Tidelands Estates
(Village at Palm Coast)

DESIGN AND DEVELOPMENT GUIDELINES
&
APPLICATION AND REVIEW PROCEDURES

Revision Date – November 11, 2024

Date Approved by the BOD of Tidelands Estates –

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PREAMBLE

According to the Covenants and Restrictions of the Tidelands Estates (a.k.a. The Village of Palm Coast), the Architectural Review Committee is empowered to promulgate rules, to review, and approve or decline all exterior construction and landscaping:

> Article IX Section 3A, Architectural Control (as replaced in Amendment 6, Item 5).
>
> Except as to the Dwelling Units and other improvements originally constructed by the Company , no Dwelling Unit, wall, decking, paving, awnings, or other structure or improvement of any nature shall be erected, placed, modified, altered or permitted to remain on any Lot until the construction plans and specifications and a plan showing the kind, shape, materials, colors and location of the structure, exterior elevations, and landscaping, as may be required by both the Architectural Review Committee (ARC) and the Association Board Liaison, have been approved in writing by the Architectural Review Committee and the Association Board Liaison.
>
> Each Dwelling Unit, wall or other structure or improvement of any nature, together with the landscaping, shall be erected, placed or altered upon a Lot only in accordance with the plans and specifications and plot plan used by the Architectural Review Committee for the original construction of such Dwelling Unit or other structure**. Refusal of approval of plans, specifications and plot plan, or any of them, may be based on any ground, including purely aesthetic grounds, which, in the sole discretion of said Architectural Review Committee, seems sufficient. Any change in the exterior appearance of any Dwelling Unit, wall, or other structure or improvements, and any change in the appearance of the landscaping, shall be deemed an alteration requiring approval. The Architectural Review Committee shall have the power to promulgate such rules and regulations as it deems necessary to carry out the provisions and intent of this paragraph. All such new or changed Rules and Regulations will be subject to Board approval.**

In order to provide consistency in rendering decisions on the construction, the appearance and the safety of the community, the Architectural Review Committee has documented and updated the ARC Guidelines from time to time. Some rules were established during the initial building by the developer when the community was established (such as green tile roofs), and updates take into consideration the increased building density, Florida Statutes, City of Palm Coast regulations, and community hurricane safety and risk concerns. The key goal of the promulgated rules is to maintain a cohesive community design and to ensure construction does not increase risk to the Association and its members. Each revision to the ARC Guidelines is reviewed by the current Board of Directors prior to being presented to the membership, a minimum of 45 days in advance of a member meeting, wherein the Board of Directors will vote to adopt the revisions.

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 the duty 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/Residents/Guests/Renters must comply 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.

All Property Owners / Homeowners are responsible for maintenance of their dwelling & property: roofs, exterior walls, accessories, walkways & landscape (replacement of dead plants, shrubs & trees) post installation.

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 ensuring 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. For this exemption to apply, all plans for all structures are to be reviewed at the time of the preliminary and final reviews. 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.

ATTACHMENT GUIDE

For exterior modifications or additions to an existing home, refer to the table below to submit the appropriate "ATTACHMENTs" to the Tidelands Estates ARC for review of the project.

FORMS	ATTACHMENTS	Use this form if PERMIT REQUIRED	Use this form if PERMIT NOT REQUIRED	CONTRACTOR/ DEPO SIT REQUIRED
POOLS & PAVERS	ATTACHMENT #2 & ATTACHMENT #3	Yes	No	Yes
ARC TRANSMITTAL CHECKLIST (MAJOR MODIFICATIONS)	ATTACHMENT #2	Yes	No	Yes
DESIGN REVIEW APPLICATION (MAJOR MODIFICATIONS)	ATTACHMENT #3	Yes	No	Yes
HOMEOWNER - LANDSCAPE MODIFICATIONS	ATTACHMENT #5	Yes	Yes	No
HOMEOWNER - (MINOR EXTERIOR ADDITIONS/ MODIFICATIONS)	ATTACHMENT #6	Yes	Yes	No
HOMEOWNER EXTERIOR PAINT / FINISH CHANGES	ATTACHMENT #7	No	Yes	No
DOCK / BOATHOUSE / BULKHEAD (SEAWALL)	ATTACHMENT #8	Yes	No	Yes
EXTERIOR LIGHTING – REFER TO ATTACHMENT #9 FOR REQUIREMENTS	ATTACHMENT #6	Refer to ATTACHMENT #9	Refer to ATTACHMENT #9	No
MVB MODIFICATIONS	ATTACHMENT #12	Yes	No	Yes

NOTE: If there is a question of project intent, please send an email to the Tidelands Estates HOA contracted Management Company – CAM@tidelandsestates.com

Review Fees

	Construction	**Review Fee (Non-Refundable)**
A.	Builder Portfolio Review – Required for contractors new to the community or have been inactive for 3 years. • New Homes • Demolition or Addition	 $1,000 $500

B.	New Home Construction –
	
	• New Home Review (Includes 3 Architectural and 2 Landscape and Irrigation reviews)
	  • Additional New Home Architectural Review
	  • Additional New Home Landscape Review
	
	• Irrigation Decoder
	• Final Re-Inspection Fee (Each inspection performed after initial inspection)
		
		$ 5000
		
		$350
		$150
		
		$500
		$300

C.	Dock -	$400

D.	Structural Alteration or Addition -
	• Major Alteration requiring both Architectural and Landscape Consultant reviews. (Pool, Patio, Screened Enclosure, etc.)
	• Major Alteration or Addition requiring a consultant review
	  • Architectural Consultant Review
	  • Landscape Consultant Review
		
		$500
		
		$350
		$150
		$100

E.	Non-Structural Alteration or Addition - • Site alterations not requiring a consultant review	 $100
F.	Fee Exemptions – Minor modifications such as exterior repaint, exterior lighting, front door change, satellite dish, solar panels, minor landscape refresh, etc. do not require a fee.	 N/A

G.	Variance Fee – Required if Variance is approved – • Major Structural • Minor Aesthetic	 $1000 $100

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 and approves its Final Inspection:

Construction	**Deposit (Refundable)**
Dwellings (Home Construction) Contractor Funds Homeowner Funds	 $ 15,000 $ 10,000
Pools, Spas & Docks	$ 5,000
Structural Alteration or Addition	$ 5,000
Non Structural Alteration or Addition (Requiring Heavy Equipment)	$ 2,000

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 (Refer to 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 (Refer to ATTACHMENT #2) as a cover sheet shall be used along with a fee of $3,000 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 (Refer to 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. (Refer to ATTACHMENT #3)
J. The required review fee of $3,000

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. At such time, the contractor must execute the Contractor Pre-construction Agreement (refer to ATTACHMENT #15) 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 (Refer to 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. Refer to 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/veneer, accent bricks/stone, driveway/patio pavers, exterior paint colors, etc. Refer to 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 initial new home construction, the owner desires to alter, add to, or in any way change the exterior appearance of the home or landscape, the pertinent attachments shall be completed and submitted to the Tidelands Estates Architectural Review Committee c/o the Management. All requests are submitted to the online ARC Request form at https://www.tidelandestates.com. Please contact the Management Company if you have any issues performing this task.

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 restrictions 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 before ground rough/plumbing. (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 after the lot has been completely cleared. The silt fence is to 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. Grates & nearby street drains must be completely covered & protected to ensure no silt or debris intrusion from the construction site.
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 by completing ATTACHMENT #13 and/or ATTACHMENT #14.
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.)
O. Prohibiting the dumping of construction materials & waste materials in street, drains or waterways.
P. Ensuring all builders, employees, subcontractors and suppliers do not speed on the community roads and observe the posted speed limit of 20 mph.

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, Board of Directors, any member of the ARC or the Board of Directors 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 the 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.

Lawn Furnishings & Decorative Items

The use of any decorative items, including but not limited to statues, gates, rocks, planters, bird baths, fountains, fire pits, 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. (Refer to ATTACHMENT #6)

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 management company and approval by the HOA. Renters cannot submit ARC requests without the written approval of the property owner.

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 3.08.03 of the Land Development Code of Flagler County & the City of Palm Coast. The minimum setbacks for Tidelands Estates shall be as follows:

Setbacks	Phase I	Phase II
Front Yard	25 ft.	25 ft.
Rear Yard	20 ft. Note: 10 ft. from the rear Lot line to swimming pools screen enclosures on lots 44-63 On Intracoastal– must be 15 feet due to Army Corp of Engineers Westerly Right-of-Way Lots around Lake have a 27' maintenance easement	25 ft.
Side Yard	7.5 ft.	10 ft.
NOTE:	20 ft. for side yards abutting any street	20 ft. for side yards abutting any street

NOTE: "Waterfront Setbacks – All dwelling units constructed on Lots 44 through 63 (adjacent to the Custer Waterway) shall maintain minimum rear yard set-back of ten (10) feet between the waterward edge of the seawall and any screened enclosure or pool.

"Stem Wall Construction" - all dwelling units constructed on Lots 44 through 63 shall be constructed on concrete block "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 (AHJ) 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. Homeowner or contractor prepare**s** the construction/landscaping plan and the "Letter of Modification" and submits it 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 and all other conditions have been met on the checklist in coordination with the Tidelands Estates HOA management company. (Refer to ATTACHMENT #12)

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 periodically 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. Any violations for non-compliance will be assessed to the Homeowner / Easement Owner.

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. City of Palm Coast determines the grading & drainage plans for each lot.

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. 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. Builders refer to ATTACHMENT #3 – page 3 of 3 / Homeowners refer to ATTACHMENT #6 or ATTACHMENT #7)

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, Cotton Cove 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. Refer to ATTACHMENT #8 for the policy on Bulkheads (Seawalls), 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, ATTACHMENT #12, ATTACHMENT #13 (if applicable), and ATTACHMENT #14 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.

NOTE: Homeowners / Property Owners along the waterways are responsible for the maintenance of their seawall, so it remains in good condition.

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. Additionally, all first floors must be constructed of concrete block / concrete tilt-wall construction to reduce hurricane damage to neighboring properties. 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”):

Residential Dwelling Size	Sq. Ft. Requirements (minimum)
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 Tidelands Estates ARC. (Refer to ATTACHMENT #3, page 3 of 3).

Dwelling Heights

The maximum height of Dwellings shall be 30 feet with a 7/12 minimum roof pitch. Dwelling heights shall be compatible with the Florida Residential Building Code, which defines the height of the building as being from grade to the average height of the highest roof.

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 requires 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. Additionally, all first floors must be constructed of concrete block / concrete tilt-wall construction.

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. Reflective glass and jalousie-type windows are prohibited. Screens are permitted, but must have black screening material. Awnings of any variety are prohibited**.** Faux and hurricane shutters are approved on a case-by-case basis.

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. All doors and windows are required to have banding.

For new construction, rain gutters must be installed and have underground downspouts that discharge to the street or as determined by the ARC. Existing homes must have ARC approval to install gutters to ensure runoff does not impose a drainage issue into adjacent properties. Gutters must be the color of the body of the house or the trim.

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.

Exterior / Landscape Lighting

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. (Refer to ATTACHMENT #6 & ATTACHMENT #9**)**

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 or in the event of a color/ finish change on an existing home, 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 (color or finish changes) 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 with the house colors to the extent possible. All garage screen doors must be of the roll down style and must be approved by the Tidelands Estates ARC before installation.

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 / solar devices 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. There must be a member of the ARC present during the removal of an existing tree. 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 Tidelands 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" **caliper**, 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 **large** 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 (gravel / rock) 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. The use of gravel or rock will require a border. (Refer to ATTACHMENT #5**)**

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. (Refer to 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. (Refer to 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

All fertilizers must be phosphorus free and only fertilizers which are slow release at a controlled rate, such as organic fertilizers, are permissible. Additionally, only biodegradable fertilizers and pesticides approved by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation shall be used.

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 the 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

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**.** The Builder will replenish the funds within 7 days.

Legend: Covenant & Restriction Article and Section Number followed by p=Promulgated Rule #. Fines apply to all owners. Only items identified as such will be deducted from the Construction Deposit against a Contractor that has supplied a Deposit. ***Administrative fees up to $50 per violation may be added for administrative costs.***	**DEDUCTED FROM CONSTRUCTION DEPOSIT**	**REMEDIATION NOTE (IN ADDITION TO FINE)**	**FINE**
V/1B - ~~In addition to the exterior maintenance of Dwelling Units referred to above,~~ deleted in Amendment 5. The Association shall be obligated to maintain in good repair and replace as necessary, landscaping, trees, shrubs, grass, sprinkler systems and other exterior landscape improvements situated on each Lot and outside each Dwelling Unit, as originally installed by Company*/Association. Note: Plants, trees, and shrubs installed as improvements by the homeowner after approval by the ARC will be maintained by the Association, but will be replaced by the homeowner as needed per V/2.*	No	N/A	N/a
V/1C - The Association shall **not** maintain plantings within any patio, atrium, lanai, enclosure or deck area of a Dwelling Unit, which will specifically be the responsibility of the Owner. The Association shall be responsible for watering the grassed area and landscaping on the Lot, excluding grass or landscaping not maintained by the Association. The time and frequency of watering shall be determined by the Association. The cost of maintenance and repair of the sprinkling system and the cost of water used by the system shall be an expense funded by the Association assessment against all Owners	No	Remediation Required	$100 day
V/1D - The Association shall not maintain any other portion of the Lot or improvements thereon	No	Remediation Required	$100 day
V/2 -The Lot Owner is responsible to maintain and repair everything on the Lot, including but not limited to, the Dwelling Unit and any other improvements, except for items which the Association is required to maintain in V/1B. This requirement for maintenance by an Owner shall not be construed as an approval for the construction of such improvements on any Lot (except as such improvements were originally constructed by the Company) or a representation by the Company, the Association or the Architectural Control Committee that any such improvement will be permitted for any Lot in the Parcel. **(Paraphrased)**	No	Remediation Required	$100 day
V/2p01 - Failure to perform required maintenance to dwelling or property - General	No	Remediation Required	$100 day
V/2p02 - Failure to perform required maintenance to dwelling or property - Roof - moldy/discolored, broken tiles, including dock roofs, etc.	No	Remediation Required	$100 day
V/2p03 - Failure to perform required maintenance to dwelling or property - Exterior walls - visible stains or rust/cracks/deteriorating paint, etc.	No	Remediation Required	$100 day

V/2p04 - Failure to perform required maintenance to dwelling or property - Accessories - broken gutters, hurricane shutters or screen enclosures, etc.	No	Remediation Required	$100 day
V/2p05 - Failure to perform required maintenance to dwelling or property - Walkways - raised cracks in sidewalk, vegetation on pavers/walkways, etc.	No	Remediation Required	$100 day
V/2p06- Failure to perform required maintenance to dwelling or property - Landscape - dead trees and plantings, etc.	No	Remediation Required	$100 day
VII/2 D - Repair or Replace of Damaged or Destroyed Property. Each, Owner shall, with the concurrence of the Owner's Mortgagee, if any, and the Architectural Review Committee, be required to reconstruct or repair, substantially in accordance with the original architectural plans and specifications, any Dwelling Unit or portion thereof destroyed by fire, storm or other casualty. Alternatively, and with the approval of the Architectural Review Committee, Owner shall clear the Lot of all debris and ruins and maintain the Lot in a neat, attractive landscaped condition. If the aforesaid repair, rebuilding and/or removal and landscaping has not been contracted for and substantially started by the Owner within thirty (30 days after the casualty and thereafter prosecuted diligently to completion, the Association may exercise all remedies available to it at law and/or in equity, including, without limitation, self-help and the enforcement rights described in Article 8 hereinabove. (Amendment 6)	No	Remediation Required	$100 day
IX/1 - Land Use. The use of a Lot and Dwelling Unit by a Member or other occupant shall be subject to the rules, regulations and provisions of this Declaration, the Articles and By-Laws and the Rules and Regulations of the Board of Directors. No Lot shall be used except for residential purposes by a single family and their guests and invitees.	No	Remediation Required	$100 day
IX/2A "Building Type". No building shall be erected, altered, placed or permitted to remain on any Lot other than one single family Dwelling Unit not to exceed 30 feet in height and of the type and style originally constructed by the Declarant. All Dwelling Units shall be constructed by an Approved Builder according to the Declarant's specifications. Construction shall not commence until the Owner has received written approval to proceed from the Architectural Review Committee. Construction of a Dwelling Unit must commence within twenty-four (24) months of acquisition of a Lot by the Owner. The Declarant shall have an absolute right to repurchase any Lot which remains vacant for more than twenty-four (24) months, unless such Lot is owned by an Approved Builder. The Declarant's repurchase of such Lot shall be at the then reasonably established fair market value, and the Owner shall bear all closing costs. All Dwelling Unit exteriors shall be completed within six (6) months from commencement of construction or issuance of a building permit, whichever comes first. *(Amendments 1&3)*	No	See below	Various
IX/2Ap01 - Failure to remain within the designated 30-foot maximum height limitation of dwellings with a 7/12 minimum roof pitch. Dwelling heights shall be compatible with the Florida Residential Building Code, which defines the height of the building as being from grade to the average height of the highest roof.	Yes	Remediation Required	$1,000 Week

IX/2Ap02 - Failure to complete construction within 18 months of final ARC approval	Yes	Remediation Required	$1,000 Week
IX/2Ap03 - Failure to commence construction in 24 months from purchase.	No	Not enforced at this time	None
IX/2Ap04- Failure to have Contractor/Replacement Contractor licensed and approved by ARC	No	Approval or Remediation	$1,000 Week
IX/2B - "Stem-wall Construction". All Dwelling Units constructed on Lots 44 through 63 shall be constructed on concrete block stem-walls. Generally, stem-wall construction requires all fill material to be confined to the area directly below the Dwelling Unit or structure for which the fill is needed. This is accomplished by confining fill materials with vertical walls ("stem-walls"). This requirement will be enforced by the Architectural Review Committee in their review and the Architectural Review Committee may pass rules and regulations to more particularly describe the method and type of stem-wall construction which will be permitted.	No	Remediation Required	None
IX/3A - Except as to the Dwelling Units and other improvements originally constructed by the Company , no Dwelling Unit, wall, decking, paving, awnings, or other structure or improvement of any nature shall be erected, placed, modified, altered or permitted to remain on any Lot until the construction plans and specifications and a plan showing the kind, shape, materials, colors and location of the structure, exterior elevations, and landscaping, as may be required by both the Architectural Review Committee (ARC) and the Association Board Liaison, have been approved in writing by the Architectural Review Committee and the Association Board Liaison. (Amendment 6)	No	Approval or Removal	$100 Day
IX/3Ap01 -Starting construction before "ARC Final Approval"	Yes	Approval or Removal	$100 Day
IX/4A - Association nor any Owner shall make or permit any structural modification or alteration of any Dwelling Unit except with the prior written consent of the Architectural Review Committee (herein identified), or its successor. (Amendment 6)	No	Approval or Revised Permit	$100 Day
IX/4Ap01- Permit received prior to ARC approval	Yes	Approval or Revised Permit	$100 Day
IX/4B - No Dwelling Unit should be demolished or removed without the prior written consent of the Architectural Review Committee. (Amendment 6)	No	Approval or Revised Permit	$100 Day
IX/5 - Regulations. Regulations promulgated by the Board of Directors, or any committee established by the Board of Directors, or any committee established by the Board concerning the use of the Properties shall be observed by the Members and their family, invitees, guests and tenants; provided, however, that copy regulations are furnished to each Member prior to the time the said regulations become effective.	No	Remediation Required	$100 Day
IX/5p01 – Failure of members, their family, invitees, guests and tenants to follow all published rules of the Association which includes the Design and Development Guidelines as approved by the Board of Directors	Yes	Remediation Required	$100 Day

IX/7 - Temporary and Accessory Structures. No accessory Dwelling Unit or structure of a temporary character, or trailer, tent, mobile home, boat or recreational vehicle shall be permitted on any Lot at any time or used on any Lot, at any time, either temporarily or permanently, except as permitted by both the Association and the Architectural Review Committee. No gas container of any type shall be placed on or about the outside of any Dwelling Unit in the Parcel, unless the gas container is installed underground. In the alternative, the gas container may be placed above ground if enclosed on all sides by a decorative wall or other screening approved by the Architectural Review Committee.	No	Remediation Required	$100 Day
IX/7p01 - Unapproved accessory Dwelling Unit or structure of a temporary character, or trailer, tent, mobile home, boat or recreational vehicle on Lot.	No	Remediation Required	$100 Day
IX/7p02 - Unapproved gas container placed outside of Dwelling Unit on the Parcel	No	Remediation Required	$100 Day
IX/7p03 - 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.	No	Remediation Required	$100 Day
IX/7p04 - Owner/Contractor/Sub-Contractor using empty lot, common area/path without written authorization from owner and approval by ARC. This includes driving on, parking, materials storage, etc.	Yes	Approval or Remediation	$100 per incident
IX/8 Signs. No sign, advertisement or poster of any kind shall be erected or displayed to the public view on Parcel without the prior written approval of the Architectural Review Committee and the Association as to size, color, content, material, height and location.	No	Approval or Remediation	$100 day
IX/8p01 - Installation of prohibited signage: "For Sale" or "For Rent" signs, advertisements, billboards or solicitation, political endorsement signs or advertising structures. No prohibited 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.	**No**	**Remediation**	**$100 day**
IX/8p02 - Unapproved (not prohibited) temporary signage installed on property without ARC approval such as Builder Box, Open House or Parade of Homes	**Yes**	**Approval or Remediation**	**$100 day**
IX/9 - Pets, Livestock and Poultry. No animals, livestock, or poultry of any kind or size shall be raised, bred or kept on any Lot, except that dogs, cats, or other normal household pets may be kept as authorized by the Board of Directors of the Association. However, the number of said pets shall not exceed two (2) for any Lot, provided that they are not kept, bred or maintained for any commercial purpose and provided that they do not become a nuisance or annoyance to any neighbor. No dogs or other pets shall be permitted to be at large or off of a leash on any Lot within the Parcel, except the Lot owned by the Owner of such pet. No dog runs, ties or outdoor kennels shall be permitted.	No	Remediation Required	Up to $100 day

IX/9p01- Unapproved animals, livestock, or poultry of any kind or size being raised, bred or kept on any Lot	No	Remediation Required	$100 day
IX/9p02 - Exceeding the number of approved domestic pets of two (2) for any Lot, or keeping, breeding or maintaining pets for any commercial purposes.	No	Remediation May Be Required	Up to $100 day
IX/9p03 - Allowing dogs or other pets to be at large or off of a leash off the Lot owned by the Owner of such pet. No dog runs, ties or outdoor kennels shall be permitted. However, invisible pet fences can be added with the approval of ARC.	No	Remediation Required	$100 day
IX/9p04 - Violations for approved pets that become a nuisance, annoyance, or danger to any neighbor. Depending on the severity of the violation, pets may lose authorization to remain in the neighborhood by the Board of Directors.	No	Remediation Required	$100 day
IX/10 - Nuisances. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which is or may become an annoyance or nuisance to the neighborhood.	No	Remediation Required	$100 per incident
IX/10p01 - No Noxious, Offensive, Nuisance activity	Yes	Remediation Required	$100 per incident
IX/10p02 - Causing damage to/failure to correct damage to adjoining Lots	Yes	Remediation Required	$100 per incident
IX/10p03 - Failure to correct damage to common property	Yes	Remediation Required	$100 per incident
IX/10p04 - No Loud noise and music	Yes	Remediation Required	$100 per incident
IX/10p05 - No children, or pets on the job site	Yes	Remediation Required	$100 per incident
IX/10p06 - Construction work outside of approved hours M-F 7a-7p (or sunset when earlier), Sat 8a-5p	Yes	Remediation Required	$100 per incident
IX/10p07 - Construction work on Sundays or Holidays without prior approval of ARC	Yes	Remediation Required	$100 per incident
IX/10p08 - Failure to follow authorized access routes or speeding in the community by contractor/subcontractor	Yes	Remediation Required	$100 per incident
IX/10p09 -Mixing of stucco, mortar or concrete on the street. (This includes, but is not limited to, portable mixers and cement trucks.)	Yes	Remediation Required	$100 per incident
IX/10p10 - Builders, employees, subcontractors and suppliers engaging in non-construction activities - Fishing, Touring, etc.	Yes	Remediation Required	$100 per incident
IX/10p11 -The consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or wellbeing of other personnel on the construction site or affect the quality of workmanship. Violators	Yes	Remediation Required	$100 per incident

will be removed and repeat offenders will not be allowed into Tidelands Estates for six months.			
IX/10p12 - Dumping of construction materials/waste in street, drains or waterways	Yes	Remediation Required	$1000 per incident
IX/11 -Antenna. With the prior written approval of the Association television, electronic or other type antenna or satellite dish may be erected on the Parcel or attached to the exterior of any Dwelling Unit thereon. No radio, electronic or other type of antenna rising higher than Thirty-six inches (36") above the peak of a residence's roof may be erected upon any Lot or Dwelling unit.	No	Approval or Remediation Required	$100 day
IX/11p01 -Antenna or Satellite dish installed without ARC approval	No	Approval or Remediation Required	$100 day
IX/12 - The paint, coating, stain, and other exterior finishing colors on all Dwelling Units shall be maintained as originally installed, without prior approval of the Architectural Review Committee (ARC). Prior approval by the Architectural Review Committee shall be necessary before any such exterior finish or color is changed. Furthermore, prior approval by **the** Architectural Review Committee shall be required if the Association or any Owner wishes to paint, varnish, stain or make any application to exterior trellises or wood treatment other than originally approved by the Architectural Review Committee. The landscaping, including without limitation, the trees, shrubs, lawns, flower beds, walkways, and ground elevations, shall be maintained as originally approved by the Architectural Review Committee, unless the prior approval for any substantial change approved by the Architectural Review Committee. Neither aluminum foil, paper nor anything the Architectural Review Committee deems objectionable, may be placed on windows or glass doors. No owner may place any furniture, equipment or objects of any kind or construct any structures, slabs or porches beyond the limits of any Dwelling Unit (including any deck, patio or porch) as originally approved by the ARC or place any objects such as bicycles, toys, barbecues, etc., on any rear patio unless concealed from the view of the road frontage and other Dwelling Units, except, however, customary outdoor furniture. All Lots shall be kept in a clean and sanitary manner and no rubbish, refuse or garbage shall be allowed to accumulate or any fire hazard allowed to exist. (Amendment 6)	No	Approval or Remediation	$100 day
IX/12p01 - Changed exterior paint/finish without ARC approval	Yes	Approval or Remediation	$100 day
IX/12p02 - Failure to properly place a porta-potty when lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p03 - Failure to properly place & maintain a silt/barrier fence when lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p04 - Failure to properly place & maintain a barrier on a nearby street grate / drain when a lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p05 - Failure to keep job site neat and clean	Yes	Remediation Required	$100 Incident

IX/12p06 - Failure to properly clean the street	Yes	Remediation Required	$100 Incident
IX/13 - Existing Trees. Neither the Association nor an Owner or other person, without the prior written consent of the Architectural Review Committee, shall remove any live tree with a trunk of four (4) inches or more in diameter (as measured one (1) foot from ground level) from any portion of the Parcel. If said trees are removed without said prior consent, the Owner or the Association, as appropriate, may be required by the Committee to replace same with trees of comparable size	No	Approval or Remediation	up to $1,000 tree
IX/13p01 - No removal of trees with a diameter of more than 4" w/o ARC approval	Yes	Approval or Remediation	up to $1,000 tree
IX/13p02 - Removing Trees without ARC approval/failure to replace tree as prescribed by ARC	Yes	Approval or Remediation	up to $1,000 tree
IX/13p03 - Failure to have a member of the ARC Present during removal of approved trees to ensure only approved trees are removed	Yes	Fine and Remediation	up to $1,000 tree
IX/14 - Grades and Elevations. In order to preserve and maintain proper drainage, no changes in grades or elevations of any portion of a Lot (including the swale areas) shall be made without the prior written approval of the Association and the Architectural Review Committee. Final, floor elevations and all other applicable grades must be shown on the site plan and approved by both the Committee and the Association prior to construction.	No	Remediation Required	$1,000 per incident
IX/14p01 - No changing of grades or elevations without ARC approval	Yes	Remediation Required	$1,000 per incident
IX/15 -Wells. In order to minimize the removal of ground and surface water in any appreciable quantities and avoid unnecessary saltwater intrusion or diminution or material alteration of the aquifer, the construction and/or use of individual wells for any purpose on the Parcel is prohibited.	No	Remediation Required	$1,000 per incident
IX/15p01 - No construction and/or use of wells on lot	Yes	Remediation Required	$1,000 per incident
IX/16 - Fertilizers. In order to reduce the dissolution of nitrogen into the ground and surface waters in amounts injurious to the environment, only fertilizers which are capable of releasing nutrients at a controlled rate, such as organic fertilizers, are permissible.	No	Fine Only	$100 per incident
IX/16p01 - Only biodegradable fertilizers and pesticides approved by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation shall be used.	Yes	Fine Only	$100 per incident

IX/17-Commercial Vehicles, Trucks, Trailers, Campers and Boats. No trucks or commercial vehicles, campers, mobile homes, motor-homes, boats, house trailers, boat trailers, or trailers of any other description shall be permitted to be parked or to be stored overnight at any place except in a completely closed garage on any Lot or Right-of-Way. This prohibition shall not apply during the periods of approved construction on a Lot, neither shall this prohibition apply to temporary parking of trucks and commercial vehicles, such as for pick-up, delivery and other commercial services. Non-commercial vans which do not display any type of advertising, sign, logo or similar device and which are used for personal purposes shall not be prohibited.	No	Remediation Required	$100 day
IX/18 - Sales and Rentals. No Dwelling Unit may be sold, rented, or sublet without express written notice to the Board. This provision is for the purpose of making certain that subsequent owners and renters understand the rights and obligations of Members or occupants of Lots. In addition to the notice requirement, the Board may require the use of a registration form to be completed by prospective purchasers--chasers 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. Note: Association decision will be made within 10 business days of receipt of ALL application documents including the endorsement of the New Owner Attestation by the Owner and Renter. The vetting process will follow all Real Estate Laws.	No	Remediation Required	$100 day
IX/18p01- Sales, rentals, or sublets without BOD approval or under the minimum rental period of 30 days	No	Remediation Required	$100 day
IX/19 - Walls/Fences. No fence, wall, gate, hedge, or other structure shall be erected or maintained on any Lot, except as originally installed by the Company unless approved in writing by both the Association and the Architectural Review Committee as provided herein. In no event shall any fence be permitted in the rear yard area of any Lot.	No	Approval or Remediation	$100 day
IX/19p01 - No fences/hedges in back yard, front/sides need ARC approval	No	Approval or Remediation	$100 day
IX/20 - Garbage and Trash Disposal. No garbage, refuse, trash or rubbish shall be deposited on any Lot except in closed sanitary containers which must be kept completely obscured from view except that such containers may be placed at the edge of the front yard by the right-of-way no sooner than 5:00 p.m. on the day prior to scheduled trash collection, so long as any empty containers are removed from view by 5:00 p.m. on the day of collection.	No	Remediation Required	$100 day
IX/20p01 – Failure to properly place garbage / recycle / yard waste in approved containers by street no earlier than 5pm day before scheduled collection/and containers must be removed by 6pm on the day of collection.	No	Remediation Required	$100 day
IX/20p02 - Failure to properly place a dumpster before ground rough/plumbing installation by Contractor	Yes	Remediation Required	$100 day
IX/21 - Outdoor Drying and Laundry. No clothing, laundry or wash shall be aired or dried on any portion of any Lot in an area viewable to any other Lot, Dwelling Unit, the adjoining Golf Course or roadway. No garments,	No	Remediation Required	$100 per incident

rugs, etc., shall be hung from windows or doorways of Dwelling Unit, and no clothes lines or similar type structure shall be permitted on any Lot.			
IX/22 - Jacuzzis, Swimming Pools and Screen Enclosures. In-ground pools, Jacuzzis, hot tubs and substantially similar structures may be permitted in the porch, patio or deck area as originally constructed by the Company so long as such installation is approved in writing by the Association and Architectural Committee. No other patio, deck, screen enclosure or porch shall be permitted which extends beyond the Dwelling Unit as originally constructed by the Company, without the prior written approval of the Association and Architectural Committee. No above ground swimming pools shall be permitted on any Lot.	No	Remediation Required	$100 day
IX/22p01 - No above ground pools or spas	No	Remediation Required	$100 day
IX/23 - Lawful Conduct. No immoral, improper, offensive or unlawful use shall be made of any Lot or Dwelling Unit. All valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction shall be strictly observed.	No	Remediation Required	$100 per incident
IX/23p01 – Failure to observe all valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction.	No	Remediation Required	$100 per incident
IX/23p02- Alteration to Property, Structure, Easement & MVB without the required permitting from appropriate Governing Authority (City of PC, St. John's River Water Management District (SJRWMD), Army Corps of Engineers)	Yes	Approval or Remediation	$1,000 per Incident
IX/24 - Risks. No Owner shall permit or suffer anything to be done or kept in his Dwelling Unit or upon his Lot which will increase the rate of insurance as to other Owners or to the Association.	No	Remediation Required	$100 per incident
IX/24p01- No owner should allow activity on lot that increases insurance/risk to other members	No	Remediation Required	$100 per incident
IX/25 - Garages and Parking. All units shall be constructed or be constructed with an enclosed garage with the dimensions equivalent to the dimensions for the garage originally constructed on the Lot by the Company. No vehicle permitted to be parked on the Parcel shall be parked overnight, except on a paved portion of a Lot or within an enclosed garage. The Association shall have the right to adopt written rules and regulations concerning parking pursuant to Section 5 of this Article.	No	Remediation Required	$100 day
IX/25p01 - All units shall be constructed or reconstructed with an enclosed garage. No vehicle permitted to be parked on the Parcel shall be parked overnight, except on a paved portion of a Lot or within an enclosed garage.	No	Remediation Required	$100 day
IX/26 - Basketball Boards. Basketball backboards whether attached to the Dwelling Unit or free-standing, shall be erected only after approval by the Committee.	No	Approval or Remediation	$100 day
IX/26p01 - Failure to obtain ARC approval before installation of Basketball backboards	No	Approval or Remediation	$100 day
IX/27 - Flagpoles. All flagpole structures and their locations must be approved by the Committee and the Association prior to construction and/or installation of same.	No	Approval or Remediation	$100 day

IX/27p01- Installing a flagpole without ARC approval	No	Approval or Remediation	$100 day
IX/27p02- Displaying a flag other than the American Flag, or failure to follow the Federal Flag Code and Florida State Statute 720.304 (2)(a).	No	Remediation	$100 day
IX/28 - 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 Association and the Architectural Review Committee for review and written approval prior to use, installation or construction.	No	Approval or Remediation	$100 day
IX/28p01 – Failure to obtain ARC approval for installation of any decorative items, including but not limited to statues, gates, rocks, planters, bird baths, fountains, fire pits, plant hangers and other ornamental accessories whether free standing or attached to any portion of the exterior of a Dwelling Unit.	No	Approval or Remediation	$100 day
IX/29 - Mailboxes. All mailboxes to be installed on each Lot shall be of the standardized type designated by the Association and the Architectural Review Committee as to style, location, material, color, height and type of post mounting.	No	Must use Community mailboxes	N/A
IX/29p01 - No individual Mailboxes, must use installed community mailboxes	No	Removal	N/A
IX/30 -Lighting. All exterior lighting, including, but not limited to, walkway, driveway, accent courtyard or common area, must be approved by the Association and the Architectural Review Committee prior to construction or installation.	No	Approval or Remediation	$100 day
IX/30p01 - Failure to obtain ARC approval for exterior lighting, such as flood lights, lawn and landscape lighting, boat dock and accent lighting or emitting colored lights outside of the Holiday Season	No	Approval or Remediation	$100 day
IX/31 - Businesses. No trade, business, professional office or any other type of commercial activity shall be conducted on any portion of the Parcel or in any Dwelling Unit, except as provided by applicable zoning regulation of the City of Palm Coast; however, notwithstanding this restriction, the Company and its assigns shall not be prohibited from operating sales models and/or a sales office on any portion of Parcel.	No	Remediation Required	$100 day
IX/32 – All Dwelling Units constructed on Lots 44 through 63 (adjacent to the Custer Waterway) shall maintain a minimum rear yard setback of ten (10) feet between the waterward edge of the seawall and any screened enclosure or pool. (Amendment 2)	Yes	Remediation Required	$100 day

ATTACHMENT # 2 – ARC TRANSMITTAL

SUBMIT TO: TIDELANDS ESTATES - ARCHITECTURAL REVIEW COMMITTEE
c/o Management Company representing the Tidelands Estates HOA - see Web Site
https://www.tidelandestates.com

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 – (Refer to ATTACHMENT #5 for plant list)
_____ FOUR SITE PHOTOS
_____ $ 5,000 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 -
_____ 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
_____ COMPLETION TRANSMITTAL
_____ ARCHITECTURAL CHANGE(S)
_____ FINAL LANDSCAPING

_____ FINAL SURVEY
_____ CERTIFICATE OF OCCUPANCY
_____ SITE CHANGE(S)
(if changes were made)

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION - PERMITTING REQUIRED

TIDELANDS ESTATES ARCHITECTURAL REVIEW COMMITTEE (ARC)

BUILDER: _____

CONTRACTOR LICENSE NO: _____

SITE SUPERVISOR'S NAME: _____

DAY TIME PHONE: _____ NIGHT TIME PHONE _____

PROPERTY OWNER: _____

ADDRESS OF LOT: _____

DATE: _____

Check One	APPLICATION TYPE		Review Fee (Non-Refundable)	Deposit (Refundable)
	A	Builder Portfolio Review Required for contractors new to the community or have been inactive for 3 years. New Home Demolition or Addition	 $1000 $500	N/A
	B	New Home Construction Fees New Home Review (Includes 3 Architectural & 2 Landscape & Irrigation reviews) • Additional New Home Architectural Review • Additional New Home Landscape Review Irrigation Decoder Final Re-Inspection Fee	 $5000 $350 $150 $500 $400	• Contractor Funds - $15,000 • Homeowner Funds - $10,000
	C	Dock	$400	$5,000

	D	Structural Alteration or Addition • Major Alteration requiring both Architectural and Landscape Consultant reviews. (Pool, Patio, Screened Enclosure, etc.) • Major Alteration or Addition requiring a consultant review • Architectural Consultant Review • Landscape Consultant Review	$500 $350 $150 $100	$5,000
	E	Non- Structural Alteration or Addition • Site alterations not requiring a consultant review	$100	$2,000
	F	Minor modifications such as exterior repaint, exterior lighting, front door change, satellite dish, solar panels, minor landscape refresh, etc. do not require a fee.	N/A	N/A
	G	Variance Fee – Required if Variance is approved • Major Structural • Minor Aesthetic	$1000 $100	N/A

ATTACHMENT # 3 - DESIGN REVIEW APPLICATION
NEW HOME CONSTRUCTION INFORMATION (page 2 of 3)

Air Conditioned Space (1st Floor)	_____	Square Feet
Air Conditioned Space (2nd Floor)	_____	Square Feet
TOTAL	_____ (Air Conditioned Space)	Square Feet
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
EXTERIOR MATERIALS AND COLORS (page 3 of 3)

NOTE: Samples and/or color chips of all exterior finishes and materials must accompany final review submittal

ROOF: Color: Palm Island Green Material: Min. 90 lb. "peel & stick"

Manufacturer: Boral

FASCIA: Color: _____ Material: _____

SOFFIT: Color: _____ Material: _____

Manufacturer: _____

GUTTERS / DOWNSPOUTS: Color: _____ Material: _____

Manufacturer: _____

WINDOW FRAMES: Color: _____ Material: _____

Manufacturer: _____

HURRICANE SHUTTERS: Color: _____ Material: _____

Manufacturer: _____

WALLS: Color: _____ Finish: _____

Manufacturer & #: _____

TRIM & BANDING: Color: _____ Finish: _____

Manufacturer & #: _____

FRONT DOOR: Color: _____ Finish: _____

Manufacturer & #: _____

GARAGE DOOR: Color: _____ Finish: _____

Manufacturer & #: _____

DRIVEWAY: Color: _____ Material: _____

Manufacturer & #: _____

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

Color: _____ Material: _____

Manufacturer & #: _____

NOTE: Indicate Paint Finish as Flat, Eggshell, Satin, Semi-gloss, or Gloss.

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 - LANDSCAPE MODIFICATIONS

(Please refer to the Suggested & Recommended Tree & Plant List)
(Page 1 of 5)

Proposed Project: _____

_____

Date: _____

Name: _____

Address: _____

Lot Number: _____

Phone Number: _____

Permit Required: YES _____ NO _____

Type of Tree(s) being Removed: _____

Is this a Required Shade Tree: YES _____ NO _____

Type and Size of Tree(s) being Added: _____

_____

MULCH / GRAVEL

Is this a Mulch / Gravel change: YES _____ NO _____

Type / Color: _____

Please submit a site plan indicating the location(s) of the removal and/or addition of any major plantings in your proposed project.

Signature of Applicant_____

NOTE:

- Changes in landscape design may impact our irrigation system. The Tidelands Estates landscape maintenance company will need to evaluate any major landscape changes for irrigation involvement. Additional fees may apply.
- Tree removal requires a city permit. Permit is free of charge.
- Using gravel instead of mulch requires a border to prevent flying rocks when the landscape maintenance company uses their equipment.

ATTACHMENT # 5 – LANDSCAPE MODIFICATIONS
SUGGESTED & RECOMMENDED TREE & PLANT LIST
(page 2 of 5)

NOTE: The preservation of existing natural vegetation and use of native plant material, is strongly encouraged.

DISCLAIMER: All plant material is subject to adverse weather, soil & watering conditions. Be advised, our community irrigation system has a high salt content. Also, some plants are not cold hardy and may need to be covered during episodes of freezing temperatures.

TREES
SHADE TREES
American Holly (Ilex opaca)
East Palatka Holly (Ilex Attenuata)
Nellie Stevens Holly (Ilex Nellie Stevens)
Cherry Laurel (Prunus angustifolia)
Dahoon Holly (Ilex cassine)
Eastern Red Cedar (Juniperus virginiana)
Laurel Oak (Quercus hemisphaerica)
Live Oak (Quercus virginiana)
Loblolly Bay (Gordonia lasianthus)
Long leaf Pine (Pinus palustris)
Southern Magnolia "DD Blanchard, Little Gem" (Magnolia grandiflora)
Sweet Bay (Magnolia virginiana)
Florida Maple (Acer barbatum)
Sweetgum (Liquidambar styraciflua)
Winged Elm ((Ulmus alata)
Chinese Elm 'Drake' (Ulmus parvifolia)
Pond Cypress (Taxodium ascenders)
Bald Cypress (Taxodium distichum)
White Ash (Fraxinus Americana)
Norfolk Pine
NOTE: A Cluster of 3 Large Palm Trees will equal 1 Shade Tree.

ATTACHMENT # 5 - LANDSCAPE MODIFICATIONS
SUGGESTED & RECOMMENDED TREE & PLANT LIST
(page 3 of 5)

ORNAMENTAL TREES
Includes shrubs when grown in tree form

EVERGREENS
Oleander (Nerium oleander)
Ligustrum (Ligustrum japonica)
Carolina Sapphire Cypress (Cupressus arizonica)
Citrus (sweet orange, grapefruit, mandarin, Meyer lemon
Holly (Ilex, hybrid Hollies) "Nellie Stevens, Mary Nellie Holly
Yaupon Holly (Ilex vomitoria)
Viburnum "odoratissimum, awabuki"
Torulosa or Hollywood Juniper (juniperus chinensis)
Bottlebrush (Callistemon spp.)
Loquat 'Japanese Plum' (Eriobotrya japonica)
Italian Cypress (Cupressus semperiverns)

DECIDUOUS
Chicksaw Plum (Prunus angustifolia)
Crape Myrtle (Lagerstroemia indica)

PALMS

MID - LARGE SIZE PALMS
Sabal Palm (Cyclades revoluta) 25'-60'
Ribbon Palm (Livistona decipiens)
Sylvester Palm (Phoenix sylvestris) 40'
Medjool Palm (Phoenix dactyifera) 60'-80'
Canary Island Date Palm (Phoenix canariensis)10'-50'
Bismark Palm (Bismarki nobillis) 40'-70'

NOTE: Ribbon Palm is disease resistant & replaces Queen & Washingtonia Palms

SMALL- MID SIZE PALMS AND CYCADS
Cardboard Palm (Zamia furfuracea) 2'-5'
Coontie Fern (Zamia pumila) 1'-5'
Pindo Palm (Butia capitata) 15'-25'
European Fan Palm (Chamaerops Humilis) 10'-15'
Saw palmetto (Serena rapens) 3'-12'
Windmill Palm (Trachycarpus fortunes) 10'-25'
Sago Palm
Roebelinii

ATTACHMENT # 5 - LANDSCAPE MODIFICATIONS
SUGGESTED & RECOMMENDED TREE & PLANT LIST
(page 4 of 5)

SHRUBS

MED-LARGE SHRUBS
Viburnum- Walters, Sandankwa, Awabuki, Sweet
Star Anise (Illicium spp.)
Oleander
Ligustrum
Podocarpus
Simpsons stopper (Myrcianthes frangrans)
Wax Myrtle (Myrica Cerifera)
Philodendron
Wild Olive (Osmanthus americanus)
Podocarpus (Podocarpus macrophyllus)
Bottlebrush
Sweet Almond (Aloysia virgata)
Pineapple Guava
Silver Buttonwood

SMALL SHRUBS
Natal Plum (Carissa macrocarpa)
Bush Daisy (Gamolepis spp.)
Ixora (Ixora coccinea)
Pineland Lantana (Lantana depressa)
Texas Sage (Leucophyllum frutescens)
Indian Hawthorn (Raphiolepis spp.)
Rosemary (Rosmarinus spp.)
Firecracker Plant (Russelia equisetiformis)
Arbicola Shefflera
Bird of Paradise (Strelitzia reginae)
Ilex- dwarf Burford, dwarf Yaupon (Schilling)
Pittosporum
Hibiscus (Hibiscus syriacus)
Azalea (Rhododendron cvs.)
Croton (Codiaeum variegatum)
Agave
Firebush

ATTACHMENT # 5 - LANDSCAPE MODIFICATIONS
SUGGESTED & RECOMMENDED TREE & PLANT LIST
(page 5 of 5)

PERENNIALS/ GROUND COVERS/ GRASSES

African Lily (Agapanthus Africanus)
Carpet Bugleweed (ajuga reptans)
Shell Ginger (Alpinia spp)
Crinum Lily
Caladium (Caladium Xhortulanum)
Plumbago (Plumbago auriculata)
Lantana involucrata
Blanket Flower (Gaillardia pulchella)
Cast Iron Plant (Aspidistra elatior)
Bulbine (Bulbine frutescens)
Flax Lily (Dianella spp.)
African Iris (Dietes iridoides)
Lily Turf (Liriope muscari)
Philodendron, Xanadu
Society Garlic (Tulbaghia violacea)
Holly Fern (Cyrtomium falcatum)
Aloe
Foxtail fern (Asparagus densiflorus)
Mondo grass (Ophiopogon japonicus)
Muhly Grass (Muhlenbergia capillaris)
Evergreen Paspalum (Paspalum quadrifarium)
Gamma Grass Fakahatchee

ATTACHMENT # 6 – HOMEOWNER MINOR EXTERIOR MODIFICATIONS OR ADDITIONS

Permit Required: **YES** _____ **NO** _____

No Permit Required from City of Palm Coast
THIS REQUEST INCLUDES, BUT IS NOT LIMITED TO, EXTERIOR LIGHTING (LOW VOLTAGE AS WELL AS HIGH VOLTAGE), STRUCTURAL CHANGES OF A MINOR NATURE SUCH AS: BIRDHOUSES/ FEEDERS/BATHS, TRELLISES, ARBORS, STATUARY, FOUNTAINS, FLAGS & FLAG POLLS, STORAGE UNITS, ANCILLARY STRUCTURES.

Permit Required from City of Palm Coast (but no architect review)
THIS REQUEST INCLUDES, BUT IS NOT LIMITED TO, INSTALLATION OF ELECTRICAL UPGRADES, **SOLAR PANELS & SYSTEMS**

Proposed Project: _____

_____

_____

Date: _____

Name: _____

Address: _____

Lot Number: _____

Phone Number: _____

Please submit the following as needed for your project:

- ► Site plan indicating the location of your requested changes in relation to your Lot lines
- ► List of construction material; i.e. treated wood, plastic
- ► Photos or drawings of statuary, bird houses, feeders, baths, flags and flag poles, lighting fixtures **(Refer to** ATTACHMENT # 9 **for Lighting Requirements)**

Signature of Applicant_____

ATTACHMENT # 7 - HOMEOWNER EXTERIOR RE-PAINTING

DATE: _____

NAME: _____

ADDRESS: _____

LOT #: _____

PHONE #: _____

IS THIS A COLOR CHANGE? YES _____ **NO** _____

WALLS: Color _____ **Finish** _____

Manufacturer & # _____

TRIM & BANDING: Color _____ **Finish** _____

Manufacturer & # _____

FRONT DOOR: Color _____ **Finish** _____

Manufacturer & # _____

GARAGE DOOR: Color _____ **Finish** _____

Manufacturer & # _____

DRIVEWAY: Color _____ **Finish** _____

Manufacturer & # _____

ACCENT: Color _____ **Finish** _____

Manufacturer & # _____

Location: _____

NOTE: ► **If accent color is used, please indicate location**
► **State Finish as Flat, Eggshell, Satin, Semi-gloss, or Gloss**
► **Any Color Changes will require a painted swatch**
(Refer to Exterior Colors**)**

Signature of Applicant _____

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

WITHIN THE INTRACOASTAL, CUSTER, COTTON COVE & 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:

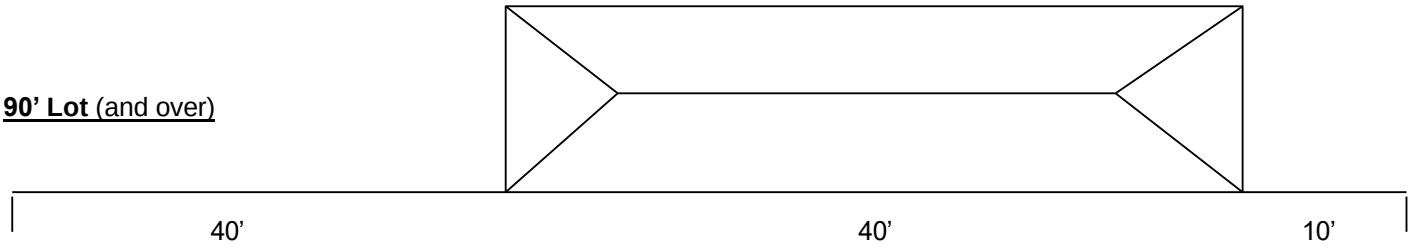
Size of Lot	Length of Roof
90’ Lots & over	40’ max.
80’ Lots	36’ max.
70’ Lots	30’ max.
60’ Lots	26’ max.
Lots under 60’	To be determined by Tidelands Estates ARC on an individual basis

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

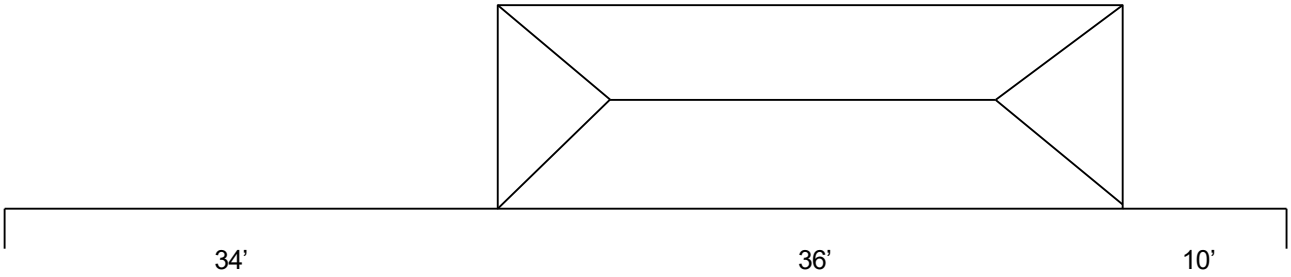
DOCK / STRUCTURE CONFIGURATION DIAGRAM

Placement for Dock / Structures on the Salt Waterways

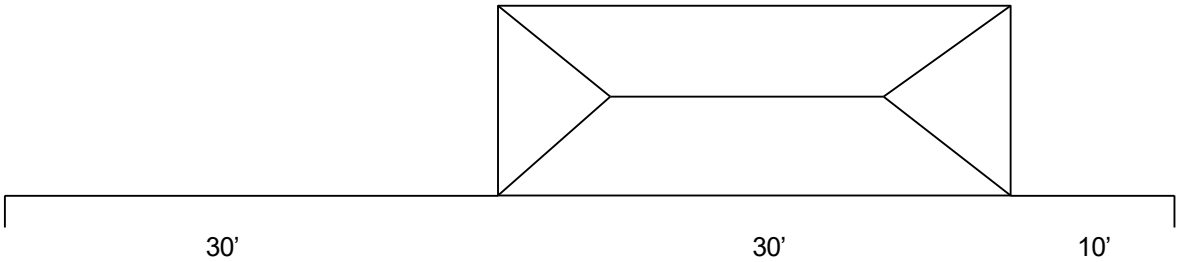
90' Lot (and over)



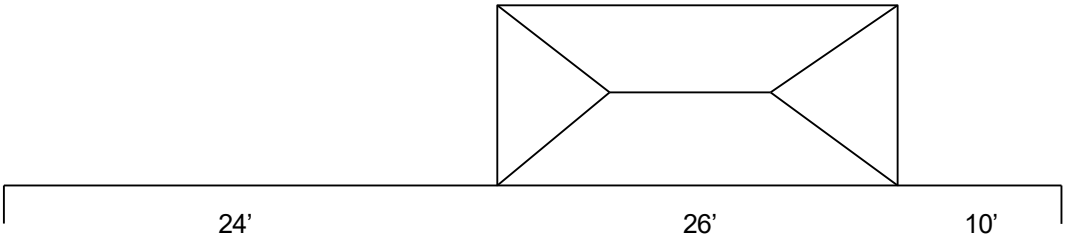
80' Lot



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.
3. All pilings shall be installed within the 12' or 16' dimensions applicable to the salt waterway.
4. 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

BULKHEADS (SEAWALLS)

Homeowners are accountable to repair existing seawalls along their property or easements. For new installations along the Intracoastal, the materials and plans must be approved by ARC prior to submittal to the City of Palm Coast, the Army Corp of Engineers, and St. Johns River Water Management District. Please refer to the checklist ATTACHMENT # 12 – Easement / MVB Alteration Checklist for Intracoastal Bulkhead and Seawall installation.

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. Lots along the Intracoastal Waterway (ICW) have the option to add 2 additional zones if they chose to improve the easement area [for a total of six (6) zones]. 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 <u>not</u> 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 **<u>not</u>** 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. **<u>Note</u>**: Four-inch (4") pop-up spray bodies will **<u>not</u>** 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.

ATTACHMENT # 12 – EASEMENT/ MVB ALTERATION CHECKLIST

Prepare Packages and obtain ARC/HOA Approvals

Item	Description	Completed
1.	Obtain Site Survey of Owner's lot and entire adjacent Easement Tract to include trees and elevations. Survey to mark all boundary lines for property, dock, seawall installation, as needed.	
2.	Confirm Easement has been purchased, and the executed agreement has been recorded on the Flagler Clerk site https://apps.flaglerclerk.com/Landmark/ 1. If the Easement has not been purchased, SSMG to collect the $20,000 fee and get the Easement Agreement executed by Owner/HOA. Owner must record the Easement Agreement with the Site Survey and bear the recording costs. 2. If the Easement has been purchased, but not recorded, then the Owner must record the original Easement Agreement with the Site Survey and bear the recording costs. 3. If the Easement has been purchased, but not recorded and the Owner does not have the original signed Easement, SSMG to get a replacement Easement Agreement executed by Owner/HOA to include the original Easement purchase price. Owner must record the Easement Agreement with the Site Survey and bear the recording costs.	
3.	For Dock/Seawall/MVB alteration - Obtain sealed plans/engineering of Dock/Seawall from Contractor and a pre-clearing/post- construction landscape plan of MVB (east of path) for approval by ARC and subsequent submittal to SJRWMD and the City of Palm Coast. Landscape plan must identify existing trees, depict tree removal and post construction vegetation plantings to obtain 80% coverage requirement. (ARC has final approval of any tree removal and replacement trees may be required.)	
4.	For Landscape changes west of path, create a clearing/landscape/irrigation plan for approval by the ARC. Include any proposed path/materials. Note the HOA only mows and edges the Easement property and any weeding/tree trimming will need to be completed by Easement owner.	
5.	Provide Construction Timeline/Workplan to show duration for each activity – pre-construction activities/clearing/install/repair MVB/ cleanup adjacent/lots.	
6.	Prepare and execute the appropriate documents for access to Common Property and neighboring/Adjacent property access as needed. Final dates will be added by SSMG and communicated to Adjacent Property Owner after permitting.	
7.	Submit copies of all required documents in an ARC request on https://www.tidelandsestates.com/arc-request-form/index	
8.	The ARC Committee will review/update the Construction Package, perform a walkthrough to mark all trees required to STAY and will provide ARC Approval once plans are updated and satisfactory.	
9.	After ARC approval, SSMG will give Contractor a Letter of Authorization from the HOA President to authorize Contractor to submit the project(s) with the Permitting Authorities.	

Permitting

Item	Description	Date Submitted	Date Completed
1.	Submit/Receive Approval of Dock plans from Army Corps of Engineers, if needed		
2.	Contractor submits ARC Approved construction package to SJRWMD for Permitting. Package will contain the Letter of Authorization from HOA President, and the SJRWMD fee of $160. Contractor receives SJRWMD Permit approval, however the HOA must be notified in the event of changes to the submitted plans.		
3.	Contractor Applies for and Receives City of Palm Coast Permit as needed		
4.	Obtain an Environmental Survey to mark all Gopher Tortoises and Sea Vegetation (survey expires in 60 days, so timing is critical)		
5.	Contractor Provides SSMG a check payable to Tidelands for $2,000 Construction Deposit for Contractor violations, if any, and SSMG will schedule a site visit with ARC where the Contractor will sign the Security and Access Control Agreement		

Construction

Item	Description	Date Completed
1.	Contractor does final construction site review with ARC and SSMG – confirm trees are still properly marked, execute Builder/Contractor Pre-construction Agreement and Builder provides a check to SSMG for required Construction Deposit of $2,000	
2.	Coordinate marking of existing Irrigation (if not part of monthly review, there will be a minimum fee of $85 payable to Landscaper)	
3.	Contractor to provide Insurance Certificates to SSMG, Construction Deposit of $2,000 and Final Construction timeline including dates.	
4.	SSMG to update Common Area/Adjacent Owner property forms and share information with Owners	
5.	Upon Completion of Construction/Final Walk-thru and get refund of $2,000 Construction Deposit less any fines	

ATTACHMENT # 13 – ADJACENT/NEIGHBORING PROPERTY USE FORM

I/We, _____

The Owner(s) of the property legally described as Lot or Parcel Number _____

Street Address: _____

Do hereby designate and authorize the neighboring Property Owner(s) referred to as the Requestor(s)

_____

Street Address or Physical Location: _____

the ability to utilize our parcel of land for construction purposes of the following construction project:

To be performed by Contractor:

Company_____

We, the Owner(s), will NOT be responsible for any damage to properties, including the adjacent Easement/Path, if applicable. Usage of the Easement/Path will require an additional form executed by the Tidelands Estates HOA as they are Owners of the Common Property and there are specific rules to MVB/Path access. Contractor(s) are liable for any misuse and damages of property or injuries incurred during usage.

Contractor(s) will be responsible for any damage to properties and will maintain Liability insurance for the duration of construction. Owners will be named as Certificate Holders of the Liability Policy and will be provided a copy of the policy prior to parcel usage. Contractor(s) will ensure all property is returned in pre-construction condition with any damage access areas graded, sodded, or seeded and covered in adequate straw. In the event the Contractor(s) do not fulfill the obligations under this request, the Requestor(s) will be accountable to remediate on behalf of the Contractor(s).

This approval extends to the following project:

Construction Project: _____

Construction Period: From _____ To _____

Authorized Activity (check all that apply, and ensure a copy of this executed document is visible for each item):

- ☐ Parking of construction vehicles on property
- ☐ Ingress/Egress of construction equipment along property
- ☐ Storage of construction materials on lot, specifically _____
- ☐ Storage of dumpster
- ☐ Storage of portable toilet

Contractors to provide prior to construction and SSMG to keep on file:

- ☐ Contractor's Liability policy with property Owner(s) listed as Certificate Holders for the duration of the construction

Signature of property Owner: _____

Name: _____

Date: _____

Signature of Contractor: _____

Name/Company: _____

Date: _____

Signature of Requestor: _____

Name: _____ Date: _____

ATTACHMENT # 14 – TIDELANDS COMMON PROPERTY USE FORM

I, _____, Director of the Tidelands Estates HOA, with the Title of _____represent the Association as the Owner of the property legally described as Parcel (See map Joint Use Map)

- ☐ Common Area A – Around Lake
- ☐ Parcel B – Easement Tract
- ☐ Parcel C – Easement Tract to include ☐ MVB East of path
- ☐ Common Area D – FPL Easement
- ☐ Common Area E – FPL Easement to include ☐ MVB East of path
- ☐ Parcel F – Easement Tract to include ☐ MVB East of path
- ☐ Common Area G – Point Park
- ☐ Joint Use Trail along Intracoastal

Do hereby designate and authorize the adjacent Property Owner(s) referred to as the Requestor(s)

_____

Street Address or Physical Location:

_____

the ability to utilize the HOA parcel of land for construction purposes of the following construction project:

To be performed by Contractor(s):

Company _____

Company _____

The Owner(s), will NOT be responsible for any damage to properties, including the adjacent homeowner properties, if applicable. Contractor(s) are liable for any misuse of, damages to or injuries incurred during property usage.

Contractor(s) WILL be responsible for any damage to properties and liability claims on said property and will maintain Liability insurance for the duration of construction. Owner(s) will be named as Certificate Holders of the Liability Policy and will be provided a copy of the policy prior to parcel usage. Contractor(s) will ensure all property is returned in pre-construction condition with any damage access areas graded, seeded with Bahia and covered in adequate straw, etc. In the event the Contractor(s) do not fulfill the obligations under this request, the Requestor(s) will be accountable to remediate on behalf of the Contractor(s).

Additional Common Area Rules:

- No removal of vegetation allowed without written authorization after an onsite meeting with representatives from the Board of Directors and Architectural Review Committee
- No equipment/construction materials can be stored on the MVB

- Path usage is limited to delivery of materials and requires a plywood covering and coordination as it must be closed to pedestrians/cyclists during equipment access

This approval extends to the following project:

Construction Project:

_____

Construction Period: From _____ To _____

Authorized Activity (check all that apply):

☐ Parking of construction vehicles on property
☐ Ingress/Egress of construction equipment along property
☐ Storage of construction materials on lot, specifically

_____

☐ Storage of dumpster
☐ Storage of portable toilet

Contractors to provide prior to construction and SSMG to keep on file:

☐ Contractor's Liability policy with property Owner(s) listed as Certificate Holders for the duration of the construction

Signature of Requestor(s): Signature of Contractor(s):

_____ _____

Name: _____ Name/Company: _____

Date: _____ Date: _____

Name: _____ Name/Company: _____

Date: _____ Date: _____

Signature of HOA Representative as Owner:

_____

Name: _____

DATE: _____

ATTACHMENT # 15 - CONTRACTOR PRE-CONSTRUCTION AGREEMENT

Tidelands Estates Homeowners' Association, Inc.
P.O. Box 351465 Palm Coast, FL 32135
Telephone (386)446-6333 FAX (386) 446-1830

Property Address: _____

Owner's Name: _____

Lot Number: _____

Builder/Contractor: _____

Site Supervisors Name: _____

Day Time Telephone: _____ Night Time Phone: _____

The undersigned Builder/Contractor requests approval to build for the Property Owner at the aforementioned property. As the final step of the Pre-Construction meeting, Tidelands Estates requires acceptance and endorsement of this agreement, in its entirety. The undersigned Builder/Contractor confirms receipt of this Pre-Construction Agreement and agrees to all conditions herein:

- Acceptance of 3 Gate Passes (Entrance Credentials), and confirmation that Builder/Contractor will return passes at the Final Construction Meeting. Passes lost or damaged will be charged at $25 apiece and will be deducted from the construction deposit.
- Agreement to the Code of Conduct and acknowledgment of fines to be levied against the construction deposit in the event of non-compliance. The contractor subset of fines (from ATTACHMENT # 1) is included
- Agreement to replenish the construction deposit within 7 days for deducted fines/fees.
- Understanding that construction deposit, less any additional fines or remediation fees, will be refunded after completion of the construction and ARC final site approval.
- Understanding that in the event of any legal disputes regarding violation of this agreement, the prevailing party in any proceeding at law or in equity shall be entitled to recover in said suit the cost of the action, including reasonable attorneys' fees to be fixed by the Court, including attorneys' fees in connection with appeal of any such action.

Builder/Contractor Representative Name_____

Signature_____Date_____

Introduction —There are two road entrances to the Tidelands and they are known as the Main Gate and South Gate areas. Both gates are set up with access security provided by Envera. Only the main Gate has a kiosk to talk to a virtual guard from the "Visitors" lane. The Envera system includes access control barriers as well as cameras that are connected to Envera's offsite monitoring operation. Construction vehicles, including deliveries, are to primarily use the South Gate entrance to prevent damage to the Main Gate and its roadways. This is to include both deliveries of materials and well as manpower for the labor portion. At no time shall heavy or oversized vehicles be allowed access via the Main Gate (see below definitions of oversized vehicles). **ALL gates and arms are designed to only allow one vehicle at a time. Attempts to "piggyback" on another vehicle may cause damage to the following vehicle and/or the gate/arm system. All damages to the gate/arm system and/or vehicles caused by piggybacking will be the responsibility of the driver/vehicle owner.**

Entrance Credentials —The General Contractor (GC) or Builder for each project (new build or major renovation) shall be issued 3 access cards (gate passes) upon receipt of the construction deposit by the HOA or its representative. These credentials will allow access at the Main and South Gate locations during hours of construction-controlled access (see below).

The General Contractor shall be responsible for the distribution, use and return of the credentials at the end of their project. The credentials shall be issued with an 18-month expiration date from the beginning of the project. Credentials not returned at closeout of the project shall be charged against the Contractor deposit on file with the HOA at the rate of $25 per card.

Hours of Construction Controlled Access — The following is intended to follow the ARC Guidelines for working hours of construction personnel. Any changes involving the construction permitted hours in that document will be carried forth to this document which includes an additional 1/2 hour prior to any starting time listed for actual construction to allow manpower and material vehicular access getting to the site for their normal starting time.

- Monday to Friday — From 6:30 AM to 7:00 PM
- Saturday — From 7:30 AM to 5:00 PM
- No work is allowed on Sundays or any of the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Day.

South Gate Open Operations — The South gate does not have a 'Visitor" option as there is not a Kiosk at that location. Entry can be made only with a proper credential or by prearrangement with Artemis (the on-site Condo Association Management Company) for a scheduled opening due to an oversized vehicle. (See below for details)

Definition of Oversized Vehicles — Oversized vehicles not only take into account it's width and length but also involves their weight. The following types of vehicles are considered oversized and not permitted to enter via the Main Gate.

- All cement mixer trucks
- Vehicles over 25,000 lbs. Gross Vehicle Weight (GVW)
- All vehicles with more than 3 axles including trailer axles (if pulling a trailer)
- All truck exceeding 25' in length including trailer if being pulled

Vehicle Access Without Credentials —Small deliveries and personnel arriving without access credentials will be allowed access via the visitor's lane of the main gate providing they are not arriving in an oversized vehicle as defined above. All vehicles will be subject to the time limitations set forth above for the hours of Construction Control Access. Deliveries either before or after the posted hours above must be cleared by the HOA or its representative.

The driver of the vehicle must provide a valid driver's license to the virtual guard at the kiosk and provide the name of the GC or Builder and the address of the site he/she is going to. The virtual guard may require additional information. Once the driver has been verified, they will be allowed to enter the development. The property owner should add the name of the GC or building company to their Envera "Authorized Visitor" list limiting the days/hours of allowed access to what is spelled out above. it is not required to list subcontractors or any individual workers names to their "visitor" list.

Oversized Vehicles Entering via the South Gate As listed earlier, all oversized vehicles as defined above must enter via the South Gate. The supplier is to schedule the delivery with the GC or Builder so that a "Credential" can be used at the South Gate to allow access for that oversized vehicle.

As an alternate to the contractor/builder meeting the delivery at the South Gate, the delivery can be scheduled with Artemis Lifestyles for a 2-hour window but this must be scheduled a minimum of 24 hours (business days only) in advance of the deliverables. Artemis will then have the South Gate programmed for that 2-hour window to be opened. if several deliveries are expected (e.g. multiple cement trucks for a slab), the window time can be extended upon request. The contact for Artemis Lifestyles is Martin LaBrosse and he can be contacted at the clubhouse at (386) 597-5705, M - F or via email at mlabrosse@artemislifestyles.com to schedule the delivery time(s).

Parking of Vehicles within the Tidelands — Parking rules for the Tidelands will follow all rules and regulations of the State of Florida, Flagler County and the City of Palm Coast. The following applies to all contractors, delivery vehicles, their employees and any subcontractors in addition to those rules and regulations:

- There is no parking allowed on roadways overnight of any vehicles or trailers used by contractors or subcontractors.
- There is no parking or usage of any vacant land, unimproved lots, common property or easements allowed at any time unless there is written permission from the owner of the unimproved lot or the Association. The appropriate form(s) must be completed an endorsed specifically for usage (attached). Craig Nisbett of Southern States Management Group is the ARC Community Association Manager and can assist in completing the forms and broker the agreement. Craig's contact info is ARC_CAM@tidelandsestates.com phone (386) 446-6333 ext 331.
- There is no parking allowed anytime on the roadway around cul-de-sacs, or any area identified with yellow markings.
- When a construction site has multiple vehicles, due to the number of workers and/or deliveries, they must all be parked in single file on one side of the street, not blocking any driveways, fire hydrants, mail box clusters, etc. or prevent work that must be performed by authorized maintenance contractors hired by the Association. There is no double parking allowed at any time.
- Parking on empty lots/HOA property is prohibited unless authorization has been provided in writing as evidenced by an endorsed copy of ATTACHMENT # 13 – ADJACENT/NEIGHBORING PROPERTY USE FORM or ATTACHMENT # 14– TIDELANDS COMMON PROPERTY USE FORM

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 property owners are advised that the Tidelands Estates governing documents empower the ARC Committee members to monitor and ensure remedy 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 business days to remedy or remove the non-complying improvement. If a builder fails to remedy or remove the non-compliance, the ARC will obtain mitigation costs by another company and will present the proposal to the Board of Directors. The Board of Directors will review the scope and bids and will contract to have the work performed by an outside company. The BOD will charge the related costs to the original contractor's construction deposit and/or Property owner.

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 listed as Contractor Fines (which is a subset of ATTACHMENT #1). In this regard, a builder shall be responsible for the following:

Q. 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 an adjoining Lot with written permission of the owner of the adjoining Lot;

R. Ensuring there is no burning;

S. 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;

T. 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;

U. 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;

V. Ensuring that all persons for whom the builder is responsible are properly insured;

W. Ensuring that all persons for whom the builder is responsible do not commit any violations of the rules and regulations of the ARC.

X. 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;

Y. Prohibiting construction personnel from having children or pets in Tidelands Estates;

Z. Prohibiting the playing of loud music or other sounds from non-construction activities;

AA. Prohibiting use of adjacent property for access or storage of material or equipment unless written permission is obtained from the owner of the adjacent property;

BB. Limiting all builders, employees, subcontractors and suppliers to construction related activities at the designated site only. (NO FISHING, TOURING, ETC.)

CC. 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 document;

DD. Prohibiting the mixing of stucco, mortar or concrete on the street. This includes, but is not limited to, portable mixers and cement trucks; and

EE. Prohibiting the dumping of construction materials/waste in street, drains, or waterways.

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 and/or 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, the Board of Directors, any member of the ARC, or the Board of Directors, 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 applicable 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

Contractor Fines (subset of ATTACHMENT #1)

Legend: Covenant & Restriction Article and Section Number followed by p=Promulgated Rule #. Fines apply to all owners. Only items identified as such will be deducted from the Construction Deposit against a Contractor that has supplied a Deposit. The Builder will replenish the fines to the construction deposit account in 7 days. Administrative fees up to $50 per violation may be added for administrative costs.	**Deducted from Construction Deposit?**	**Remediation Note (In addition to fine)**	**Fine**
IX/2Ap01 - Failure to remain within the designated 30-foot maximum height limitation of dwellings with a 7/12 minimum roof pitch. Dwelling heights shall be compatible with the Florida Residential Building Code, which defines the height of the building as being from grade to the average height of the highest roof.	Yes	Remediation Required	$1,000 Week
IX/2Ap02 - Failure to complete construction within 18 months of final ARC approval	Yes	Remediation Required	$1,000 Week
IX/3Ap01 -Starting construction before "ARC Final Approval"	Yes	Approval or Removal	$100 Day
IX/4Ap01- Permit received prior to ARC approval	Yes	Approval or Revised Permit	$100 Day

IX/5p01 – Failure of members and their family, invitees, guests and tenants to follow all published rules of the Association which includes the Design and Development Guidelines as approved by the Board of Directors	Yes	Remediation Required	$100 Day
IX/7p04 - Owner/Contractor/Sub-Contractor using empty lot, common area/path without written authorization from owner and approval by ARC. This includes driving on, parking, materials storage, etc.	Yes	Approval or Remediation	$100 per incident
IX/8p02 - Unapproved (not prohibited) temporary signage installed on property without ARC approval such as Builder Box, Open House or Parade of Homes	Yes	Approval or Remediation	$100 day
IX/10p01 - No Noxious, Offensive, Nuisance activity	Yes	Remediation Required	$100 per incident
IX/10p02 - Causing damage to/failure to correct damage to adjoining Lots	Yes	Remediation Required	$100 per incident
IX/10p03 - Failure to correct damage to common property	Yes	Remediation Required	$100 per incident
IX/10p04 - No Loud noise and music	Yes	Remediation Required	$100 per incident
IX/10p05 - No children, or pets on the job site	Yes	Remediation Required	$100 per incident
IX/10p06 - Construction work outside of approved hours M-F 7a-7p (or sunset when earlier), Sat 8a-5p	Yes	Remediation Required	$100 per incident
IX/10p07 - Construction work on Sundays or Holidays without prior approval of ARC	Yes	Remediation Required	$100 per incident
IX/10p08 - Failure to follow authorized access routes or speeding in the community by contractor/subcontractor	Yes	Remediation Required	$100 per incident
IX/10p09 -Mixing of stucco, mortar or concrete on the street. (This includes, but is not limited to, portable mixers and cement trucks.)	Yes	Remediation Required	$100 per incident
IX/10p10 - Builders, employees, subcontractors and suppliers engaging in non-construction activities - Fishing, Touring, etc.	Yes	Remediation Required	$100 per incident
IX/10p11 -The consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or wellbeing of other personnel on the construction site or affect the quality of workmanship. Violators will be removed and repeat offenders will not be allowed into Tidelands Estates for six months.	Yes	Remediation Required	$100 per incident
IX/10p12 - Dumping of construction materials/waste in street, drains or waterways	Yes	Remediation Required	$1000 per incident
IX/12p01 - Changed exterior paint/finish without ARC approval	Yes	Approval or Remediation	$100 day

IX/12p02 - Failure to properly place a porta-potty when lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p03 - Failure to properly place a silt/barrier fence when lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p04 - Failure to properly place a barrier on a nearby street grate when a lot is completely cleared	Yes	Remediation Required	$100 day
IX/12p05 - Failure to keep job site neat and clean	Yes	Remediation Required	$100 Incident
IX/12p06 - Failure to properly clean the street	Yes	Remediation Required	$100 Incident
IX/13p01 - No removal of trees with a diameter of more than 4" w/o ARC approval	Yes	Approval or Remediation	up to $1,000 tree
IX/13p02 - Removing Trees without ARC approval/failure to replace tree as prescribed by ARC	Yes	Approval or Remediation	up to $1,000 tree
IX/13p03 - Failure to have a member of the ARC Present during removal of approved trees to ensure only approved trees are removed	Yes	Fine and Remediation	up to $1,000 tree
IX/14p01 - No changing of grades or elevations without ARC approval	Yes	Remediation Required	$1,000 per incident
IX/15p01 - No construction and/or use of wells on lot	Yes	Remediation Required	$1,000 per incident
IX/16p01 - Only biodegradable fertilizers and pesticides approved by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation shall be used.	Yes	Fine Only	$100 per incident
IX/20p02 - Failure to properly place a dumpster before ground rough/plumbing installation by Contractor	Yes	Remediation Required	$100 day
IX/32 – All Dwelling Units constructed on Lots 44 through 63 (adjacent to the Custer Waterway) shall maintain a minimum rear yard setback of ten (10) feet between the waterward edge of the seawall and any screened enclosure or pool. (Amendment 2)	Yes	Remediation Required	$100 day

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