

ARCHITECTURAL REVIEW BOARD GUIDELINES



QUEEN'S HARBOUR
YACHT AND COUNTRY CLUB

2012 ✧ EDITION
February 2012

DISCLAIMER: GENERAL CONTRACTORS/OWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL PERMITS, EASEMENTS AND GOVERNMENTAL BUILDING CODES. ANY APPROVAL BY THE ARCHITECTURAL REVIEW BOARD GOVERNS ONLY AESTHETIC CONSIDERATIONS AND DOES NOT CONSTITUTE A VARIANCE OR RELEASE FROM ANY ESTABLISHED SETBACKS, RESTRICTIONS OR CRITERIA, UNLESS SPECIFICALLY STATED.

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I. INTRODUCTION

A. Foreword

Welcome to Queen's Harbour Yacht & Country Club, Inc. ("Queen's Harbour"). The following guidelines describe the standards and processes by which the architectural and environmental beauty of Queen's Harbour is preserved.

The Architectural Review Board (ARB) is established by the "Declaration of Covenants, Conditions, Restrictions and Easements" which sets forth community rules for owning and improving property within Queen's Harbour. The ARB, composed of residents and professional members appointed by the **Board of Directors**, is charged with performing the architectural, landscaping, engineering review and control functions. These functions are summarized in the following excerpt from the "Declarations:"

"To approve or disapprove any Proposed Improvement... (in Queen's Harbour)." (5.2) (b) (iii).

These Guidelines cover "proposed improvements" of two broad types: (1) construction of new houses and (2) modifications to existing property.

In its work, the ARB seeks to balance the interests of homeowner and community toward the end of enhancing the value of property for all residents.

Residents and their contractors are invited to attend ARB meetings, which are held on the second and fourth Wednesday of each month at 4:00 p.m. at the Queen's Harbour Property Owners Association (POA) office. **Questions about agenda submission procedures, deadlines and these Guidelines, should be addressed to the ARB Coordinator by calling (904) 273-9832.**

This 2012 Edition supersedes all previous ARB Guidelines.

B. Certificate of Adoption

In accordance with Section 5.2 (b) (i) of the “Declaration of Covenants, Conditions, Restrictions and Easements” this certifies that the Board of Directors has established the Architectural Planning Criteria contained in Section III of this document and that the Board of Directors of the Property Owners Association has adopted these criteria and the other provisions of these Guidelines as of the date below.

Section III of these guidelines may be considered a complete replacement of “Exhibit C,” Architectural Planning Criteria, of the “Declaration of Covenants, Conditions, Restrictions and Easements.”

Date _____ Queen’s Harbour Yacht & Country Club Property Owners Association,
Inc.
Frank Proctor, President

C. Definitions

ARB: Queen's Harbour Architectural Review Board

BOD: The Queen's Harbour Yacht & Country Club
Owners Association, Inc. Board of Directors or Board of
Directors

BRL: Building Restriction Line. (The BRL is the same as
the setbacks from the property lines as defined in Queen's
Harbour Architectural Guidelines)

COJ: City of Jacksonville at website www.coj.net

CONSTRUCTION
ACCESS FEE: Fee charged to accumulate funds for community
infrastructure repair and replacement

DECLARATION
or CCREs: Queen's Harbour Yacht & Country Club Declaration of
Covenants, Conditions, Restrictions and Easements

GUIDELINES: Architectural Review Board (ARB) Guidelines

JEA: Jacksonville Electric Authority

POA: Queen's Harbour Yacht & Country Club Property Owners
Association, Inc. (sometimes referred to as the Property
Owners Association or Owners Association)

QUEEN'S
HARBOUR: Queen's Harbour Yacht & Country Club

II. ARCHITECTURAL REVIEW BOARD'S ROLE AND POLICIES

A. ARB Policies and Duties

1. **Preamble:** It is the intent of the Board of Directors (BOD) and the Architectural Review Board (ARB) to preserve and enhance the unique natural environment of Queen's Harbour Yacht & Country Club (Queen's Harbour). As is typical of the southeastern coastal areas, the land is basically heavily wooded, but relatively flat with gentle slopes and minimal change in elevations to the edge of the tidal marshes and lakes. Experience has shown that careful attention during the initial design and construction stages will help to ensure that the finished project will be compatible with the site. The ARB recommends, therefore, that lot owners and their architects or architectural designers and contractors inspect their lot and discuss design philosophy with the ARB Coordinator prior to initiation of design and construction.

The ARB is not a home or landscaping design resource. The homeowner and builder, working in conjunction with qualified design firms or individuals and the ARB Guidelines, can arrive at a proposed plan for the ARB to consider.

2. **Necessity of Architectural Review and Approval:** No landscaping, removal and/or replacement of existing trees, hardscape, fence, for sale signs, wall, play structures, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, drain, disposal system, decorative building, landscape device or object (yard ornamentation, statues, etc.), or other improvement shall be commenced, erected, placed or maintained upon any residential parcel unless or until the plans, specifications and location of same shall be approved by the ARB. No real estate improvement or structure of any kind, including without limitation, any building (attached or detached) addition, change or alteration (including repainting of the exterior to a different color) is to be made, unless and until the plans, specifications and location of the same shall be approved by the ARB as to harmony of external design and location in relation to surrounding structures and topography and as to conformance with the architectural planning criteria of the ARB. **It shall be the responsibility of each property owner to supply preliminary and complete plan specifications to the ARB.**

3. **Written ARB Approval Required:** No plan or specification shall be deemed approved unless a written approval is granted by the ARB to the property owner submitting it. Any change or modification to already approved plans shall not be deemed approved unless a written approval is granted by the ARB to the property owner submitting it.

4. **Architectural Review Board:** Architectural review and control functions of Queen's Harbour shall be administered and performed by the ARB, which shall consist of a minimum of five (5) members, who shall be members of the Queen's Harbour Yacht & Country Club Property Owners Association, Inc. (POA). Members of the ARB shall be appointed by and serve at the pleasure of the Board of Directors of the Owners Association. The BOD shall appoint at least one Architect or building contractor as a member of the ARB. A majority of the ARB members

present at a scheduled meeting shall constitute a quorum to transact business. Any vacancy occurring on the ARB because of death, resignation or other termination of service of any member, thereof shall be filled by the Board of Directors of the Owners Association with advice from the ARB. The Chairperson of the ARB shall be a member of the Board of Directors.

5. **Powers and Duties of the ARB:** The ARB shall have the following powers and duties:

a. To recommend, from time to time, to the Board of Directors of the Owners Association modifications and/or amendments to the architectural planning criteria. Any modification or amendment to the architectural planning criteria shall be generally consistent with the provisions of the Declaration, and shall not be effective until adopted by a majority of the members of the Board of Directors of the Owners Association at a meeting duly called and noticed at which a quorum is present and voting.

b. To require submission to the ARB of three (3) sets of all final plans and specifications for any improvement or structure of any kind, including, without limitation, any building, hardscape, fence, real estate signs, for sale signs, wall, play structure, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, drain, decorative building, landscape device or object, or other improvement, the construction or placement of which is proposed upon any residential parcel in the subdivision, signed by the owner thereof and contract vendor, if any. The ARB shall also require such additional information as reasonably may be necessary for the ARB to completely evaluate the proposed structure or improvement in accordance with the Declaration and the architectural planning criteria.

c. To approve or disapprove any improvement or structure of any kind, including without limitation, any building, hardscape, fence, real estate signs, for sale signs, wall, play structure, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, drain, disposal system, decorative building, landscape device or object, or other improvement, the construction or placement of which is proposed upon any residential, communal or country club parcel in the subdivision, and to approve or disapprove any exterior additions, changes, modifications or alterations therein or thereon including any landscape changes or removal (including tree removal).

The ARB will be evaluating each new construction, home addition, landscaping plan, and other applications for total effect, including the manner in which the home site and/or exterior modifications are developed. This evaluation relates to matters of judgment, which cannot be reduced to a simple list of measurable criteria. It is possible, therefore, that an application might meet the individual criteria contained herein and still not receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is unacceptable. The approval of an application for one plan shall not be construed as creating any obligation on the part of the ARB to approve applications involving similar designs pertaining to different plans.

d. To grant variances from compliance with the Architectural Planning Criteria, provided that no variances shall be granted which violate or are inconsistent with the Permits referenced in the Declaration.

e. To approve or disapprove any and all contractors, architects, designers, and/or subcontractors who will perform any work on a residential parcel.

f. To adopt a schedule of reasonable fees for processing requests for ARB approval of proposed improvements. Current fees are set forth in Appendix B. Such fees shall be payable to Queen's Harbour at the time that plans and specifications are submitted to the ARB.

g. To enter upon and inspect a lot and/or exterior dwelling unit for which an application has been submitted for review. Following the approval of any proposed improvement, the ARB has the right to enter upon and inspect any proposed improvement during reasonable hours. If the ARB determines that the proposed improvement(s) being constructed has not been approved or is not being constructed in compliance with the approved plans and specifications, the ARB is entitled to enjoin further construction and to require the removal or correction of any work in place which is not in compliance with the approved plans and specifications.

6. **No liability:** In connection with all reviews, acceptances, inspections, permissions, consents or required approvals by or from the BOD of the Owners Association or the ARB, contemplated under these guidelines, neither the BOD, the ARB, nor the Owners Association shall be liable to an 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 in any way related to the subject matter of any such reviews, acceptance, inspections, permissions, consents or required approvals, whether given, granted or withheld by the Owners Association, the BOD or the ARB. Approval of any plans by the ARB does not in any way warrant that the improvements are structurally sound or in compliance with applicable codes, nor does it eliminate the need for approval from Duval County, the City of Jacksonville (COJ) and other governmental jurisdictional agencies.

7. **Appeal of ARB Review:** Any party aggrieved by a decision of the ARB shall have the right to make a written request to the Board of Directors within thirty (30) days of a decision of disapproval, for review thereof. The determination of the Board of Directors upon reviewing any such decision shall be final. Should the Board of Directors hold a hearing with the aggrieved party, a member of the ARB shall be present to explain the ARB's decision.

B. Enforcement

The provisions of these guidelines will be enforced generally as follows:

1. **Stop Work Orders:** If, in the judgment of the ARB, serious violations of construction regulations, these Guidelines, including the architectural planning criteria or conditions of ARB approval occur, or if field modifications are made not in accordance with ARB approved Architectural or Landscaping Plans, the ARB Coordinator may order work on the site to stop. **The owners or builders shall promptly cease work upon receipt of the ARB's written order. The ARB may require the removal or alteration of any unapproved work and the Owner may be subject to a fine.**

2. **Violations of Architectural Planning Criteria or the Conditions of ARB Approval:** Violations of these Guidelines, including, the Architectural Planning Criteria or approvals from the ARB by Owners or Builders of either new houses or miscellaneous improvements will be dealt with as follows: (a) optional stop work order and/or (b) a letter from the ARB/POA pointing out the violation. If no satisfactory response or remedy is forthcoming within 10 calendar days, (c) a letter from the ARB/POA stating that this matter is being referred to the **Fine Appeals Committee (FAC)** for enforcement action in accordance with Florida Statutes Section 720 specifying any fine, assessment and/or other actions recommended by the ARB (if applicable).

Any Owner, who violates the Architectural Planning Criteria or ARB Guidelines and/or approvals, will receive a citation to appear before the FAC. The FAC is composed of members of the Property Owners Association and is appointed by the Board of Directors. The FAC meets in the POA office at 4:00 p.m. on the first and third Thursdays of each month.

III. ARCHITECTURAL PLANNING CRITERIA

A. General Principles

1. **Damage to or Condemnation of the Lots or Dwelling Units**: In the event of damage or destruction to any portion of a Lot or Dwelling Unit due to casualty, natural events, condemnation or conveyance in lieu thereof, the damaged Property shall be repaired or restored by the Owner. In the event that the damage, destruction or condemnation renders the improvements uninhabitable or the damage is so substantial that the Owner determines not to rebuild the improvements on the Lot or Dwelling Unit, the Owner shall clear the debris and have the Lot leveled within 60 days from the date of destruction and shall thereafter maintain the Lot in a clean and sanitary condition.

2. **Building Type**: No dwelling unit shall be erected, altered, placed or permitted to remain on any lot in Queen's Harbour other than one detached single-family residence except as permitted in Unit 30 (Providence Island). Non-lagoon lots in Queen's Harbour are to contain no less than 2,000 square feet for one-story buildings and 2,200 square feet for two-story buildings. Such square floor area is exclusive of open or screen porches, patios, terraces and garages. Lagoon lots must contain a minimum of 2,600 square feet. Each dwelling unit shall have a private or enclosed garage for not less than 2 or more than 4 cars unless otherwise approved by the ARB. Unless approved by the ARB, no tool or storage room may be constructed separate and apart from the dwelling unit. Oversized garages for the storage of commercial or recreational vehicles will not be permitted unless approved by the ARB.

3. **Lot Setbacks**: Setback restrictions shall be as set forth on the plat or in any supplemental restrictions made pursuant to the terms hereof. A dwelling unit may be located upon a single platted lot or a combination of platted lots, and in such event the side setback lines shall apply to the outermost lot side restriction lines. The ARB shall have the right to impose additional setback requirements for all lot lines if deemed appropriate.

The main dwelling unit and all permanent structures shall be no closer to the property lines than the front, rear and side setbacks described in Appendix A unless otherwise provided. It is advisable to check with the POA concerning setbacks specific to Queen's Harbour.

4. **Reconfiguration of Lots**: The new property line boundaries of a reconfigured lot shall not be used to determine setbacks unless a supplemental declaration is recorded in the public records of Duval County and is joined by the Owners Association, as per Amendment IV, Sections 6.21, 6.2 of Article 6 of the Queen's Harbour Declaration of Covenants, Conditions, Restrictions and Easements (CCREs).

5. **View**: A homeowners “right” to a view is defined by extending an imaginary line straight out from the end of the side property lines.

6. **Additional Requirements**: In addition to the provisions of these Guidelines, Unit 24 (Delfino Drive) Unit 29 (Bella Riva), and Unit 30 (Providence Island) are subject to additional rules governing their use and appearance. See Appendix G.

7. **Variance from Architectural Planning Criteria**: The architectural planning criteria set forth herein are intended as guidelines to which adherence shall be required by each Owner or Builder. All variances from the requirements set forth herein must be approved by the ARB by 2/3 affirmative vote of those members present. The ARB has the responsibility and authority to review requests for a variance from any requirement set forth herein. The applicant requesting a variance must demonstrate to the ARB 1) that the variance is in the best interest of and is compatible with the character of Queen’s Harbour and also 2) why it should be granted. Variance considerations may include, but are not limited to, the uniqueness of the situation, the hardship involved, environmental considerations and other alternatives. A variance shall be evidenced by a written document stating which criteria/conditions are subject to variance and specific conditions that must be met, if any. Variances are generally not allowed except in extraordinary circumstances.

8. **Applicable Statutes**: These guidelines are intended to be consistent with all applicable statutes, ordinances and government regulations. If, however, there is a conflict with the applicable statutes, ordinances or government regulations, the statutes, ordinances or government regulations shall govern and the affected section of the ARB Guidelines shall be null and void. All other sections of the ARB Guidelines shall remain in effect.

B. Specific Criteria

1. **Architectural Elevations:** Houses with similar architectural elevations shall not be built directly adjacent or across from each other.
2. **Artificial Vegetation:** No artificial grass, plants, or other artificial vegetation shall be placed or maintained upon the exterior portion of any residential parcel.
3. **Docks:** See Section V for specifics for either new or modified private docks.
4. **Drainage/Lot Grading:** It shall be the responsibility of each individual lot owner to ensure his/her lot is graded in accordance with the approved plans and permits for the Queen's Harbour unit in which the lot is situated. Lot grading has been specified in the approved plans and permits to conform to requirements of the City of Jacksonville Public Works Department and the St. John's River Water Management District. The owner/applicant should consult with the POA or ARB to identify specific lot grading and storm-water needs for each lot.

The builder shall ensure during the course of house construction that lot grading is in accordance with the approved plans and permits. **It is the responsibility of the homeowner to ensure that required lot grading has been provided.**

It is the responsibility of the builder/contractor to obtain existing "as-built" elevations for the segment of roadside swale impacted by the new construction and to conform the driveway, sidewalk and swale he/she builds to achieve positive drainage.

Prior to clearing and grading of any site in the East Lagoon or adjacent to any water body, the contractor shall install silt curtains/hay bales to minimize siltation/turbidity. These curtains shall remain in place until all sodding/landscaping is complete.

5. **Exterior Color Plan:** The ARB shall have final approval of all exterior color plans, and each owner or his/her representative must submit to the ARB prior to initial construction and development upon any lot a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The ARB shall consider the extent to which the color plan is consistent with the homes in the surrounding area and the extent to which the color plan blends with those homes. Homes with color schemes that are deemed the same as homes on either side or across the street will not be approved. **Prior approval of the ARB is required if painting any element of the exterior a different color than the existing approved colors.**

6. **Game and Permanent Play Structures:**

a. Rigid Game and Play Structures: All play structures must be located behind the dwelling inside the BRL or on the inside portion of corner residential parcels within the setback lines. No platform or structure of a similar kind or nature may be constructed or located on any part of a lot located in front of the rear line of the residence constructed thereon, and any such structure must have prior approval of the ARB.

Play structures include, but are not limited to, playscapes, trampolines, swing sets, slides and climbers. The ARB may define/include additional structures as appropriate.

Play structures must be made of wood or other similar materials that are neutral in color and must fit into the environment of the home and surrounding properties. Primary colored elements of the play structure are acceptable, including swings, slides, and roofs. Neutral colors like hunter green are preferred and recommended. Play structures must be kept in good repair and removed when no longer used. Play structures may not exceed 13 feet in height.

Approved play structures are to be screened by landscaping where feasible to mute their presence/view (including street, golf course, and lagoon views). All landscape screening must be submitted to the ARB for review and approval. Landscape screening plantings must be a minimum height of 4 feet.

The ARB will evaluate each play structure for total effect. This evaluation relates to matters of judgment, which cannot be reduced to a simple list of measurable criteria. It is possible, therefore, that a play structure might meet the individual criteria contained herein and still not receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is unacceptable. The approval of an application for one play structure must not be construed as creating any obligation on the part of the ARB to approve applications involving similar designs pertaining to different play structures.

b. Inflatable Game and Play Structures: No inflatable play structures are allowed for permanent installation or for continuous use. Permanent refers to location, regardless of the inflation status of the structure. Inflatable play structures are allowed for special occasions such as a birthday party, Owner's Association sponsored events/carnivals, etc. The maximum time a temporary inflatable play structure may remain in place is three (3) continuous days up to a maximum of twelve (12) days per year. These temporary inflatable play structures must fit on the property and be located in such a manner as to not restrict the view of motorists or to pose a danger to the users.

c. Basketball Backboards: A single basketball backboard/goal may be used in driveways. A permanently installed basketball backboard/goal must have prior approval of the ARB Coordinator as to design and location. Clear backboards are recommended and preferred.

Installation of spotlights on any backboard/goal to provide illumination at night is prohibited.

d. Sports Facility: Lot(s) or Dwelling Unit(s) must not be utilized for tennis courts, basketball courts, badminton courts, handball courts, and/or any other type of sports facility. Construction of all such courts and/or sports facilities is strictly prohibited.

7. Garbage and Trash Containers: No residential parcel shall be used or maintained as a dumping ground for rubbish, trash, or other waste. All trash, garbage and other waste shall be kept in sanitary containers, which shall be kept within a service area constructed with each dwelling in a location approved by the ARB.

8. Garages: All garages shall have a minimum width of 20 feet and minimum length of 20 feet as measured from the inside walls of the garage. All garages must have either a single overhead door with a minimum door width of 16 feet for a two-car garage, or two 16-foot doors for a four-car garage, or 2, 3 or 4 individual overhead doors, each a minimum of 8 feet in width. All overhead doors shall be electrically operated and shall be kept closed when not in use. The ARB favors side entry and courtyard garages. Garages shall be screened from the street with a minimum 3 feet high hedge and evergreen trees where deemed necessary.

9. Height Limitations: No dwelling unit or other structure shall exceed the height limitation permitted under any applicable provision of the zoning restrictions, as they may be amended from time to time.

10. Lagoon Lots

a. Erosion Control of Man-Made Lagoon Banks: Due to soil characteristics of the area, man-made lagoon banks, even when constructed at a 4 to 1 slope, have a tendency to “creep” or silt, thus leading to erosion problems for the lot, as well as silt problems for the lagoon. For this reason, it is strongly recommended that each lagoon lot in Units 1, 2, 3, 9 and 19 install “Tri-Loc” which has proven to be an effective deterrent against erosion/siltation or another bulkhead system. Lagoon lots in Units 11 - 15 require installation of “Tri-Loc “ or equal.

Retaining walls are considered a suitable alternative to “Tri-Loc”. They must be installed with concrete caps the top of which is at 6.5 feet above Mean Sea Level (MSL). Our permits require the use of non-toxic sheeting and piles. When approving retaining walls, consideration will be given to the size and waterfront shape of the lot and how it will fit with adjacent lots. The aesthetics of the entire area will also be considered. See Forms for further information and application forms.

b. Retaining Walls/Lagoon Lots: Retaining walls at the rear of lagoon lots may be permitted by the ARB, subject to the following:

- 1) The recommended material is non-ferrous vertical sheet piling with horizontal concrete cap or an ARB approved equivalent.

- 2) The preferred maximum height is 3 feet of vertical surface area. Height should be continuous with adjacent walls. The top of the concrete cap shall be at 6.5 feet above MSL.
- 3) If the height exceeds 3 feet, the wall should be terraced.
- 4) The minimum height of landscape on the high water side of the retaining wall is 18 inches. A retaining wall shall be placed at least 3 feet from the edge of the main water level.
- 5) The following plant material will be approved and should be installed to grow downward over the wall.
 - a) Trachelospernum Asiaticum, Asian Jasmine - 1 gallon full; 15" O.C.
 - b) Trachelospernum Jasminoides, Confederate Jasmine - 3 gallon full; 15" on center.
 - c) Juniperus Conferta Compacta, Dwarf Shore Juniper - 3 gallon full; 15" O.C.
 - d) Others should receive ARB approval.
- 6) The appearance must blend with the property.

11. Landscaping:

a. **General:** All proposed landscaping, new or renovation, shall comply with the Landscaping Requirements set forth in Section IV and the plans must be submitted to the ARB for approval.

b. **Tree Removals:** In reviewing building plans, the ARB shall take into account the natural landscaping such as trees, shrubs and palmettos, and encourage the owner/builder to incorporate them into his/her landscaping plan. See Section IV. Normal tree trimming upkeep and slight canopy raising do not require prior ARB approval. However, if you are planning to raise the canopy of a tree(s) on your property, significantly altering the canopy you must notify the ARB Coordinator before the work begins.

Trees of 6 inches or larger in diameter at 2 feet above natural grade (Protected Trees) shall not be cut or removed without approval of the ARB. Any person, firm, corporation, or company intending to remove any Protected Tree must apply for and receive from the ARB a Tree Removal Request/Permit. The approved Tree Removal Request/Permit shall be in the possession of the person, firm, corporation or company prior to removing any Protected Tree. Removal of any Protected Tree without an approved Tree Removal Request/Permit (see Forms), is subject to replacement at the owners' expense and a possible fine. If any trees needing ARB approval are removed, the owner will generally be required to mitigate by replacing

the removed trees with other trees, depending on the size and number of trees remaining on the property. See Section IV.

Generally 3 palm trees = 1 canopy tree at least 10' high or 1 ornamental date palm. Replacement palms must be at least 15 feet high.

The Queen's Harbour Declaration of Covenants, Conditions, Restrictions and Easements (CCREs) Section 14.2 requires that the exterior of all buildings and lots be maintained in a neat and clean appearance including, but not limited to, trees. The POA/ARB may, at its sole discretion, determine that tree removal is required. After providing written notice to the property owner, the POA/ARB may require the property owner to remove the dead tree(s) from both improved and unimproved lots.

12. **Lighting:** All accent lighting for walkways, driveways, flowerbeds, etc., must receive prior ARB approval. No accent lighting shall be placed in the right-of-way and landscape bed lighting should not exceed 2 feet in height. Commercially available lamp post lights are acceptable with ARB approval. No permanent lighting shall be placed in a tree(s).

13. **Lot Size:** No lot which has been improved by the construction of a single family dwelling unit shall be further subdivided or separated into small lots by any owner; provided that this provision shall not prohibit corrective deeds or similar corrective instruments.

14. **Mailboxes:** Mailboxes erected on lots shall conform to the specifications in Appendix C.

15. **Outside Fireplaces (Permanent Structures)**

a. **Placement:** Where a fireplace is not part of the physical or internal structure of a home, it must be attached to a logical extension of the home such as the lanai, pool or patio area, or other ARB approved structures or platforms. Permanently installed stand alone fireplaces or BBQ cookouts or fireplaces located elsewhere on a property and not integrated with the home or screen enclosure or a logical extension of the home/screen enclosure are generally not allowed. Fireplace placements must meet all existing setbacks and other requirements as specified by ARB guidelines.

b. **Materials:** All fireplaces must conform to ARB guidelines concerning color, texture and overall general appearance. Fireplaces must be built to COJ (City of Jacksonville) Code (see COJ website for details). Fireplaces shall complement and integrate with the overall architectural plan of the home. If stucco is used to finish any or all sides of the fireplace, that color shall match the color of the home or the other ARB approved material used for fireplace construction (stone). If stone or other materials are used, the colors and textures of those materials must complement the base and trim colors of the previously ARB approved home. All fireplaces must be covered

with some decorative material or covering. Masonry only finishes to fireplaces (cement and cement block) are not allowed.

c. **Safety**: All fireplaces must conform to COJ Building Code requirements. COJ Code requires spark arrestors for all fireplaces. In addition to this requirement, Queen's Harbour ARB requires a façade or extension to the fireplace structure to eliminate the spark arrestor from view (360 degree) from ground level. The minimum height of the façade above the fireplace structure must be no lower than the top of the spark arrestor. Additionally, per COJ Code, the height of the fireplace shall be two (2) feet taller than any other construction material located within ten (10) feet of the fireplace structure. Construction materials include screen used in the cage around a lanai or pool.

All fireplaces constructed must be built to withstand hurricane force winds. Placement and safety consideration should place the fireplace structure beyond the "topple limits" of any residential space; i.e. if the fireplace or chimney were to fall or be blown over, the falling structure should not impact any residential space. This is a suggested placement and is not mandatory, unless the other potential residential space involves another resident's property. If the topple limit would impact another property owner's home, this guideline becomes mandatory. (This should not be an issue except in zero lot-line, town home or otherwise close proximity properties.)

16. **Pet Structures**. Exterior pet shelters/structures are not acceptable and will not be approved. Dog runs of any type (enclosed or otherwise) are not permitted.

17. **Parking and Driveway**: A guest parking space is recommended with either turn-around or backup areas being provided to preclude backing into the street. Driveways must be designed with a hard surface such as concrete, pavers, brick or exposed aggregate, etc. In the event concrete is utilized, it must include an approved banding scheme with a textured, colored and patterned surface. Approved surfaces would be pavers, brick, stamped crete or spray crete. A minimum of the first 3 expansion joints from the street to the house are required within 32 feet of the curb to include banding with a minimum depth of 8 inches and extending the full width of the driveway. All driveways must be placed at least 3 feet from adjacent properties to allow for landscape material. Driveways shall have a combination of shrub, ground cover and tree plantings, which screens the driveway from the street and adjacent property for a minimum of 25% of the linear dimension of the driveway. Circular driveways in particular need to be screened from view by plant beds and good landscaping. Landscape plant material shall not block sight triangles for vehicular visibility.

18. **Quit Claim Deeds and Relocation Easement**: See Appendix D for procedure and Forms for application (Quick Claim Deed or Easement Relocation Request).

19. **Roofs and Chimneys**: The roofs of all houses in Queen's Harbour, while different in material and color, shall have a similarity of form to provide for the homogenous character of the community. All gable and hip roofs should have a minimum overall roof slope of 7/12. Standing seam metal roofs, wood shingles,

slate, concrete and ceramic tile are acceptable roofing materials. Dimensional shingles shall have a minimum guaranteed life of 25 years.

Flat roofing is acceptable only in minor areas not to exceed 10% of roofing area with primary acceptability in use as a connection to more dominant themes of the roofing mass.

All connecting roofs, patio, etc., shall have a roof constructed with the same materials as the main structure.

Roof overhangs form an integral part of the architectural character of Queen's Harbour and should be maximized wherever possible to shelter from both the sub-tropical sun and rain showers. While in many cases the roof overhangs can incorporate balconies, decks and screened porches, the minimum depth shall be 12 inches with gable ends of 4 inches. All overhangs shall have frieze boards no less than 4 inches.

All roof accessories such as vent stacks and roof vents shall be painted to match the roof color. Wherever possible, vents shall be located away from the entry elevations. Flashing shall be galvanized except in the case of metal roofs where it shall be of the same material or where sound construction practices dictate other materials. All exposed flashing shall be painted to blend with surrounding materials.

Chimneys, along with the other projections above roofing surfaces, play a dominant role in depicting the character of Queen's Harbour. Chimney dimensions shall be compatible in scale to the structure; however, the minimum size shall be 2'-6" x 4'-6". All exposed surfaces of chimneys should be of similar material to the main building. Pre-fabricated metal fireplaces are acceptable within a residence; however, the exposed metal flue must be totally covered with approved materials. No pre-fabricated metal spark arresters or metal flue caps may be exposed to view. Decorative chimney pots or roof caps are encouraged. Gas fireplace vents through the roof are acceptable as long as they match other standard roof vent heights. If they exceed 24 inches in height, then a chase (chimney) will be required.

20. Satellite Dish/Antenna: Any satellite dish is subject to approval by the ARB Coordinator as to location and landscape screening. Satellite dishes may not exceed 36 inches in diameter. Any antenna is subject to approval by the ARB as to location, number, height and placement.

21. Screen Enclosures: Screen enclosures are permissible within the BRL if their form is similar to that of the house and they do not appear as an awkward appendage. They should be designed as an extension of the house with roof and screen slopes similar to the house. The acceptable colors for screen enclosures are bronze and charcoal. Landscaping shall be provided as set forth in Section IV. Plans are to be submitted for ARB review and should show both rear and side elevation views to scale with the house, together with planned landscaping.

22. **Service Areas:** Every house must have a walled or landscape screened service area for HVAC equipment, pool equipment, liquefied propane tanks, generators and trash receptacles. The service areas are to be screened from view from roads and adjacent properties by a visual barrier 4 feet high, and if walled must be the same material as the main house exterior. All service areas must be adjacent to the house and no closer than 7 1/2 feet from side property lines with the exception of Units 8, 21, 22, 23 and 24 which have 5 foot side setbacks. Unit 30 may have a zero feet setback. Wood service wall screening is not allowed. The interior of the service area must be paved with a hard surface material. All service walls are to be landscaped with 3 feet high shrubs where feasible.

23. **Sidewalks - Repair and Routine Maintenance:** The construction of sidewalks is required in accordance with the Queen's Harbour Sidewalk Plan approved by the City of Jacksonville. See Appendix E. The maintenance and repair of sidewalks is required in accordance with Section 14.2 of the Declaration.

A. **Repairs:** Residential property owners are responsible for any and all repairs to sidewalks adjacent to their lots as needed and/or as specified in a written notice by the POA, in its sole discretion.

B. **Routine Maintenance:** Residential property owners are responsible for any and all routine maintenance to the sidewalks adjacent to their Lots on an as-needed basis and/or as specified in a written notice by the POA, in its sole discretion, to include, but not be limited to:

- 1) sweeping or pressure washing dirt, discoloration and /or debris and
- 2) clearing obstructions from sidewalks (overhanging trees, natural and /or artificial materials on sidewalks).

24. **Sight Distance at Intersection:** No fence, wall, hedge or shrub planting which obstructs sight lines and elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the right-of-way lines, or in case of rounded property corner, from the intersection of a right-of-way with the edge of a driveway or alley pavement. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. Likewise, walls and landscaping must not block driveway egress sight lines.

25. **Signs:** Signs erected on lots shall conform to the specifications in Appendix F.

26. **Slabs:** Monolithic slabs are allowed as long as: (1) the finished floor elevation of the house is a minimum of 18 inches above the curb, (2) there is a minimum of 4 inches of step down from the main house to the front entry, (3) there is a minimum of 4 inches step down from entry to sidewalk or driveway, and (4) the finished floor elevation of the main house is 12 inches above the finished grade.

27. **Solar Energy Devices**: The use of solar energy producing devices, active or passive, is subject to ARB review and approval. Piping must be the same color as the underlying structure. The ARB will be provided with plans to show where the solar energy producing devices will be installed.

28. **Storm Protection Systems**: Prior to installation, all permanently installed storm protection systems must be approved by the ARB. Permanently installed storm protection systems and any attaching frames shall be either the color of the trim or body of the house and compatible with the house itself. Permanently attached storm protection systems may be deployed when there has been a National Weather Service (NWS) advisory affecting the Jacksonville, Florida area or when the area is in the “cone of uncertainty” for a tropical storm or hurricane. They must be removed no later than seven (7) days after the storm warning is withdrawn.

Temporary storm protection systems may be installed without ARB approval if the NWS has issued a tropical storm or hurricane warning for the Jacksonville area. They must be removed no later than seven (7) days after the warning is withdrawn. Certain storm protection systems may be deployed if the property owner will be out of town for an extended period during the hurricane season. The ARB Coordinator must be notified in advance of the duration of the absence and the period of time the system will be deployed.

29. **Storm Water Retention Lakes**: No docks of any type may be placed on the storm water retention lake bordered by Units 25, 26 and 27 nor may any watercraft of any type be used in the storm water retention lake abutting these units. The storm water retention lake is not permitted for recreational use.

30. **Swimming Pools and Spas**: Any swimming pool to be constructed on any residential parcel shall be subject to the requirements of the ARB, which include, but are not limited to, the following:

- a. Composition to be of material thoroughly tested and accepted by the industry for such construction.
- b. The outside edge of any pool may not be closer than 4 feet to a line extended and aligned with the sidewalls of the dwelling unless approved by the ARB.
- c. No screening of pool areas may extend beyond a line extended and aligned with sidewalls of the dwelling unless approved by the ARB. All screen enclosures must be bronze or charcoal in color and must be landscaped to soften their appearance as set forth in Section IV.
- d. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting.
- e. Pools without screen enclosures must be fenced and adequately landscaped.

f. Above ground swimming pools are PROHIBITED. Above ground hot tubs or spas may be approved by the ARB provided the hot tub or spa meets the following criteria:

- 1) The hot tub or spa is located at the rear of the dwelling within a screen enclosure as close to the dwelling as feasible,
- 2) The exterior color of the hot tub or spa blends into the overall color scheme of the exterior of the dwelling, and
- 3) Additional landscaping is installed to screen the view of the hot tub or spa.

The ARB will evaluate each hot tub and spa application for total effect including the aesthetic impact on the dwelling unit and neighboring properties. It is possible that the submission might meet the criteria above and still not receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is unacceptable. The approval of an application for one hot tub or spa application shall not be construed as creating an obligation on the part of the ARB to approve all hot tub or spa applications.

g. It is the responsibility of the property owner and contractor to comply with the City of Jacksonville's ordinances and regulations concerning swimming pools (see their website at www.coj.net).

31. **Temporary Structures:** No structures of a temporary character are allowed.

32. **Utility Connections:** Building connections for all utilities, including, but not limited to, water, electricity, gas, telephone and television, shall be run underground from the proper connecting points to the building structure in such a manner to be acceptable to the governing utility authority. Above ground primary fuel propane tanks are not authorized. Small outdoor propane tanks for outdoor grills and small containers of flammable liquids are permitted, provided they are out of sight of the street and other properties. Fuel tanks and containers must meet all federal, state and local laws and safety requirements.

33. **Walls and Fences:** The composition, location and height of any wall or fence shall be subject to ARB approval. Wire, wood, plastic or chain link fences are not allowed. Aluminum or wrought iron fences are recommended. All fences, walls and enclosures require approved landscaping. All privacy walls, service walls and screen walls (including AC, pool, generators and vertical LP gas equipment) shall be screened with shrubs at a minimum of 3 feet in height and maintained at or above this height where space permits.

Fences will be black or bronze color and their height and appearance should match adjoining fences. Side fences shall abut the property line. Lagoon fences must be stepped or tapered as they descend the bank. Fences or walls that lie beyond the

Building Restriction Line (BRL) are limited to a maximum height of 4 feet at the top of the rail, fence piers can have a maximum height of 54-inches above grade. Fences or courtyard surrounds can be up to 6 feet in height, provided they are within the BRL and can be no closer than 40 feet from the back of the curb. Estate walls forward of the front BRL shall not exceed 30- inches above finished grade. Walls that attach structural elements (i.e., a courtyard home) may be as tall as the elements attached to either side. Driveway gates forward of the front BRL are not permitted. A fence or wall on only one side of the lot is not allowed.

Acceptable wall finishes include stucco, approved external coating systems, brick, wood shingles, some lapped board siding, stone veneer, limestone, coquina or coral block (or a combination of these materials to be approved by the ARB). Aluminum, wood and vinyl sheet sidings will not be allowed for walls.

34. **Window Air Conditioning Units**: No window or wall air conditioning units shall be permitted.

35. **Windows and Doors**: Areas with major door and window openings should be oriented to afford privacy while taking advantage of special views, such as ponds, marshes or fairways. Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views. Windows and doorframes are to have anodized aluminum, vinyl or painted finishes. No sliding glass doors on front elevations are allowed.

While tinted glass is acceptable, no foil or reflective material shall be used on any windows for sunscreens. Roof overhangs, awnings and shutters are appropriate sun-screening devices with ARB approval of design and color.

36. **Wells**: No wells of any type are permitted.

37. **Yard Ornaments**: Yard ornaments are defined as any objects whose primary purpose is decorative rather than functional and which are visible from the common property areas in Queen's Harbour including roads, golf course and lagoon. Yard ornaments include, but are not limited to, statues, sculptures and fountains.

- a. Any man-made decorative item displayed on residential property that is visible from the common areas must be submitted to and approved by the ARB as to style and location prior to being installed. Exceptions include the American Flag, decorative or themed flags not to exceed 12 sq. ft. in size and seasonal items displayed for less than 60 days in duration.
- b. Yard ornaments will be evaluated and approved/disapproved based upon visual harmony with the immediate surroundings and with the community as a whole. Items that are deemed to be "offensive", such as the display of nude or partially nude figures, are prohibited. Any approved yard ornament shall be replaced if it becomes weathered, worn, tattered or damaged.
- c. Repair or Replacement of Grandfathered Yard Ornaments - Any yard ornament previously approved by the ARB or the original developer of Queen's Harbour that

becomes weathered, worn, tattered or otherwise in need of repair or replacement, must be repaired or replaced in accordance with the current ARB guidelines. A property owner may request a variance from this provision by submitting such request to the ARB along with a detailed explanation of why it would not be feasible to meet the current ARB guidelines.

IV. LANDSCAPING REQUIREMENTS

A. **Introduction:** Queen's Harbour Landscape Guidelines create a minimum standard to assist the builder, home owner, and their designers in creating a landscape that blends with their house, the landscape of the community, the native flora, and other existing properties. The use of Florida-friendly landscaping, as defined by Florida Statute, and other water saving and pollution prevention measures to conserve water or protect Florida's water resources is encouraged.

B. **Authorized Designers:** Landscape plans shall be prepared, signed and sealed by a Florida Registered Landscape Architect. A landscape designer approved by the ARB or homeowner can submit a plan for minor landscape renovations.

C. **Minimum Design Requirements:** Each design will be reviewed individually. The ARB reserves the right to require additional or different landscaping if deemed necessary. The landscape design shall meet the City of Jacksonville requirement for 50% native plant material, in order to reduce water consumption.

D. **Tree Coverage:** A minimum of 1 shade/canopy tree for every 1200 square feet of open space on the lot is required. Credit will be given for existing trees 6 inches in diameter or greater. A minimum of two shade/*canopy* trees shall be located in the front and two in the rear of the property. **Show calculations on the plan.**

1. Tree Types:

- a. *75% Evergreen shade trees*
- b. 25% Deciduous shade trees

2. Tree Sizes:

- a. Front yard: shade trees shall be a minimum of 12 feet in height with 6 feet of spread, 3 to 3.5 inches caliper; rear and side shade trees shall be a minimum of 10 feet in height with 5 feet of spread, 2 to 2.5 inches caliper.
- b. Ornamentals: various - minimum of 8 feet in height with 4 foot spread (or equal to).
- c. Palms may be utilized for **only** half (1/2) canopy/shade tree coverage – minimum cluster of 3 at a maximum spacing of 15 feet on center with staggered heights and a minimum of 8 feet of clear trunk. 3 palms= 1 canopy tree or 1 date palm.

E. **Landscaped Area**: 25% of the open space of the lot shall be landscaped with trees, shrubs and ground cover or left in a natural state. Open space is defined as that area of the lot including rights-of-way, lakes and/or lagoon banks, pavement, decks, patios and pools, but excluding the residence. Show all calculations on the landscape plan.

1. **Foundation Planting**: Foundation landscaping shall extend continuously along all sides of the house. Beds in the foundation area should have fluid-smooth lines that can be easily maintained. The minimum depth of the landscaped beds in the front/rear yards should be approximately three-fourths the height of a single story wall. Long or blank walls shall be planted with accent trees or large shrubbery to break the monotony. The minimum height of the hedge shall be 3' and maintained at or above this height. The beds shall be layered with different plant material to provide a variety of heights and sizes.

2. **Perimeter Planting**: There shall be a minimum of 4 perimeter landscaped beds, two (2) in the front yard and two (2) in the rear yard. These beds shall contain shrubs, ground cover and trees and should be located to break the views of the driveway pavement from the street or be used as accents under existing or proposed trees.

3. **Landscape Edging/ Borders**: the edging material that is located in the right-of-way shall be no more than 3" in height as measured from the surface of the sidewalk/ driveway. The color and material should be consistent with the driveway.

F. **Natural Areas**: Natural areas shall be cleaned, pruned and mulched. Areas which do not contain good quality under-story plants shall be planted with shrubs and ground cover in order to achieve 50% coverage. If native plants are not used then the area will need to be irrigated. Large mulched areas without plants are unacceptable. The perimeter of all natural areas must be mulched with pine straw/pine chips and maintained weed free, at a distance no less than 10 feet.

G. **Irrigation**: An irrigation plan shall be submitted as part of the landscape package. The irrigation design must be prepared, signed and sealed by a Florida Registered Landscape Architect, Irrigation Designer, or designer approved by the ARB. The irrigation system shall be designed to provide 100% coverage (except for the natural areas) for all planted areas, beds, etc. and should meet the following criteria:

1. No mixing of rotor and spray heads in zones. 100% automatic system with only pop up heads in lawn areas.
2. No motor heads installed adjacent to structures.

3. City of Jacksonville approved double check backflow preventers are to be installed and totally screened from view by large shrubs. The location of the preventer shall be indicated on the landscape plan.
4. Systems shall have a shut-off valve close to the house at point of connection for emergency shut-down. The emergency shut-off valve should be noted on the landscape plan.
5. The irrigation design shall incorporate water efficient techniques where applicable.

H. **Pools and Screen Enclosure Landscaping:** All pools shall be landscaped to soften the pool and enclosure's view from adjacent lots, lagoon and the golf course. Vertical heights are equally important and should be landscaped with trees and large plants at a height at least half of the height of the enclosure. There shall be at a minimum a 3-foot high foundation planting around the perimeter of the enclosure and shall be maintained at or above that height.

I. **Transformers:** All transformers shall be screened from view with minimum of 3-foot high shrubs and per Jacksonville Electric Authority (JEA) specifications.

J. **Fountains/ Landscape Features:** All plans for fountains must be submitted to the ARB for review and approval. Freestanding fountains must be incorporated into the landscape plan. (Note - The ARB maintains the right to turn down any ostentatious feature, which it deems offensive). Features and fountains that have been approved by the ARB concerning but not limited to color, style, height and material are considered part of the original landscape plan. Requests to change the appearance must be submitted again for approval.

K. **Sod:** St. Augustine is recommended. All waterfront lots must be sodded to the water's edge. Homes adjacent to the golf course shall be sodded to the cart path or the sidewalk's edge. Sod must be installed in the right-of-way to the back of the curb.

L. **Mulch:** Natural mulching material is accepted such as pine bark or wood chips and leaves in native natural areas. Rubber mulch/stone is acceptable as long as the color is a natural earth tone; white, black and gray are acceptable as long as the mulch blends with the outside color of the home. Colors that will not be accepted are blue, teal, red, coral, etc. Mulch must be replaced when the product has eroded away and/or faded in color.

M. **Recommended Plant Material ***

<u>1. Evergreen Shade Trees:</u>			
<u>Botanical Name</u>	<u>Common Name</u>	<u>Native</u>	<u>Drought Tolerant</u>
Ilex Vomitoria	Yaupon	Yes	High
Quercus Virginiana	Live Oak	Yes	High
Ilex Opaca	American Holly	Yes	Medium
Sabal Palmetto	Cabbage Palm	Yes	High
Pinus Elliotti	Splash Pine	Yes	High
Washingtonia Robusta	Washington Palm	No	High
Butis Capitata	Pindo Palm	No	High
Phoenix Canariensis	Canary Island Palm	No	Medium
Chamaerops Humilis	European Fan Palm	No	High
Magnolia Grandifolia	Southern Magnolia	Yes	Medium
<u>2. Decidious Shade Trees:</u>			
Acer Rubrum	Red Maple	Yes	Medium
Quercus Nigra	Water Oak	No	Low
Betula Nigra	River Birch	Yes	Low
Taxodium Distichum	Bald Cypress	Yes	High
Platanus Occidentalis	Sycamore	Yes	Medium
<u>3. Ornamental Trees:</u>			
Ligustrum Japonicum	Patio Ligustrum	No	High
Myrica Cerifera	Wax Myrtle	Yes	Medium
Ilex x 'Nellie R. Stevens'	Nellie Stevens Holly	No	Medium
Cornus Florida	Dogwood	yes	low
Cercis Canadensis	Eastern Redbud	yes	low
Lagerstroemia Indica	Crepe Myrtle	No	High
<u>2. Shrubs:</u>			
<u>Botanical Name</u>	<u>Common Name</u>	<u>Native</u>	<u>Drought Tolerant</u>
Abelia Grandiflora	Abelia	No	Medium
Cycas Revolta	Sago Palm	No	Medium
Hydrangea Quercifolia	Oak-Leaf Hydrangea	Yes	Medium
Pittosporum Tobira	Pittosporum	No	Low
Pittosporum Tobira (Var)	Var Pittosporum-Variegated	No	Low

Ligustrum lucidum	Glossy Privet	No	Medium
Illicium Anisatum	Anise	Yes	Medium
Cleyera Japonica	Cleyera	No	Low
Fatsia Japonica	Fatsia	No	Medium
Nandina Domestica	Nandina	No	Medium
Raphiolepis Indica	Indian Hawthorne (use with caution)	No	High
Rhododendron Indica	Azalea	Yes	Low
Ilex Vomitoria Nana	Dwarf Yaupon	Yes	High
Zamia Floridana	Coontie	Yes	High
Sabal Palmetto	Palmetto	Yes	High
Virburnum Suspensum	Viburnum	No	Low
Nandina Domestica Nana	Dwarf Nandina	No	Medium
Ilex Cornuta Burfordii	Burford Holly or equivalent	No	Medium
Ilex Cornuta Rotunda Nana	Roundleafed Holly (Dwarf)	No	Low
Ilex Cornuta Burfordii Nana	Dwarf Burford Holly	No	Medium

3. Ground Cover

<u>Botanical Name</u>	<u>Common Name</u>	<u>Native</u>	<u>Drought Tolerant</u>
Aspidistra Elatior	Cast-Iron Plant	No	Medium
Hedera Helix	Ivy English	No	Medium
Hedera Canariensis	Algerian Ivy	No	Medium
Juniperus Conferta	Blue Pacific Juniper	No	High
Juniperus Parsoni	Parson's Juniper	No	High
Hemerocallis Spp	Day Lily	No	Medium
Nephrolepis Exalta	Sword Fern	Yes	Medium
Cyrtomium Falcatum	Holly Leaf Fern	No	Medium
Liriope Muscari	Liriope & Evergreen Giant	No	Medium
Agapanthus Africanus	Agapanthus	No	Medium
Ophiopogon Japonicus	Monkey Grass	No	Medium
Vinca Minor	Vinca	No	High
Trachelospernum Asiaticum	Little Leaf Jasmine	No	Low
Gelsemium Sempervirens	Yellow Jasmine	Yes	Low
Zamia Integrifolia	Coontie	Yes	Medium
Trachelospernum Jasminoides	Confederate Jasmine	No	Medium
Fatshedera Lizei	Fatshedera	No	Low

***Note:** The ARB reserves the right to add to or remove from the above lists as deemed appropriate. The removal could be because of diseases, climate and/or over use. The local extension office will be the ARB's resource for information and guidance.

Tree Removal: All existing canopy trees shall be shown on the renovation site and landscape plans for review and approval before commencing site construction.

Replacement Canopy: Minimum replacement canopy trees shall be 75% evergreen and 25% deciduous shade type trees or ornamental date type palms. Minimum specifications for all canopy or palm trees shall be 15 to 18 feet in height with 10 to 16 foot spread, Florida grade #1.

(Note: The ARB in its sole judgment maintains the right to deny any tree removal request for any canopy trees it deems irreplaceable.)

N. Plan Presentation Requirements:

1. **Plan Sheet Size:** 24 -inches high by 36- inches wide.
2. **Scale of Drawings:** The scale of all landscape plans shall be 1- inch equals 10 feet or 1- inch equals 8 feet.
3. **North Arrow:** Indicate and align with survey or latest survey information.
4. **Plant List Key:** The landscape plan/design/drawing shall bear a plant list and key showing the abbreviation or number key used by the plan, the botanical and common names of all plants, sized by height and spread, the caliper of trees at 36- inches above grade or container size, and a comments column, which includes plant spacing. The quantity of each listed shrub, ground cover and tree shall be indicated in a column preceding the key.
5. **Existing Trees:** All existing trees 6- inches or greater in diameter shall be shown by a separate symbol according to variety and size. Approximate canopy size shall be shown on the plan. Natural areas shall be illustrated using a freehand outline of the clustered trees. Existing trees to be removed shall be marked with an **X** including those within the house footprint area.
6. **Lettering of Plan Sheets:** Lettering on all plans shall be neat, legible, block or type style. Blueprints shall be clear and distinct.
7. **Title Block:** Each sheet shall have a title block. The title block shall include the unit and lot numbers, the property owner and landscape designer's name and the date of the design. Revisions should be noted. Plans submitted to the ARB should be signed, dated and sealed by the responsible parties.

8. **Minimum Required Specifications and Notes:** A specification sheet including planting details for shrubs and trees shall be included as part of the submission. This should include performance specifications for the irrigation system. Explanatory notes shall be used to further describe graphic representations. For example, if the plan shows landscape timbers, a notation shall indicate the size and installation of the material.

9. **Graphic Illustrations:**

- a. Shall be used to depict any construction details such as walls, planters, etc. Details showing how landscaped elements are designed, including size, dimensions, colors, materials, etc., shall be drawn on the plan. Approval for these elements is contingent upon the inclusion of these construction details on the plan. This requirement is for aesthetic review only.
- b. All pertinent existing or proposed site features shall be clearly drawn including property lines, easements, swales, sidewalks, driveways, decks, tree wells, service areas, walls, streets, pools, pool enclosures and equipment, HVAC units, transformers, pavement edges, street's name, marsh, golf course, waters' edge, rights-of-ways, governmental jurisdiction boundaries, and/or top of bank, etc.
- c. All first floor fenestration, i.e., windows, doors, etc. shall be shown.
- d. All landscaped bed outlines, individual plants and groundmasses shall be shown. Each plant or plant mass shall be labeled with its name (or key) and quantity.

10. **Drainage:** Plans shall indicate the drainage pattern to be established on the lot. The owner/contractor is responsible for establishing and maintaining positive drainage and following the approved drainage plan for Queen's Harbour. The ARB requirement to save trees shall not preclude providing positive drainage. Tree wells can be built to preserve trees.

O. **Maintenance:** Any plant material, which dies or becomes unsightly after installation shall be replaced by the property owner.

P. **Plan Changes:** The landscaping shall be installed in accordance with the approved plan(s). Minor design adjustments may be made, to fit site conditions; however, major changes must be resubmitted to and approved by the ARB.

Q. **Landscape Specifications:**

1. The name of the proposed landscape contractor is to be provided.

2. The contractor is responsible for verifying site conditions and assuring that the quantities of plant material indicated on the plans are installed.
3. All plant materials shall conform to the standards for Florida Number 1 or Florida Fancy as specified in the “Grades and Standards for Nursery Plants,” Parts 1 & 11, State of Florida, Department of Agriculture.
4. All proposed plant beds shall receive a minimum of 3- inches of mulch.
5. All landscape and lawn areas shall have a positive drainage away from the home and plant bed areas.
6. All plants shall be either container grown or “balled and burlapped.”
7. Shrubs 3- gallon (minimum size for shrubs,) in size should be planted a maximum of 30 to 36 inches on center. Shrubs 7- gallon in size should be planted a maximum of 36 to 48 inches on center. Ground cover 1- gallon in size should be planted a maximum of 12 to 24 inches on center. Distances on center and size of plant material are the responsibility of the designer. There are no specific or rigid guidelines other than those stated in this document; however, the treatment of the landscape should be a logical and interesting extension of the architectural expression of the home. The goal is to achieve a near mature look for the new landscape.
8. The use of plant material in Queen’s Harbour must be for USDA Zone 8. Plant material for Zone 9 will not be approved. The property owner is also encouraged to use plant material natural to our area.

R. **Planting Bed Area:** General guide determining square footage of area by quantity of plants at a given spacing.

<i>Spacing & Comments</i>	<i>Square Footage Credit</i>
<i>5' O.C. 7g – 15g Woody Shrubs</i>	<i>29.45 SF</i>
<i>4' O.C. 5g – 7g Woody Shrubs</i>	<i>19.25 SF</i>
<i>3' O.C. 3g – 5g Woody Shrubs</i>	<i>11.75 SF</i>
<i>30" O.C. 3g Dwarfs Shrubs or spreading groundcover</i>	<i>8.45 SF</i>
<i>2' O.C. 1g – 2g spreading groundcover</i>	<i>5.85 SF</i>
<i>18" O.C. 1g groundcover</i>	<i>3.60 SF</i>
<i>12" O.C. 1g seasonal or Dwarf Groundcover</i>	<i>2.15 SF</i>
<i>Ornamental Trees installed within bed area</i>	<i>18.75 SF</i>
<i>Canopy Trees installed within bed area</i>	<i>25.5 SF</i>

V. DOCKS

A. APPLICATIONS FOR NEW OR MODIFIED PRIVATE DOCKS:

A complete dock application showing location and materials must be submitted and approved by the Harbourmaster, Harbour Chair and Architectural Review Board (ARB) before construction of a new dock and/or addition or modification to an existing dock. Joint docks with adjacent property owners may be allowed. Electrical dock boxes must be of the style and type approved by Queen's Harbour and consistent throughout the Lagoon System. The installation of dolphins or additional mooring pilings must also be consistent with the standards established for Queen's Harbour and require the approval of the Harbourmaster, Harbour Chair, and ARB. In accordance with permits, only non-toxic sheeting or piles may be used in the construction of individual docks or other structures within the waters of the Lagoon System. Docks and moored vessels must not impede or block access to neighboring Lagoon lots. In general:

1. Private docks pilings and vessels shall be no closer than a 10 foot set back from the property lines of the lot containing the dock as they are extended into the Lagoon unless a variance is granted per Section III-A-7 of the ARB Guidelines.
2. There may be specific properties where the extension of the property line into the water may significantly restrict the dock configuration or vessel size due to irregular lot shapes (i.e., non-parallel lines). In such situations, where a request for a setback variance has been submitted to the ARB by the property owner, the Harbourmaster and Harbour Chair shall review the circumstances and make a recommendation to the BOD regarding dock size and placement. The recommendation shall consider rules, regulations, covenants, safe navigation and impact on neighboring properties. However, no dock structure, dock extension or piling shall extend over the property line. A variance to the requirement that the vessel shall not extend over the property line as extended shall not be granted except under extremely unusual circumstances and requires the same process of review and recommendations to the BOD prior to granting the waiver as specified above for the evaluation of a waiver of setback requirements.
3. In narrow areas of the Lagoon, as determined by the Harbourmaster, Harbour Chair and the ARB Chair, the location of the outside edge of the dock shall be determined on a "case by case" basis.
4. Due to the size and configuration of some lots the Harbourmaster, Harbour Chair and ARB have the authority to limit docks to vessels of a maximum length and/or maximum beam.

5. Reconfiguration of any existing dock structure will require that said dock structure is in compliance with current ARB and/or Harbour rules and regulations governing dock structures and vessels moored thereto, nullifying any waivers of these rules/requirements in effect at the time the dock size and location were originally approved.
 - a. Reconfiguration is defined as any change in a dock configuration that increases the capacity of the dock (to include dock extension, widening or installation of a dock piling) such that it results in the ability to 1) accommodate a vessel longer than allowable under current rules, 2) enable the dockage of additional vessels beyond that which is allowable under current rules. Repair or replacement of an existing dock in the same location does not void previous variances.
 - b. The new property line boundaries of a reconfigured lot shall not be used to determine setback distance unless a supplemental declaration is recorded in the public records of Duval County and is joined by the Owners Association, as per Amendment IV, Section 6.21, 6.2 of Article 6 of the Queen's Harbour Yacht & Country Club Declaration of Covenants, Conditions Restrictions and Easements (CCREs).

B. SPECIFIC CRITERIA FOR THE INSTALLATION OF PRIVATE RESIDENTIAL DOCKS

1. Lagoon Docks:

- a. All docks constructed shall be subject to approval by the Harobourmaster, Harbour Chair and ARB and shall utilize standard materials, colors and design approved by the ARB. The number and size of vessels permitted at any private dock will be determined by the size and configuration of that specific dock.
- b. All docks shall be constructed and maintained in strict compliance with the Federal and State permits. These permits "require the use of non-toxic sheeting or piles used in construction of structures within the Lagoon." Boatlifts are not permitted within the Lagoon at Queen's Harbour except for "small watercraft" as specified below. Docks and vessels moored at private docks must conform to the set back and length requirements stipulated in the Harbour Rules and Regulations as follows:

1) **Set Back** - Docks, pilings and vessels may not be closer than a 10 foot setback from the property line of the lot containing the dock as extended into the Lagoon unless a variance is granted per Section III- A-7 of the ARB Guidelines.

2) **Dock Length** - The dock length includes the dock and any pilings installed as an extension of the dock.

- 3) **Length of Dock into the Lagoon** - The overall length of a dock into the Lagoon shall be limited by the navigable water channel in the Lagoon. The maximum allowable length shall be determined based on a maximum dimension from the mean water line and a minimum dimension from the center line of the navigable water channel. The mean water line is the point at which the water intersects the bank at a mean Lagoon water level elevation of 5 feet as measured by the Lagoon elevation scale located on the piling at the sanitary pumping station dock adjacent to the lock.
- a) Docks parallel to the Shore Line – The dimension from the mean water line to the outside edge of the dock shall not exceed 25 ft.; however a dimension of 20 ft. is preferable. The dimension from the center line of the navigable water channel to the outside edge of the dock shall be no closer than 40 ft. In narrow areas of the Lagoon as determined by the Harbourmaster, Harbour Chair and ARB the outside edge of the dock shall be no closer than 20 ft. from the center of the channel.
 - b) Docks perpendicular to the Shore Line – The dimension from the mean water line to the outside edge of the dock shall not exceed 45 ft. Perpendicular docks shall only be permitted in wide areas of the Lagoon as determined by the Harbourmaster; Harbour Chair and ARB; the dimension from the center line of the navigable water channel to the outside edge of the dock shall be no closer than 40 ft.
- 4) **Lot Survey/Navigable Water Channel** - The center line of the navigable water channel and the mean water line shall be shown on the lot survey that must be submitted with the dock request.
- 5) **Vessel Docking** - The vessel length must be equal to or less than the Dock Length or Length of Dock into the Lagoon, and may not interfere with navigation. However, nominal extensions beyond the Dock Length or Length of Dock into the Lagoon may be approved by the Harbourmaster, Harbour Chair, and ARB Chair where all other dock configuration and set back requirements specified in these ARB Guidelines are met and the vessel can be safely secured.
- 6) **Dock Features** - Any dock features (i.e., lamp posts, storage (dock) boxes, electrical pedestals, furniture, fixtures, equipment, etc.) that is permanently fastened to the dock must be approved by the ARB prior to installation. In addition, electrical boxes and dock boxes must be approved by the Harbourmaster.
- 7) **Pilings** - Dolphins/ pilings (structures used for additional boat tie up) must be approved by the Harbourmaster, Harbour Chair and ARB. Wood caps on pilings are required. These wood caps can extend downward no

further than 7.0 feet mean sea level (MSL) on stand-alone pilings and the bottom of the fender board on pilings integrated into docks.

- 8) **Lifts** - Small vessel lifts including floating lifts are designated for vessels 12 feet or less in length and must conform to the Harbour Committee approved design. These lifts may only be installed behind a dock and never on the front or ends of the dock.

C. PRIVATE DOCK USAGE AND SECOND VESSELS

- 1) These Rules and Regulations apply to all watercraft including, but not limited to the following: Normal watercraft longer than 12 feet in length and “Small Watercraft” defined as Personal Water Craft (PWC), dinghies, wave-runners, paddle boats, canoes, kayaks, rowing skiffs and inflatables that are 12 feet or less in length. The definition for “**boat length**” is the measurement from the foremost part of the boat to the aftermost part. Permanent storage of small watercraft on top of docks or on the bank is prohibited.

- 2) The number and size of vessels permitted at any private dock will be determined by the Harbourmaster following review of the size and configuration of that specific dock. As a general rule, a vessel shall fit the configuration of the dock plus any pilings placed as an extension to the dock. The criteria in **APPLICATION FOR NEW OR MODIFIED PRIVATE DOCKS** (above) also determines whether adequate dockage is available.

- 3) Approved lifts, including floating lifts, may be used to store Small Watercraft out of sight, behind a dock, on the entrance ramp to a dock and out of the water. Lifts must be approved by the Harbourmaster, Harbour Chair and ARB. Small Watercraft cannot be stored on lifts on the face or side of a dock. No more than two PWC’s are permitted at a private dock and may not exceed 12 feet in length. Canoes, kayaks and other small vessels may be stored on a rack located behind the dock. On T or L shaped docks, the rack may be located on the entrance ramp or the back side of the dock. In either case, the small vessel may not extend beyond the end of the dock. On perpendicular docks, the rack may be attached to the dock near the shoreline if there is enough space remaining on the dock to accommodate any other vessel being moored there. The rack should be constructed so the top of the vessel is no higher than 8 inches above the dock. No more than two (2) such vessels are permitted at a private dock. The vessel(s) must be properly secured to prevent them from being blown off the rack. An approved design is available at the POA office. If you apply to the ARB for this installation, there will be no fee.

- 4) Second vessels, including PWC’s, must fit the configuration of the dock where the vessel(s) will be moored. Where a PWC is desired as the second vessel, it must meet the requirements stated above. Some docks cannot accommodate a second vessel. Where a second vessel is desired (not a PWC), the second vessel must safely tie to the dock and must be

unobtrusive to the surrounding docks adjacent to and across from the subject dock. Given adherence to the above guidelines, second vessels may be moored behind a dock (T & L shaped docks), alongside a dock (provided the vessel does not extend into the Lagoon any more than if the vessel were moored on the face of the dock) and on the face of the dock. In all instances, a second vessel must conform to the set back restrictions of staying 10 feet from an adjacent Lagoon Lot owner's property line. Second vessel greater than 12 feet in length require the approval of the Harbourmaster and the Harbour Chair, subject to the above guidelines. Requests for approval must be accompanied by a dock plan showing the layout of the dock and where the proposed vessels are to be moored.

5) No boathouses or dock buildings of any kind are permitted on private docks.

6) Mooring whips of a neutral color (white or grey) may be approved. An application with details of the product must be submitted to the Harbourmaster, who will forward it to the ARB with his recommendation to approve or disapprove the application.

7) The dockage of vessels for storage or passive recreation is permitted. This shall be construed to include normal and minor repairs and maintenance, which have, in the opinion of the Harbourmaster, no negative aesthetic impact on neighboring property owners or passing vessels. No rafting is permitted at a private dock.

VI. SUBMISSION OF PLANS

A. House Construction:

The Final Plans (complete package) shall be submitted in triplicate (3 sets) and include a Deposit, a Processing Fee, and a Construction Impact Fee as detailed in Appendix B.

B. **Plan Submission:** To enable ARB review, all five elements of the plans (Application, Elevation/Floor Plan, Site Plan, Exterior and Roof Colors and Materials, Landscaping Plan) must be submitted on the form and with the content described above **AS A COMPLETE PACKAGE**. All plans must be in the hands of the ARB Coordinator no later than 12:00 noon on the Friday proceeding the 2nd and 4th Wednesday of each month, for consideration prior to the next scheduled ARB meeting. There will be no exceptions to this requirement.

C. **Plan Approval and Construction Start:** Owners and builders will be advised of review results within one week from the date of the ARB meeting considering the application following a timely and complete submission. In order to begin construction, the owner/contractor must receive the following from the ARB: (1) one complete set of plans stamped "approved" by Queen's Harbour ARB, (2) an approval letter from the Queen's Harbour ARB, and (3) a signed Queen's Harbour Building Permit (orange). The permit is good for 18 Months; if construction does not begin within 18 months, a new application must be filed. A new processing fee will be required; the initial deposit and impact fee may be applied to the new application.

No clearing of any lot shall commence, no foundation for a building shall be dug or poured, nor shall construction commence in any manner or respect, until the orange Queen's Harbour Building Permit has been issued and posted on the lot. **Failure to post the permit on the lot will result in a fine.**

D. **Exterior Changes to Complete/Approved Plans:** Exterior changes to complete and/or approved plans must be submitted to the ARB for approval prior to making those changes. **This includes color changes.**

E. **The Application:** – See Forms. The application shall include the following:

1. **Elevation/Floor Plan:** - Dimensioned to scale 1/4 " = 1'0" showing:

a. Exterior elevations to scale, detailing all exterior material and roof pitches.(Roof, walls, columns, railing, shutters, trim, frieze boards, gutters, etc.).

1) Paned or clear windows, consistent on all three (3) sides (rear optional on the marsh only).

2) The roof pitch of a 7/12 minimum. However, other pitches consistent with specific architectural styles will be considered.

3) The window/door trim consistent on all four (4) sides (rear optional on the marsh only).

4) Exterior architectural detail consistent on all four (4) sides.

5) Service area/ wall for HVAC, pool equipment, portable LP tanks, and/or trash containers shall be constructed with materials consistent to the home's architecture and color (no wood walls allowed).

b. Exterior wall heights.

c. Aerial roof plan to scale.

d. Exterior wall sections showing all exterior materials.

e. Electrical plan (optional).

f. Foundation plan (optional).

2. **Site Plan:** Site plan scale should be 1/8" = 1'0" or 1" = 10'0" and depict the house foot print showing:

a. Building restriction lines (BRL).

b. Access street(s) and walkway(s), drives and other exterior improvements.

c. Grading/drainage plan including existing and proposed topography.

d. Drainage direction indicated with arrows.

e. Swales and silt barrier locations.

f. Culvert(s) location, size and flow direction.

g. Exterior lighting plan such as flood lamps, landscape lighting or driveway lights.

h. Service wall/yards.

i. Location, diameter and species of trees as indicated on a tree survey.

Indicate trees proposed to be removed with an **X**.

j. Location and identification of special features (e.g., drainage ditch, nearby lagoon, easements, adjacent structures, golf course fairways, etc.) Adjacent structures including existing residences should be depicted in relationship to property lines.

- k. Detailed description/specifications and locations for non-house structures (e.g., gazebos, play sets, swing sets, etc.)
- l. Driveway banding indicating brick pavers, stamped crete, textured patterns or similar.
- m. Sidewalks where required by COJ approved sidewalk plan.
- n. Driveways which must be placed at least three (3) feet from adjacent property lines.
- o. The finished floor elevation of the house and four (or more) lot corner spot elevations and the finished floor elevation of the garage.
- p. Swimming pool.
- q. Screen enclosures shown within BRL.
- r. Details on fences and their location. No wood fences permitted.
- s. JEA transformer boxes and cable box locations.
- t. Tree wells.

F. **Exterior Colors and Materials:** Colors and samples, including manufacturer name and color number. Paint color samples for stucco, wood or concrete body of the house are to be painted on a sample of the material having a minimum size of 8" by 8". Trim paint color samples on a chart are acceptable. Samples of brick are to be submitted. A roof material sample is also to be submitted.

G. **Additions/ Modifications:** Any proposed addition to any existing home is required to meet all of the submission and approval criteria contained in these guidelines that pertain to new construction. The addition/modification should have the same architectural style and exterior materials as the original structure.

H. **House Construction - Preliminary Concept:** If your home concept has any unique/unusual characteristics not common to Queen's Harbour, then a preliminary conceptual plan may be submitted for review by the ARB and comment prior to a final submittal. This concept should include:

1. Floor plan with square footage (drawn to scale).
2. Elevations.
3. Wall section.
4. Site plan showing boundaries, setbacks and survey lines as well as drives, walkways, service walls, finished floor elevation and direction of drainage.

5. Tree survey showing trees to remain/remove shown on the site plan.

6. A preliminary landscape plan is optional.

An approval of a preliminary concept means that the general idea has been accepted; however, the overall completed design will be reviewed at a later date and may be subject to minor changes.

VII. General Construction Regulations

This refers to all construction, additions and improvements designed and contracted by or for property owners.

A.

Hours:

Normal construction hours are 7:30 a.m. to 6:00 p.m. EST, Monday

through Friday. Weekend hours are 8:00 a.m. to 5:00 p.m. on Saturday. No work is allowed on Sunday or on the following holidays: New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. Exceptions must be approved, in writing, by the ARB.

B. **Port-O-Lets:**

Port-o-lets must be placed on the lot, twenty (20) feet back from the curb with the access door facing away from the street. No Port-O-Lets may be placed at or on the road.

C. **Site Maintenance:**

1. Lots with a house or other improvements under construction must be maintained on a daily basis for wind dispersible debris. All construction debris should be removed from the lot on Friday by 3:00 p.m. If the owner/builder does not maintain the lot free from debris a fine may be charged. All owner/builders are responsible for maintaining the streets in front of the lot being constructed.

2. No cords or hoses may be placed across roads. Each lot must maintain its own secondary underground electric service. Use of other property owner's utilities is not permitted unless approved in writing by said property owner.

3. Trailers must not be left on the lot or right-of-way overnight. Arrangements must be made for all trailers to be removed from the property daily.

4. All construction activity must be performed within the boundaries of the lot being constructed. Neighboring lots must not be used for construction access, storage of building materials, debris storage and parking, etc.

Equipment, Trailers or Vehicles left on any lots or construction sites overnight will be subject to fines and may be towed without notice.

5. No non-construction related loud noise or pets shall be allowed upon the property. No activity shall be permitted on any part of the property, which shall be illegal, noxious or offensive or which is a nuisance or a source of embarrassment, discomfort or annoyance to other residents.

6. All Builders who have requested final inspections on various properties must remove all temporary power poles on the site prior to issuance of final deposit checks.

D. **Compliance:**

1). ARB approval applies only to site, landscape and architectural plans. Builders/owners are responsible to obtain whatever easements, permits, licenses and other approvals, which may be necessary to improve the property in accordance with the approved plans. Approval of the plans does not constitute a warranty or representation by the ARB, any developer or landowner that the proposed improvements will be consistent with the development plans of any other landowner.

2). Compliance with all approved architectural and landscaping plans is the responsibility of the Lot Owner. Any change to the approved plans (either building or landscaping) without prior ARB approval subjects such changes to disapproval and enforced compliance with the approved plans.

3). Compliance with all applicable building codes, including requirements for the final (as built) elevation if this house's finished floor, is the responsibility of the Builder/Owner and not that of the ARB.

- E. **Lot Setbacks:** The owner/builder is responsible for location of all construction pursuant to all laws, codes and permits.
- F. **Drainage:** The Owner/Builder is responsible for positive drainage per the approved plans. The Florida Department of Environmental Protection, The City of Jacksonville, the U.S. Army Corps of Engineers and the St. John's River Water Management District have special front and rear drainage requirements. Temporary swales and other sediment control must be installed to reduce run off during construction. No water drainage is to be diverted to adjoining lots.
- G. **Silt Screens:** Silt screen barrier assembly is required to be installed immediately following clearing and prior to construction: (1) for lots with frontage greater than 80 feet - along both sides and across the rear property lines, (2) for lots with frontage of 80 feet or less - across the rear property line.
- H. **Lighting:** All accent lighting for walkways, driveways, flowerbeds, etc. must receive prior ARB approval. No accent lighting shall be placed in the right-of-way. Lighting placed in the trees is not permitted.
- I. **Dock construction:** Dock construction requires an application, permit and water fluctuation agreement. (see Forms, Lagoon Water Fluctuation Agreement). Contractors working at the lagoon edge (docks, retaining walls, and "tri-lock") shall deploy floating turbidity barriers to preclude lagoon pollution.
- J. **Community Access:** The Owner/Builder is responsible for arranging passes with Queen's Harbour Controlled Access for the subcontractors/other personnel.
- K. **Dumpsters:** All building sites must have a dumpster for debris on the site 24 hours after the slab has been poured, prior to framing. All dumpsters must be emptied when container reaches full capacity. **Prior to gaining entry to the community, dumpsters must be registered with the POA office.** This includes dumpsters used on projects which may not require ARB approval. Failure to do so before beginning the project will result in refusal of entry. Dumpsters are to be delivered 24 hours before work begins and removed within 5 days of completion. Dumpsters may not be left on the street and are to be emptied when the container reaches full capacity. Refer to Paragraph P- Hurricane Procedures.
- L. **Spillage:** Any spillage of concrete, debris or dirt onto the paved street shall be removed from the surface during the same day. The Owner/Builder is responsible for

street cleaning due to land clearing trucks, dump trucks, construction vehicles, etc. Street cleaning should be performed on a daily basis.

- M. **Land Clearing:** The ARB Coordinator is to be notified prior to any land clearing of any lot. Once notified, the ARB Coordinator will make immediate arrangements to perform a field inspection prior to land clearing to verify that all trees to remain on the lot are properly tagged. The trees to be removed are to be tagged with red tape. The Coordinator will issue the required permit following the inspection. Immediately following land clearing, the ARB Coordinator will again perform a field inspection to verify that the proper trees are remaining and no additional trees were removed. Trees found to be removed without approval are subject to fines and or mitigation.

The orange Queen's Harbour permit must be posted prior to any land clearing and during construction. Failure to do so may result in a fine.

- N. **Construction on Queens Harbor Boulevard:** Because irrigation pipes are installed in the 10-foot grass roadside in front of all lots fronting on Queens Harbor Boulevard, builders must contact the POA office prior to pouring driveways or sidewalks.
- O. **Tree Barricades:** For all trees to be saved, tree barricades shall be built and maintained during construction at a height of at least 3 feet as follows:

- a. Trees of trunk diameter of 20-inches or less - 10 feet from the trunk.
- b. Trees of trunk diameter of more than 20 –inches- 20 feet from the trunk.

Any exceptions must be approved by the ARB Coordinator.

- P. **Hurricane Procedures:** If the weather report indicates the projected path (entire cone) of the hurricane will target our area, the following will be done no later than two (2) days prior to impact. No deliveries of building materials of any type will be allowed on the property. All loose objects are potential projectiles and must be secured. Secured means to have no shingles or tiles on the roof waiting to be installed, all debris on the lot cleared, all port-o-lets, all wood and other materials need to be either hauled off the property or placed in a finished garage with the door closed.

Dumpsters must be emptied or securely covered. The only trucks allowed on the property during this period will be those needed to haul away garbage and materials that cannot be stored inside a secured garage on your property (or properties). There will be no exceptions to this rule.

- Q. **Debris:** Dumping debris of any nature, washing out concrete trucks, etc. on any undeveloped lots or other property owned by Queen's Harbour will not be tolerated. Anyone observed or reported doing any such activity will be fined. This applies to all residents, contractors, subcontractors, lawn maintenance companies and tree trimming companies. **There will be no exceptions or warnings.**

- R. **Completion:** All construction projects must be completed within eighteen (18) months from the date on the approval letter and/or the date stamped on the approved plans unless otherwise stated by the ARB. When final inspection is called for, an “as built” survey must be provided to the ARB Coordinator.

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