall be located in any drainage easements, utility easements, maintenance easements or the common areas. The grade of such easements shall not be changed and plantings in easements and common areas shall be limited to grass. There shall be no cutting or removal of trees in the common area

Docks along the Custer Waterway & Cimmaron Waterway -- Docks, Boat Docks, Floating Docks & Bulkheads (Seawalls) along the Salt Waterways

All dock plans must be submitted to the Tidelands Estates ARC for approval. See [Attachment #8](#) for the policy on docks, floating docks, boat-lifts and boat-houses.

Docks along the Intracoastal Waterway -- Docks, Boat Docks, Floating Docks & Bulkheads (Seawalls, Coquina and Rip Rap)

The Tidelands Estates HOA has received approval to build docks. Property Owners must comply with the requirements in [Attachment #8](#). Property Owners must submit [Attachment #3](#) to the Tidelands Estates ARC.

Effective 1 April 2013 any work done on a dock or rip rap / bulk head must be done from the water, unless specific approval has been obtained from the ARC. Construction of bulkheads along the Intracoastal Waterway (ICW) is under the jurisdiction of the St. Johns River Water Management District and requires approval by the SJRWMD.

DWELLING GUIDELINES

General Architectural Scheme

To achieve the desired aesthetic quality envisioned by our Tidelands Estates community, the Tidelands Estates ARC has established a philosophy for the construction of architectural structures. Our community is made up of 1 story, 1½ story, and 2 story homes that reflect the Florida Mediterranean Modern style. Typically, this style includes tiled multi-leveled roof designs, stucco exteriors that incorporate columns and arches, an expanded height Front Entry, and a lanai at the rear elevation of the home. New homes and yards will be harmonious in form & color and assimilate with the existing homes and landscapes.

The Architect/Builder/Homeowner should be sensitive to existing structures and the adjacent environment. Each Dwelling is part of the total neighborhood and should not be an individual creation or architectural entity, arbitrarily placed on the Lot. Fads and fashions are to be avoided. Duplicate architectural exteriors may not be constructed directly adjacent to an existing home. Even if the floor plan is the same as its neighbor, the exterior elevations must differ in order to achieve the variety desired in the community. Various designs should complement neighboring properties in color and quality of materials. The Tidelands Estates ARC will also require variety on rear elevations for adjacent homes, particularly on Lakefront Lots.

The ARC has a goal to retain as many original canopy trees as possible on the Lots, common areas, and Maintained Vegetative Buffers (MVB). Refer to the [Site Development Guidelines](#) and [Landscaping & Irrigation System Requirements](#) in this document for further information.

Minimum Dwelling Size

The main residential dwelling structure will have the following minimum (sq. ft.) requirements for the living area that is heated/air conditioned (“under air”):

<u>Residential Dwelling Size</u>	<u>Sq. Ft. Requirements(minimum)</u>
Intracoastal Waterway Lots	2,500 sq. ft.
Salt Waterway Lots	2,500 sq. ft.
Lake Front Lots	2,200 sq. ft.
Interior Lots	2,000 sq. ft.

These minimum requirements are exclusive of porches, decks, garages and other spaces not “under air”.

Roof Construction

Roofs shall be compatible with the architectural style of the home and have a minimum pitch of 7/12. (Other roof pitches will be considered on a case-by-case basis.) The composition of all roofs shall be consistent with our community standard and appearance. Roof tile materials and color must be approved by the Tideland Estates ARC. The under-tile roofing material must be a minimum of a 90 pound “peel and stick”. The roof tile furring strips shall be attached with stainless steel screws.

Flues, vents and skylights shall be on rear or on the side roof slopes so as not to be visible from the street. They must blend in with the color of the roof tile. A sample of the roof tile materials and color must be submitted for approval by the Tideland Estates ARC. (Refer to [Attachment #3, page 3 of 3](#)).

Dwelling Heights

The maximum height of Dwellings shall be 30 feet (the vertical distance from grade plane to the average height of the highest roof surface) with a 7/12 minimum roof pitch. Dwelling heights shall be compatible with the Flagler County & City of Palm Coast specifications. Height shall be measured from the predominant or average final grade of the Lot to the ridge of the highest roof element.

Finished Floor Elevations

Each Lot has a specified minimum finished floor elevation. These are shown on the PUD engineering drawings, a copy of which is maintained and available for review. All owners and builders should also take into consideration FEMA requirements for flood insurance.

Exterior Materials

Finish materials shall be applied consistently to all sides of the exterior of Dwellings. The ARC encourages the use of stucco and tabby stucco. Brick and stone may be used as accents in limited areas and not as siding material. Metal, vinyl siding and exposed concrete block are prohibited. No faux painted brick or stone will be permitted. The ARC discourages the use of steel due to high salt water content.

Samples of materials will be required for ARC approval. Exterior meters and other such devices shall be painted to match the house and positioned to blend with the exterior.

Exterior Features

Exterior window and door trim and similar decorations shall be of same, complementing or contrasting color and material. (Compatibility will always be a consideration by the ARC when reviewing proposed trim and decoration.) Impact windows, doors, soffit, gutters and downspouts

shall be manufactured with finishes capable of resisting chalking and fading for a 20-year life cycle in a salt-air environment.

All windows are to be single or double hung, or casement and the style shall be compatible with the architectural style of the home. Screens are permitted, but must have black screening material. Aluminum awnings, reflective glass and jalousie-type windows are prohibited.

Exterior doors and sidelights with stained, colored, leaded, or etched glass will be permitted when approved by the ARC. A spec sheet is required showing the glass design and colors for the door and/or sidelights. The ARC may approve storm or screened doors when they are compatible with the home's architectural style.

Screening of front porches requires ARC approval. If screening of rear porches and patios is desired, then the finished product must look as if the porch or patio is open with all architectural features intact. Screen enclosures must be a bronze color frame structure with black screening.

All doors and windows are required to have banding.

Exterior Colors

All exterior paint colors must be approved by the Tidelands Estates ARC. Acceptable colors shall be subdued earth tones and pastels consistent with the architectural style of the home and shall fit with the overall aesthetics of the community. On new construction, the Homeowner/Builder will apply a three foot swatch of the wall/body color on the stucco wall for approval by the Tidelands Estates ARC. Banding, trim, door and accent colors will also require ARC approval. The Homeowner/Builder is required to submit color chip samples of all colors with the final submittal. Future repainting of homes requires Tideland Estates ARC approval. ([Refer to Attachment #7](#)).

Chimneys

Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone or stucco. If the fireplace is a metal (self-insulated) type with a metal spark arrester at the top of the chimney, this spark arrester must have a cowling (surround of a material that matches roof tile). This must be approved in advance in writing by the Tidelands Estates ARC and be a color approved by the ARC. No unpainted aluminum or other metals may be left exposed.

Garages

All dwellings shall include a garage adequate to house at least two (2), but not more than three (3), large-size American automobiles. Floor space allocation for each automobile shall not be less than ten (10') feet in width and twenty (20') feet in length. No garage shall be less than 400 SF of total floor space for automobiles, not including space required for hot water heaters, and HVAC equipment or other equipment and appliances commonly located in garages. All garages shall be constructed of the same exterior materials and colors as the main structure. Garage doors are to be equipped with automatic door openers and shall be paneled or louvered, not flat. In the event the

garage has single garage doors, they shall have a minimum width of nine (9) feet each with sixteen (16) inches between. No carports shall be permitted.

Side/courtyard entry garages shall have a minimum distance of 28 feet from the garage door to the side Lot line. This will allow a minimum of 25 feet of drive for proper vehicle access and a 3-foot landscape buffer to the adjacent home site. Garage doors shall be constructed of a material that is similar in appearance to the exterior materials of the buildings, and the color of the garage doors shall be compatible with the color of other exterior finishes of the building. Garage doors, automatic door openers and service doors shall be maintained in useful working condition and shall be kept closed when not in use. If garage screens are to be used they must blend be the roll down style with white screening.

Energy Efficiency

All homes shall meet or exceed Florida's Energy Efficiency Code for Building Construction. (AC Units to be up to city code.) All Plans and specifications submitted for final approval shall include evidence of compliance with this provision.

Solar panels require ARC approval and must not be visible from the front elevation of the home.

Antennas

Antennas, aerials and similar equipment, including satellite dishes and antennas are to be placed, screened or landscaped so as to be hidden from view as long as such landscaping or placement does not affect the quality of reception or unreasonably increase the cost of obtaining the antenna. Nor shall such antenna or satellite dish be placed in any position where it can create a safety hazard or potential nuisance. Satellite dishes shall not exceed 24 inches in any dimension. The placement of such equipment will require approval by the Tidelands Estates ARC.

Cable services are available in Tidelands Estates.

Window Air Conditioners

No window air conditioners are permitted without the expressed written approval of the ARC. This permission will only be granted for special health care needs and where the unit is not visible from the street.

Hurricane Shutters

Hurricane shutters, supports and hardware are subject to review and approval of the ARC. Any supports or hardware that remains permanent, elements shall be finished to match the adjacent architectural element (i.e. stucco, window frame, trim band, etc.).

LANDSCAPING & IRRIGATION SYSTEM REQUIREMENTS

General

All developed home sites shall be landscaped according to plans approved by the ARC. All shrubs, trees, grass and plantings of every kind shall be kept well maintained, properly cultivated and free of trash and other unsightly material. Landscaping as approved by the ARC shall be complete at the time of submittal of the Builders' Construction Completion Transmittal to the ARC.

The Landscape Plan should reflect, enhance and assimilate with the appearance of the existing community.

The Tidelands Estates ARC supports the following UF IFAS Florida-Friendly Landscape Principles:

- Right Plant, Right Place
- Water Efficiently
- Fertilize Appropriately
- Mulch
- Attract Wildlife
- Manage Yard Pets Responsibly
- Recycle Yard Waste
- Reduce Storm Water Runoff
- Protect the Waterfront

For more information on Florida Friendly Landscaping visit the UF –IFAS website @ <http://fyn.ifas.ufl.edu/>.

Landscape and irrigation plans for residences must be reviewed by and approved by the Grounds and Maintenance Committee and the Tidelands Estates HOA landscape maintenance contractor BEFORE being submitted to the ARC. This includes landscaping in courtyards or enclosed areas. The initial landscape plan will receive “preliminary approval” and a “Final Plan” must be presented and approved prior to any installation of sprinklers and /or landscaping.

The Tidelands Estates HOA will **not** provide landscape maintenance for potted plants at the residences or plant beds in cordoned off paved areas, such as a walled courtyard area.

The Tidelands Estates HOA must be able to access any courtyard or enclosed area for maintenance purposes, even in the absence of the property owner.

It is recommended that all landscaping should be salt tolerant and deer resistant. The Tidelands well system has a high salt content.

Landscaping Plan

A basic landscaping plan for each home site must be designed by a Registered Landscape Architect or Landscape Designer and must be submitted to and approved by the ARC. The plan shall incorporate existing vegetation on the site and show existing trees to be removed. Existing trees may not be removed without the prior approval of the ARC. The landscape plan shall indicate all plant types by botanical and common names, sizes, height, spread, caliper, and plant spacing.

New Additions to Landscaping

Homeowners may add plants and trees to their current landscape plan at their own expense. Adding flowers and small shrubs to existing landscape beds does not require prior approval. However, larger landscape changes, such as adding trees, large shrubs, new beds or islands, require ARC approval. Any changes in the landscape plan that impacts land drainage elevation, irrigation systems, or abutting properties must be approved by ARC. Any additional trees, shrubs, plants, irrigation systems, walkways or other landscape improvements involving the Tideland Estates HOA property or Maintained Vegetative Buffer areas are required to have Tideland Estates ARC approval.

NOTE: Homeowners must get approval from the ARC for any **major** changes to their landscaping-

Trees

In order that the natural beauty of the home site may be preserved, no living tree having a diameter of four (4) inches or more, as measured four (4) feet above the natural grade, shall be destroyed or removed from the property unless approved by the ARC in connection with its approval of the plans and specifications for the construction of improvements on the property. When a required shade tree needs to be removed, it will be replaced with an equivalent replacement tree.

The builder shall take special care during construction not to injure or destroy trees or tree root systems including use of protective barriers to keep equipment away from trees. Four shade trees of a minimum 4" caliber, 12' overall height and 30 gallon size, two in the front yard and two in the back yard, constitute the required minimum number of trees. For the purpose of satisfying this requirement, a cluster of 3 palm trees will equal one shade tree; however, at least one actual shade tree must be placed in the front yard. Existing trees that remain will be credited when the ARC determines they are adequate to satisfy the requirement.

Shrubbery

There should be sufficient quantities of shrubbery to ensure a well-landscaped appearance consistent with the aesthetics of the existing community. Foundation shrubs shall be placed in key locations around the Dwelling taking into account doors, windows and other exterior features. In general, no hedge, shrubbery or vegetation of any kind shall be placed in the form of a fence or barrier on any Lot across the front or on the rear Lot line. The ARC may approve, on a case-by-case basis, hedges on rear side Lot lines.

Sod & Ground Cover

All areas of each home-site (not covered with pavement, buildings or shrubs) shall be completed and covered with St. Augustine grass or ground cover. (“Stenotaphrum Secundatum Floratam”)

Mulch

All planting areas within each home site shall be covered and maintained with three (3) inches or more of pine, cypress, gravel, or other suitable mulch. The type of mulch shall be identified on the landscape plan. The use of alternate materials or colors of mulch will require ARC approval. If present, the contractor shall remove lime rock, concrete and other deleterious debris from planting beds. If debris is integrated with soil, the soil must be excavated and replaced with acceptable soil.

Plant Materials

Plant materials shall equal or exceed the standards for Florida No. 1, as given in “Grades and Standards for Nursery Plants” Part I and Part II State of Florida Department of Agriculture, and any amendments thereto. The landscape plan shall indicate all plant types by Botanical and common names, sizes, height, spread, caliper and plant spacing. All plant materials are subject to the review and approval by the Tidelands Estates ARC. Use of non-indigenous plants is not encouraged. No artificial vegetation will be permitted on the exterior of any home. If the homeowner wants additional landscaping, the homeowner is responsible for that expense. See [Attachment #5](#) & [Attachment #10](#).

Irrigation

The Development’s Irrigation system is maintained by the Tidelands Estates HOA. It consists of deep water wells and a pump system with pressure limitations. Each home shall be designed with a four zone system. The maximum “gallons per minute” (gpm) per zone shall be 18 gpm. Property Owners on the Intracoastal Waterway (ICW) have the option of 2 additional zones in order to irrigate the Easement. The time and rotation of the sprinkler system activation will be maintained by the Tidelands Estates HOA & the landscape maintenance contractor. The Tidelands Estates HOA is requiring specific sprinkler heads and drip irrigation as part of the sprinkler design plan. Landscape and Irrigation plans must be reviewed and approved by the Grounds and Maintenance Committee before being presented to the ARC. This includes landscaping in courtyards. See [Attachment #11](#) for the Tidelands Estates Irrigation / Sprinkler System Requirements & Guidelines.

NOTE: It is the contractor’s responsibility to contact the Tidelands Estates HOA’s landscape maintenance company prior to the start of irrigation installation for connection to Tidelands Estates HOA irrigation system. The Irrigation Plan must be reviewed and approved by the Grounds & Maintenance Committee prior to installation.

Fertilizers and Pesticides

Only biodegradable fertilizers and pesticides approved by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation shall be used. This applies to individual homeowners and for any and all contracted services.

Easements and the Maintained Vegetative Buffer (MVB)

Property / Home Owners that have purchased the access of the Easement and MVB, are responsible for the cost of maintaining the easement and MVB on their lot. Once the Easement or MVB has been cleared (with approval of Tidelands Estates HOA and St. Johns River Water Management District (SJRWMD), it must be maintained according to Tidelands Estates HOA guidelines.

ATTACHMENT # 1 - VIOLATIONS & FINES SCHEDULE

TIDELANDS ESTATES HOA & ARC VIOLATIONS AND FINES

VIOLATION	FINE
Starting construction before “ARC Final Approval” (irrespective of ARC meeting schedule).	\$500 / week
Removing trees without ARC approval. Property Owner must plant a replacement tree of the same size.	\$1000 / tree
Failure to have a member of the Tideland Estates ARC present when removing “designated” trees.	\$1000
Failure to properly place a portable toilet on site by the time the Lot is completely “cleared”.	\$25 / day
Failure to install perimeter silt fence (construction barrier fence) immediately after the Lot has been completely cleared.	\$25 / day
Failure to place a dumpster on the Lot (construction site) before ground rough and plumbing installation begins.	\$50 / day
Failure to keep job site neat and clean.	\$100 / incident
Failure to correct damage to adjoining Lots.	\$25 / day
Failure to correct damage to common property.	\$200 / incident
Failure to properly clean the street.	\$100 / incident Or actual cost for cleaning or repair per incident (whichever is greater).
Unapproved signs on property.	\$25 / day
Loud music, children, or pets on the job site.	\$50 / incident

VIOLATION	FINE
Failure to complete construction within 18 months of final approval, unless otherwise specified.	\$1000 / week
Construction on Sundays & Holidays, after hours. (Rule H under conduct). Limiting working hours for construction personnel from 7:00 a.m. to 7:00 p.m. (or sunset when earlier) Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction work will be allowed on Sundays or the following holidays: New Year's Day, Memorial Day, July 4 th , Labor Day, Thanksgiving Day and Christmas Day. The Tidelands Estates ARC may allow exceptions to this rule under special circumstances and with prior written authorization.	\$50 / day
Administrative Costs for imposing fines.	\$50 / fine (or more)

The administrative costs associated with imposing these fines will also be passed on to the builder; this will be \$50 per fine, more when circumstances warrant. When imposed, the above fines, and administrative costs will be deducted from the construction deposit held by the ARC.

ATTACHMENT # 2 - ARC TRANSMITTAL

This form is used when Permitting is required

TO: TIDELANDS ESTATES - ARCHITECTURAL REVIEW COMMITTEE
c/o Management Company representing the Tidelands Estates HOA see Web Site

DATE: _____

FROM: _____

PHONE: _____

FOR: PHASE _____ LOT _____
STREET ADDRESS _____
CUSTOMER NAME _____

TYPE: _____ STANDARD MODEL _____ (NAME)
_____ CUSTOM HOME
_____ POOL _____ SPA

PRELIMINARY REVIEW: (All items required for review)

- _____ DESIGN REVIEW APPLICATION
- _____ CONTRACTOR’S CERTIFICATE OF INSURANCE (LIABILITY & WORKER’S COMPENSATION)
- _____ SURVEY
- _____ TWO SITE PLANS WITH LIMITS OF VEGETATION TO REMAIN
- _____ TWO ARCHITECTURAL SETS OF FLOOR PLANS & ELEVATIONS
- _____ TWO CONCEPTUAL LANDSCAPE PLANS – (See [Attachment # 5](#) for approved plants)
- _____ FOUR SITE PHOTOS
- _____ \$ 2,500 REVIEW FEE

FINAL REVIEW (All items required for review)

- _____ REVISED DESIGN APPLICATION (as needed)
- _____ TWO FINAL SITE PLANS WITH LIMITS OF VEGETATION TO REMAIN
- _____ TWO SETS OF FINAL LANDSCAPE PLAN (these can be approx. – final copies delivered to ARC for final approval when building is underway.)
- _____ TWO ARCHITECTURAL SETS OF DRAWINGS (2 SEALED)
- _____ FINAL COLOR SELECTIONS WITH COLOR SAMPLES - See [Attachment #7](#)
- _____ REQUIRED CONSTRUCTION DEPOSIT PAYABLE TO VILLAGE AT PALM COAST – or - TIDELANDS ESTATES
- _____ CITY’S WRITTEN REPORT VALUATION FOR BUILDING LOT AND EASEMENT LAND

OTHER:

- | | |
|-------------------------------|--------------------------------|
| _____ FOUNDATION SURVEY | _____ FINAL SURVEY |
| _____ COMPLETION TRANSMITTAL | _____ CERTIFICATE OF OCCUPANCY |
| _____ ARCHITECTURAL CHANGE(S) | _____ SITE CHANGE(S) |
| _____ FINAL LANDSCAPING | (if changes were made) |

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION

(page 1 of 3)

This form is used when Permitting is required

TIDELANDS ESTATES ARCHITECTURAL REVIEW COMMITTEE

BUILDER: _____

CONTRACTOR LICENSE NO: _____

SITE SUPERVISOR'S NAME: _____

DAY TIME PHONE: _____ NIGHT TIME PHONE _____

LEGAL DESCRIPTION OF LOT: _____

ADDRESS OF LOT: _____

DATE: _____

BUILDER'S QUALIFICATIONS:

List a minimum of three custom homes that you have built within the past five years:

1. _____
2. _____
3. _____

Check One	APPLICATION TYPE	Review Fee
A	Preliminary/Final Review – (Non Refundable) New Home Construction - the original alteration of a home site from its natural state into a residential dwelling. Any review (after the 3 rd review) to obtain final approval and authorization to start construction will be an additional fee per review. (see item “C” below)	\$ 2,500.00
B	Major Alteration or Addition - a structural or site modification-taking place after the original construction, which is significant enough to warrant the issuance of a building permit by a governmental authority. This includes pools, spas and docks.	\$ 500.00
C	Changes to, or Resubmission of Plans - whenever a submission for which the ARC previously granted Final Approval and Authorization to begin is resubmitted for Final Approval to the ARC due to a change in the originally approved plan, or whenever a submission whose approval was previously denied by the ARC is resubmitted by a Builder or Homeowner for Final Approval.	minimum \$ 100.00
D	Unapproved changes by the Builder / Homeowner will require submission of an additional application and fee.	minimum \$100.00

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION

(page 2 of 3)

NEW HOME CONSTRUCTION INFORMATION

Air Conditioned Space (1 st Floor)	_____	Square Feet
Air Conditioned Space (2 nd Floor)	_____	Square Feet
TOTAL	_____	Square Feet
	(Air Conditioned Space)	
Covered Porches / Decks	_____	Square Feet
Garage	_____	Square Feet
Other	_____	Square Feet
TOTAL	_____	Gross Square Feet
Lot area covered by roof	_____	Square Feet

OWNER:

Name

Street

City State Zip

BUILDER:

Name

Street

City State Zip

ARCHITECT:

Name

Street

City State Zip

LANDSCAPE ARCHITECT:

Name

Street

City State Zip

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION

(page 3 of 3)

EXTERIOR COLORS AND MATERIALS:

NOTE: Samples and /or color chips of all exterior finishes and materials must accompany final review submittal. Refer to [Attachment #7](#) for color selection requirements.)

A. ROOF:

Color Palm Island Green
Mfg. Boral
Material Min 90 lb. "peel & stick"

G. GARAGE DOOR:

Color _____
Mfg. _____
Material _____

B. FASCIA

Color _____
Material _____

H. TRIM BANDING

Color _____
Material _____

C. SHUTTERS

Color _____
Mfg. _____
Material _____

I. WINDOW FRAMES

Color _____
Mfg. _____
Material _____

D. WALLS

Color _____
Mfg. _____
Material _____

J. FRONT DOOR

Color _____
Mfg. _____
Material _____

E. SOFFIT

Color _____
Mfg. _____
Material _____

K. DRIVEWAY (Pavers or Concrete Stain)

Color _____
Mfg. _____
Material _____

F. GUTTERS/DOWNSPOUTS

Color _____
Mfg. _____
Material _____

L. OTHER: (i.e. Exterior Wall Accents /
Decorative Stone or Brick)

Color _____
Mfg. _____
Material _____

ATTACHMENT # 4 -
BUILDER'S CONSTRUCTION COMPLETION TRANSMITTAL

TIDELANDS ESTATES ARCHITECTURAL REVIEW COMMITTEE

RESIDENCE ADDRESS: _____

OWNER'S NAME: _____

LOT NUMBER: _____

BUILDER: _____

SITE SUPERVISORS NAME: _____

DAY TIME TELEPHONE: _____ NIGHT TIME PHONE _____

The Architectural Review Committee is requested to schedule a final inspection for the above referenced home site.

All exterior finishes and site improvements as submitted and approved by the Architectural Review Committee have been completed.

All construction materials, debris and related items have been restored or removed. Also, any adjacent property or road right-of-way areas have been cleaned and restored.

NOTES OR COMMENTS:

NAME (PRINT) _____ DATE: _____

SIGNATURE: _____

ATTACHMENT # 5 -
SUGGESTED & RECOMMENDED GROUND COVER, SHRUBS AND TREE
LIST

Ground Cover 1 gallon size):

- Dietes SP – “White African Iris”
- Juniperus Conferta – “Shore Juniper”
- Junioerus Parsonii – “Parsons Juniper”
- Liriope Muscari – “Evergreen”
- Giant Liriope
- Spartina Bakeri – “Cordgrass”

Shrubs 3 Gallon Size):

- Rhododendron Obtusum - “Red Ruffle Azalea”
- Cycas Revoluta – “Sago Palm”
- Elaeagnus Pungens – “Silver Thorn”
- Ilex Burfordi – “Burford Holly”
- Ilex Vomitoria – “Yaupon”
- Ilex Vomitoria Schillings – “Schillings Holly”
- Lagerstroemia Indica/ “Crape Myrtle”
- Ligustrum Recurvifolia – “Recurve Ligustrum”
- Myrica Cerifera – “Wax Myrtle”
-
- Nandina Domestica – “Heavenly Bamboo”
- Nerium Oleander – “Oleander”
- Pittosporum Tobira – “Green Pittosporum”
- Pittosporum Tobira Variegata – “Variegated Pittosporum”
- Podocarpus Macrophylla – “Japanese Yew”
- Serenoa Repens – “Saw Palmetto”
- Dune Sunflower
- Muhly Grass
- Sea Oats
- Viburnum

Trees:

- Butia Capitata – “Pindo Palm”
- Ilex Attenuata – “East Palatka Holly”
- Ilex Nellie Stevens – “Nellie Stevens Holly”
- Ligustrum Japonicum – “Tree Ligustrum”
- Magnolia Grandiflora – “Southern Magnolia”
- Phoenix Canariensis – “Canary Island Date Palm”
- Quercus Virginiana – “Live Oak”
- Sabal Palmetto – “Cabbage Palm”
- Washington Robusta – “Washington Palm”
- Laurel Oaks
- Florida Red Maple
- Florida Red Maple
- Cypress
-

ATTACHMENT # 6 - HOMEOWNER APPLICATION

Exterior Modification or Addition - Not Requiring Permitting

THIS REQUEST INCLUDES, BUT IS NOT LIMITED TO, THOSE ITEMS NOT REQUIRING PERMITTING FROM THE CITY OF PALM COAST SUCH AS PAINT COLOR CHANGES, EXTERIOR LIGHTING (LOW VOLTAGE AS WELL AS HIGH VOLTAGE), LANDSCAPING (INCLUDING MULCH), STRUCTURAL CHANGES OF A MINOR NATURE SUCH AS: BIRD HOUSES/ FEEDERS/BATHS, TRELLISES, ARBORS, STATUARY, FOUNTAINS, FLAGS AND FLAG POLLS, STORAGE UNITS, ANCILLARY STRUCTURES AND HOT TUBS.

Proposed Project: _____

Date: _____

Name: _____

Address: _____

Lot Number: _____

Phone Number: _____

Please submit a letter outlining your request. Where needed, include the following:

- Site plan of the placement of your requested changes in relation to your Lot lines
- Sample of paint colors
- Sample of mulch if not on approved list
- List of construction material; i.e. treated wood, plastic
- Photos or drawings of statuary, bird houses, feeders, baths, flags and flag polls
- Plot drawing of the placement and types of landscaping additions or changes is required

The ARC on the next regular scheduled meeting will review your request. A response will be sent within two weeks of the review.

Signature of Applicant _____

APPROVED: (Signature of two of three Committee members required)

Committee member 1 _____

Committee member 2 _____

Approval Date _____

ATTACHMENT # 6A - HOMEOWNER APPLICATION

Exterior Modification or Addition - Requiring Permitting but no architect review
(No fee required)

THIS REQUEST INCLUDES, BUT IS NOT LIMITED TO, THOSE ITEMS REQUIRING PERMITTING FROM THE CITY OF PALM COAST SUCH AS INSTALLATION OF A POOL HEATER, ELECTRICAL UPGRADES

Proposed Project: _____

Date: _____

Name: _____

Address: _____

Lot Number: _____

Phone Number: _____

Please submit a letter outlining your request. Where needed, include the following:

- Site plan of the placement of your requested changes in relation to your Lot lines
- Sample of paint colors
- Sample of mulch if not on approved list
- List of construction material; i.e. treated wood, plastic
- Photos or drawings of statuary, bird houses, feeders, baths, flags and flag polls
- Plot drawing of the placement and types of landscaping additions or changes is required

The ARC on the next regular scheduled meeting will review your request. A response will be sent within two weeks of the review.

Signature of Applicant _____

APPROVED: (Signature of two of three Committee members required)

Committee member 1 _____

Committee member 2 _____

Approval Date _____

ATTACHMENT # 7 -
DESIGN REVIEW APPLICATION FOR EXTERIOR PAINT: WALLS,
DOORS, TRIM & BANDING ACCENT COLORS

NOTE: The Tidelands Estates ARC requires samples or chips of all exterior colors for the review & approval process.

Builder: _____

Contractor License # _____

Home / Property Owner: _____

Address: _____

Exterior Wall Color & Manufacturer: _____

Light Reflective Value (LRV): _____

Color Sample / Chip Provided: Yes _____ No _____

Trim & Banding Color & Manufacturer: _____

Light Reflective Value (LRV): _____

Color Sample / Chip Provided: Yes _____ No _____

Front Door Color & Manufacturer: _____

Light Reflective Value (LRV): _____

Color Sample / Chip Provided: Yes _____ No _____

Garage Door Color & Manufacturer: _____

Light Reflective Value (LRV): _____

Color Sample / Chip Provided: Yes _____ No _____

Accent Color & Manufacturer: _____

Light Reflective Value (LRV): _____

Color Sample / Chip Provided: Yes _____ No _____

Note: If an accent color is used, please indicate where on the exterior structure it will be used:

ATTACHMENT #8 - STRUCTURAL COMPONENTS (DOCKS, FLOATING DOCKS, BOAT-HOUSES, BOAT-LIFTS)

WITHIN THE INTRACOASTAL, CUSTER & CIMMARON WATERWAYS

The following guidelines have been established to govern the installation of structural components (docks, boat-houses, boat-lifts, floating docks) along the salt waterways and to set guidelines for aesthetic quality. The Tidelands Estates ARC will review submittals with regard to placement within the salt waterway based on visual impact, navigational capability and aesthetic quality. All plans must receive approval by the Tidelands Estates ARC and require a \$2,000 construction deposit.

DOCKS, BOAT-LIFTS AND BOAT-HOUSES

1. Boat-houses on all waterways are to portray a residential appearance by using hip roof construction with a 5/12 pitch. Boat-houses are generally 10’ or 11’ above the seawall cap including the roof. The maximum allowable height shall be 13’ from the seawall cap. The roof of the boat-house will be of the same material, color, and roof tile as the residential structure on the Lot.
2. Dock structures along the Intracoastal Waterway are governed by the Army Corp of Engineers and St. Johns River Water Management District (SJRWMD). On the Custer and Cimmaron waterways 12’ wide docks are permitted on the 80’ waterways and 16’ wide docks are permitted on the 100’ waterways. All pilings shall be installed within the 12’ or 16’ dimension as applicable. A variance is required for structures exceeding the 12’ or 16’ allowed and must be approved by the Tidelands Estates ARC.
3. The standard setback from a neighboring property line to the structure is 10.’ The Tidelands Estates ARC will consider other measurements based on Lot size, location, easements, drainage, existing structures, and navigational capability.
4. The maximum roof lengths over a dock’s boat-slip, boat-lift, or water only shall be as follows:

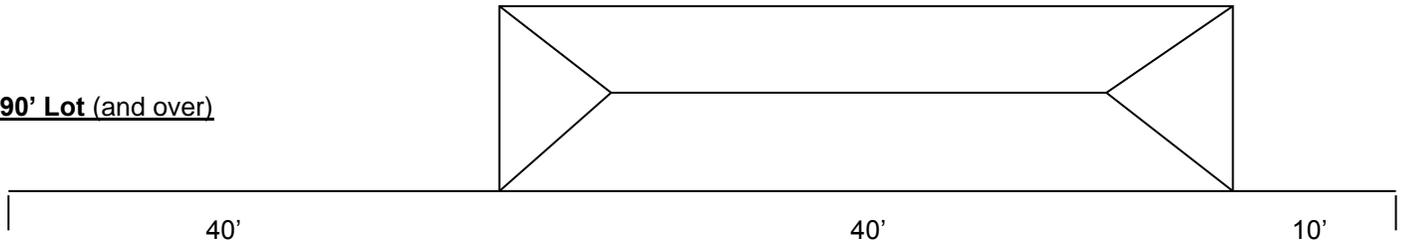
<u>Size of Lot</u>	<u>Length of Roof</u>
90’ Lots & over	40’ max.
80’ Lots	36’ max.
70’ Lots	30’ max.
60’ Lots	26’ max.
Lots under 60’	To be determined by Tidelands Estates ARC on an individual basis

NOTE: See Dock / Structure Configuration Diagram for placement of structural components.

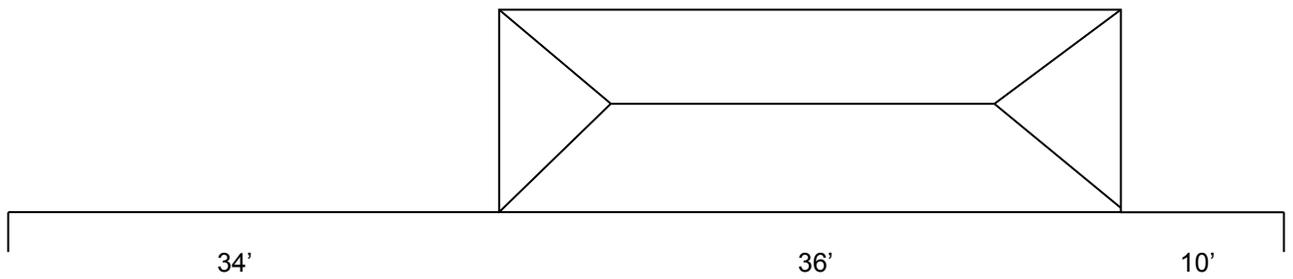
DOCK / STRUCTURE CONFIGURATION DIAGRAM

Placement for Dock / Structures on the Salt Waterways

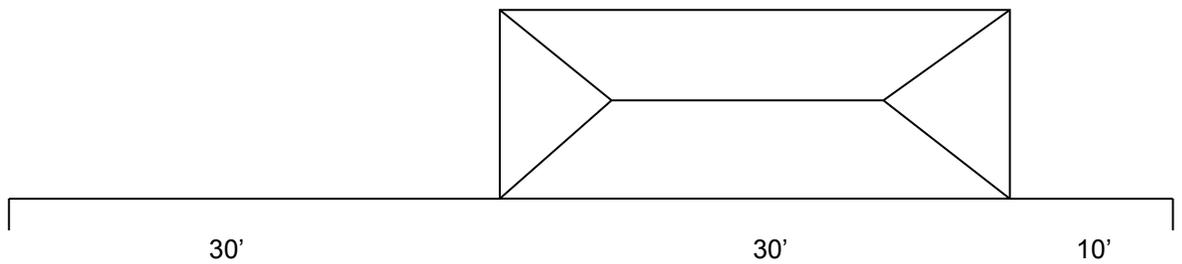
90' Lot (and over)



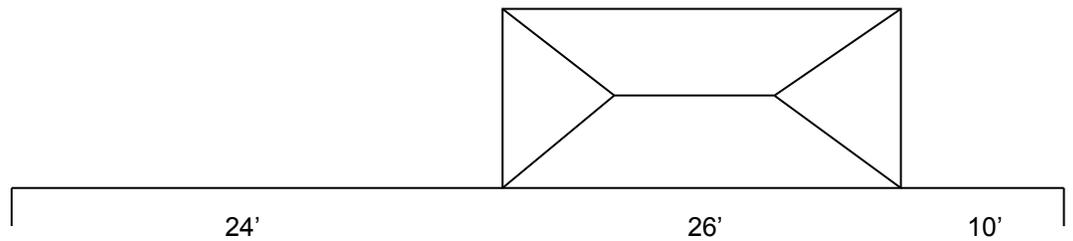
80' Lot



70' Lot



60' Lot



CANTILEVER EXTENSION WALKWAYS FOR BOAT-HOUSES / BOAT-LIFTS

The following guidelines have been established to provide a safe perimeter walkway to the waterside portion of a boat within a lift or boathouse area as approved by the Tidelands Estates ARC.

1. **No** cantilever extensions are allowed with 16' wide docks.
2. Cantilever variances will only be granted for the length necessary for the boat and **not** for any dock area contiguous to the lift/boat-house
3. Cantilevered extensions on 12' wide docks shall be considered by variance (based on individual needs of the lift area created to accommodate the boat) and shall be confined to a 12" maximum beyond the approved location of the pilings.
4. All pilings shall be installed within the 12' or 16' dimensions applicable to the salt waterway.
5. All plans submitted for cantilever variance shall be inclusive of all finished dimensions.

FLOATING DOCKS

The following guidelines have been established for the installation of Floating Docks along the salt waterways.

1. Floating docks will be reviewed and evaluated with regard to placement by the Tidelands Estates ARC. Floating Docks may be used in conjunction with permanent dock structures.
2. Floating docks shall **not** exceed 20' in length. Floating docks shall **not** extend into the salt waterway more than 12' on 80' salt waterways and 16' on salt waterways that are 100' or greater.

NOTE: Refer to the Master Plan Approval for Docks, Fishing Pier, Shell Path and Connecting Single Family Foot Path for Village at Palm Coast Phase I – dated 7 November 2013

ATTACHMENT # 9 - OUTDOOR LIGHTING REQUIREMENTS

Outdoor lighting shall be limited to that shown on the architectural drawings submitted to and approved by the Tidelands Estates Architectural Review Committee.

Additional lighting, such as flood lights, lawn and landscape lighting, boat dock and accent lighting not a part of interior lighting will require ARC approval prior to installation.

GUIDELINES FOR OUTDOOR LIGHTING SHALL BE AS OUTLINED BELOW:

Floodlights:

1. Halogen, Sodium Vapor and other such high intensity lights are prohibited.
2. Lighting shall be shielded so as to limit the lighted area to the property lines of the property owner.

Boat dock lighting:

1. Lighting must be under roof and above fascia.
2. Post and catwalk lighting must be of low wattage so as not to be blinding to other boat owners.

Landscape lighting:

1. Must be white only. Colored lighting is prohibited except during the holiday season.

ATTACHMENT # 10 - PLANT INSTALLATION AND REPLACEMENT

The Tidelands HOA pays for the maintenance of your landscaping, which does not include landscape design or improvement. Everyone has the responsibility to oversee their own property and make improvements to it as necessary.

The Tidelands Estates HOA contracted landscape maintenance company is responsible to make sure that plants are fertilized and treated for insects so that they remain healthy. If neglect on the landscapers' part is proven, they will replace the plants. These occasions are rare and would need to be addressed as soon as possible. Any damage done to your property by the contracted landscape maintenance company should be reported immediately to the Landscaper or to the Tidelands Estates HOA management company. The Tidelands Estates HOA hires the landscape maintenance company to: remove weeds from plant & flower beds, fertilize the Lot, trim vegetation, mow the grass, edge yard and remove vegetative clippings.

New Construction Installations – (dissatisfaction with the plants your builder installed)

If types of plants are not satisfactory, if plants appear sickly or if newly installed plants die, the homeowner should go back to the builder for replacement or the homeowner must pay for the replacement or enhancement of the landscaping themselves.

New Additions to Landscaping

If the homeowner wants additional landscaping, the homeowner is responsible for that expense. (Homeowners must get approval from the ARC for **major** changes to the landscaping)

Landscape Maintenance Company

The contracted Landscape Maintenance Company will provide a 1-year warranty on all trees they install and a 6-month warranty on all other plants they install. If the Landscape Maintenance Company was not used for the plant installation or replacement, the homeowner must go back to the original installer or replace the plants themselves. The Landscape Maintenance Company will be happy to treat the plants, make sure they have water, etc. but these plants are not the responsibility of The Landscape Maintenance Company to replace.

Irrigation

Irrigation is maintained by the Tidelands Estates HOA. New construction Property Owners need to make sure that the system is installed adequately. The Tidelands Estates HOA is not responsible to upgrade your irrigation.

The Tidelands Estates HOA has no responsibility for the selection or longevity of the landscape to the Property. Warranty relief is to be obtained by the homeowner from the supplier. The Tidelands Estates HOA will assist in resolving disputes with the landscape maintenance company hired by the Tidelands Estates HOA. Such disputes should be emailed to the Tidelands Estates HOA management company found on the Tidelands Estates web site.

ATTACHMENT # 11 - IRRIGATION / SPRINKLER SYSTEM REQUIREMENTS & GUIDELINES

Irrigation System Design Components

1. The point of connection (POC) for each individual Lot is a 1.5” water tap capable of 20 gallons per minute (gpm) coming from the community water main. The water main is divided out by the number of community meters. Each home is allocated four (4) separate zones with flows not to exceed 18 gpm through a master controller for the sprinkler system that is connected to each Lot by a two-wire component connection. Please contact the Tidelands Estates HOA landscape maintenance contractor to arrange for the installation of the two-wire components and the addition of the Lot to the system’s watering schedule. Contact the Tidelands Estates HOA management company for the current fee. ***Individual home irrigation controllers are not allowed to be installed.***
2. Each zone should be designed to cover similar plant material without mixing sprinklers with different application rates. Do not mix rotors and conventional sprays on the same zone. MP rotators will not be permitted.
3. Head spacing should be head to head with 100% (one hundred percent) overlap.
4. When sizing lateral pipe, limit velocities to 5 fps.
5. Place sprinkler heads to minimize over-spray onto paved surfaces, structures or walls.
6. Mainline and lateral pipes should have a minimum of 12” cover.
7. All areas where pipes pass under concrete or other hard surfaces should be sleeved using Sch (Schedule) 40 PVC.
8. When utilizing drip irrigation, proper filtration and pressure regulation at 40 psi or less is required at the valve location.
9. Components to be installed in accordance with the manufacturers’ guidelines.
10. The irrigation design should take into account the location of equipment relative to the landscape maintenance. Heads, emitters, pipes and sleeves should be located to minimize interference with traditional landscape maintenance practices.
11. Property owners will be responsible for the repair & maintenance of any irrigation system and components that are **not** connected to the Tidelands Estates designated irrigation system. (i.e. irrigation systems that are connected to the owners City of Palm Coast water meter).

Irrigation Specifications

1. Use six inch (6”) pop-up spray heads in turf areas. Twelve inch (12”) pop-up sprays in ground cover areas, driplines for all shrub beds. All spray head bodies must be pressure compensating and have a check valve capable of holding back a minimum of ten feet (10’) of elevation head. Spray heads bodies shall be Rain Bird 1800 series SAM-PRS or Hunter Institutional series with check valve. **Note:** Four inch (4”) pop-up spray bodies will **not** be permitted.
2. Low volume drip tubing may be used if placed on its own irrigation control valve. The control valve for the drip zone should have a pressure regulator and filter installed in a twelve inch (12”) valve box. Secure drip line tubing with six inch (6”) metal soil staples.
3. Valves to be placed in a twelve inch (12”) rectangular purple valve box.

4. Use Class 200 purple PVC pipe for all main and lateral irrigation lines. Use Schedule 40 PVC pipe for sleeves.
5. A flexible swing joint of swing pipe and spiral barbs or flexible PVC pipe with a solvent weld street ell will be required between the lateral pipe and the irrigation head. Do not make any hard pipe connections between laterals and irrigation heads.
6. All mainline and lateral piping to have twelve inches (12") of cover. Assure that pipe sizes at the point of connection to the water source are properly sized to match the source line.