

# Marsh Harbor

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## ARCHITECTURAL DESIGN STANDARDS

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For New Construction on Lots 1-16 off South Harbor Lights Dr.,  
Lots 50 & 51 off Tidal Vista Way and New Island Lot 68

**OFFICIAL RELEASE – VERSION 2 – 7/17/2025**



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# **1. Overview**

## **A. Introduction**

Marsh Harbor is thoughtfully designed to blend with its natural surroundings, offering an exceptional community experience for its residents. The Developer, Marsh Harbor Homeowners Association, Inc., and the Architectural Review Board (ARB) are dedicated to maintaining Marsh Harbor as one of the premier residential communities in the Southeast. The Architectural Design Standards ("Design Standards") build upon and exemplify the Marsh Harbor Declaration of Covenants, Conditions, Restrictions, and Easements, serving as a guide for property owners, designers, and contractors in planning and designing their homes.

1. This document describes the policies and procedures of the ARB, and specifies design standards, submission requirements and the design review process. The following guidelines establish and reinforce an overall concept for development. They are intended to aid in the development of detailed working drawings and the construction of homes. These criteria are subject to review and modification from time to time by the Developer and the ARB.
2. The ARB recommends the applicant review these criteria prior to beginning design schematics, submitting plans for preliminary review or beginning preliminary working drawings.
3. Construction cannot commence until the plans are reviewed, approved and stamped by the ARB.
4. No Improvements shall be commenced, erected, placed or maintained upon any lot unless and until the same shall have been submitted to and approved in writing by the ARB. No construction, modification, alteration or improvement, including but not limited to pools, room additions, new landscaping or any changes to the approved plans or removal of trees, shall be undertaken on any lot unless and until a plan of such construction, modification, alteration or improvement has been reviewed and approved in writing by the ARB.

## **B. ARB**

The Declaration of Covenants and Restrictions for Marsh Harbor requires that any improvement on a Lot within the community must first receive approval from the Developer or their designee. To uphold this standard, the Developer has established the Architectural Review Board (ARB), tasked with managing the review, evaluation, and approval process for proposed homes and other improvements within the community.

The ARB is dedicated to promoting the highest standards of design, materials, and aesthetic quality and has developed this manual, along with its "Design Criteria," to assist Owners, Builders, and Designers in meeting these goals.

The ARB evaluates each submitted plan based on its overall impact, considering elements of judgment and taste that extend beyond measurable criteria. As a result, a plan may meet the

individual guidelines outlined in this manual but still fail to receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is deemed unsuitable for the community.

Additionally, approval of a specific home design by the ARB does not obligate the Board to approve similar designs in other locations within the community.

## C. Function

The primary function of the ARB is to review plan applications, plans, materials and specifications to ensure adherence to these guidelines and the Declaration. However, the Developer and the ARB do not assume any responsibility for the following:

1. The structural adequacy, capacity or safety of the proposed improvement or structure.
2. Soil erosion, non-compactable or unstable soil conditions.
3. Compliance with any or all governmental building codes, zoning codes, safety requirements or ordinances.
4. Performance or quality of work of any contractor.
5. Site conditions before, during or after construction including elevations thereon.
6. Disturbance to or removal of existing trees.
7. Drainage is not approved by the ARB

## D. Architect Qualifications Process

The Developer expressly reserves the right to verify the qualifications of all architects hired to design architecture or landscaping on any homesite in Marsh Harbor prior to final plan approval of any proposed improvements.

Architects who wish to be approved by the Developer to build in Marsh Harbor must submit a qualification package to the Developer prior to submitting plans for review. Please email the Architect Qualification Package to [Aaron@parcgroup.net](mailto:Aaron@parcgroup.net) for review. To be considered qualified, architects must meet the following qualifications and submit a qualification package that includes:

1. All architects must have at least five years' experience designing luxury, custom homes of similar size and quality in the United States.
2. Architects/Designers Submit both A and B
  - a. Registration with American Institute of Architects (AIA) or by a Certified Professional Building Designer (CPBD) with the American Institute of Building Designers (AIBD).
  - b. Portfolio that displays experience designing luxury custom architecture to be considered qualified.
    - i. Portfolio must consist of front, rear and side elevations from at least 8 completed luxury custom home projects.

3. Landscape Architects/Designers Submit either A or B
  - a. Professional Landscaper License #
  - b. Portfolio that displays experience designing luxury custom landscaping to be considered qualified.
    - i. Portfolio must consist of photos, renderings, or landscape plans from 8 completed luxury custom landscape projects.

The Developer and/or ARB shall bear no liability whatsoever resulting from or arising out of any design professional's design. Owners are encouraged to carefully consider both Designers they choose to use for their projects.

## **E. Builder Qualification Process**

The Developer expressly reserves the right to verify the qualifications of all builders and contractors hired to construct improvements on any homesite in Marsh Harbor prior to final plan approval of any proposed improvements.

Builders who wish to be approved by the Developer to build in Marsh Harbor must submit a qualification package to the Developer prior to submitting plans for review. Please email the Builder Qualification Package to [Aaron@parcgroup.net](mailto:Aaron@parcgroup.net) for review. To be considered qualified, builders must meet the following qualifications and submit a qualification package that includes:

1. The contractor must have at least five years' experience building luxury, custom homes of similar size and quality in the United States.
2. Submit – Professional contractor license # (licensed by the State of Florida).
3. Submit – Portfolio of past luxury custom home projects of similar size and quality.
  - a. Portfolios must consist of front, rear and side elevations of at least 8 completed luxury custom home projects.
4. Submit – Identify the specific design team to be used if already qualified.

The Developer and/or ARB shall bear no liability whatsoever resulting from or arising out of any contractor's development of, or construction upon the homesite. Owners are encouraged to carefully consider both the Builder and any contractors they choose to use for their projects.

## **F. General Provisions**

These standards have been established pursuant to the Marsh Harbor Declaration of Covenants, Conditions, Restrictions and Easements ("Declaration"). It is recommended that contractors, owners and architects review this document.

## **G. Variances**

To the extent permitted by the St. Johns County, the ARB and/or Developer reserve the exclusive right, at their sole discretion, to grant variances to applicable rules, regulations, and criteria, including allowing individual owners to encroach upon easements and setbacks as designated on

the subdivision plat. Such variances may be approved to preserve trees, protect views, maintain overall aesthetics, or for any other reason deemed appropriate by the ARB and/or Developer. Each variance request will be evaluated on a case-by-case basis and considered unique, without setting a precedent for future decisions. All determinations shall be made at the sole discretion of the ARB or the Developer, as applicable.

## **H. Specific Approvals**

Any issue, statement of policy or guideline not found or mentioned within this document cannot be construed as approved or permitted without the specific case being brought before the ARB and ruled on accordingly. The fact that a topic is not explicitly addressed herein does not constitute authority to act.

## **I. Enforcement**

It is the owner/contractor's responsibility to ensure that their respective employees, subcontractor, agents and assigns adhere to all provisions contained in these design standards and the Declaration. Any violation will be the Owner/Contractor's responsibility and must be corrected by the Owner/Contractor.

## **J. Modification**

Following plan approval, any change, modification or alteration to the plans without written approval by the ARB is subject to a fine. Any such discrepancy must be brought into compliance with the approved plans.

## **K. Charge Back and Invoices**

Owners/contractors will be notified by the ARB when a violation or infraction of these standards and/or the Declaration has occurred and will set the date and time of a meeting to hear and discuss said infraction(s).

## **L. Disclaimer**

These design standards shall be enforced to the extent that they do not violate existing laws or administrative regulations.



## **2. Plan Review Process**

### **A. Submission Procedures**

The plan approval process of the ARB is a two-step procedure involving a Preliminary Plan Review and a Final Plan Review.

1. The Preliminary Plan Review allows the Owner and Designer to obtain comments and direction from the ARB prior to the production of full working drawings. Area Calculation must be provided to the ARB to confirm the heated and cooled space calculation.
2. The Preliminary and Final Plan Review's may be combined into one submittal provided all the necessary information is included in the submittal.

Once a submittal is deemed complete: the ARB will strive to approve, disapprove, or provide comments within twenty (20) business days.

An optional pre-design meeting is also available for Owners and Designers to meet with an ARB representative to discuss the process and answer questions prior to commencing design.

**No permitting, site clearing, material deliveries or construction activity of any kind may begin without prior plan approval by the ARB.**

### **B. Preliminary and Final Plan Submission**

All correspondence, plan submittals, material samples and other required information should be submitted to the ARB at the following address:

Marsh Harbor Architectural Review Board  
4314 Pablo Oaks Court  
Jacksonville, FL 32224  
[aaron@parcgroup.net](mailto:aaron@parcgroup.net)  
Attention: Aaron Tarver

This submission shall include the following:

#### *Fees*

*Only Applicable for New Lots 1-15 on South Harbor Lights Dr., New Island Lot 16 off South Harbor Lights Dr. New Lots 50 & 51 off Tidal Vista Way, and New Island Lot 68*

A **\$2,750.00** application fee is due at the time of submission and is required prior to review. A **\$10,000.00** compliance deposit is due when plans have received approval and prior to construction. Fees are payable to Marsh Harbor Homeowners Association, Inc. Please submit two (2) individual checks for application fee and compliance deposit. One lump-sum fee check cannot be accepted. The deposit is intended to ensure that contractors and property owners comply with the approved plans, Declaration and any rules and regulations properly established by the ARB.

Upon completion of construction, homeowners or contractors must contact a representative of the ARB ([aaron@parcgroup.net](mailto:aaron@parcgroup.net)) to schedule an inspection of the property to ensure compliance with the approved plans. If compliance has been satisfactorily met the \$10,000 deposit will be refunded.

### *Preliminary Plan Submittal*

The following items should be submitted to the ARB as part of the Preliminary Plan Review (submit two copies of each using a 24" x 36" format).

1. Architect & Builder Qualification Applications (Pages 5-6)
2. Site Plan at 1" = 10 ft. or 1" = 20 ft. including:
  - a. Location and basic dimensions of the proposed house and other structures showing all required setbacks, driveways, walkways, patios, pools and screen enclosures, fence, columns, pilaster, walls and easements.
  - b. Location of all existing trees and palms over six (6) inches in diameter reflecting those trees to be removed and those to be preserved.
  - c. Calculations for total pervious and impervious area and the total lot coverage %.
3. Floor Plan at 1/4" scale
4. Exterior Elevations at 1/4" scale reflecting:
  - a. Exterior materials noting colors and textures
  - b. Roof pitch and material
  - c. All four elevations to scale
5. Typical Wall Section at a scale not less than 1/2" = 1 foot. Typical Wall Section for porch or loggia (if applicable) at a scale not less than 1/2" = 1 foot
6. Square Foot Calculation of heated and cooled space
7. Other plans, details, specifications, or information that would assist the ARB in its review
8. Plan Review Fee
9. ARB Submittal Form (page 29)

### *Final Plan Submittal*

The following items should be submitted to the ARB as part of the Final Plan Review (submit two copies of each using a 24" x 36" format):

1. Final versions of all items required with the Preliminary Plan Review Submittal addressing any changes or comments requested by the ARB
2. Architectural plan to scale (1/4" or 3/16" = 1 foot)

3. All architectural features such as pools, enclosures, decks, porches, fences, walls, or columns to be shown on the site plan and elevations
4. Existing grade, proposed grade, and finished floor elevation
5. Lot drainage plan with grade elevations consistent with the approved Neighborhood Grading Plan
6. Foundation Plan at  $\frac{1}{4}$ " = 1 foot scale
7. Landscape Plan at 1" = 10 ft scale including
  - a. Required Street Tree(s), drainage arrows, and plant specifications table
8. Roof material sample
9. Location, design and materials of driveway and walkway and side- walk to be installed in accordance with the Communities Neighborhood Site Plan
10. Exterior wall material, color and texture sample
11. Other material samples, if requested (i.e., driveway pavers)
12. ARB Submittal Form (page 29)
13. Signed Hold Harmless Agreement (page 30)
14. Signed Compliance Deposit Agreement (pages 31-32) and Compliance Deposit Check
15. Architectural Plan Checklist (pages 33-35)
16. Landscape Plan Checklist (pages 35-36)

## C. Compliance Inspection

*Only Applicable for New Lots 1-15 on South Harbor Lights Dr., New Island Lot 16 off South Harbor Lights Dr. New Lots 50 & 51 off Tidal Vista Way, and New Island Lot 68*

After the completion of all new home construction, homeowners or contractors should reach out to a representative of the ARB ([aaron@parcgroup.net](mailto:aaron@parcgroup.net)) to schedule an inspection of the property to ensure compliance with the approved plans. All damage must be repaired, temporary meters must be removed, and the site should be cleaned prior to requesting an inspection. If compliance has been satisfactorily met, an official Approval Letter will be issued, and the \$10,000 deposit will be refunded.

### 3. Building Policies and Restrictions

#### A. Building & Setback Requirements

To ensure privacy, proper drainage, and the clear definition of individual homesites, all proposed structures must be situated within the designated building envelope specified in these guidelines. Exceptions may be granted if they are determined not to negatively affect neighboring properties or drainage.

Lot #	Front	Back	Side	Corner Lot Side
All Lots	20-feet	20-feet	10-feet	15-feet

\*Lots not finalized as of July 17, 2025.

Improvements other than the main residential dwelling on a Lot shall be placed, located, erected, constructed, or installed no closer to the property boundary lines of any Lot, by type of Improvement, as follows:

- a) **Swimming Pools** – no closer than the otherwise established side yard building setback line and no closer to the rear yard property boundary line than then (10) feet.
- b) **Patios and Decks** – no patio or deck, including a swimming pool patio or deck, whether constructed of concrete, cool deck, brick, or other pavers, aggregate, wood, or other material, shall be constructed nearer than ten (10) feet to any rear yard property line or nearer than the otherwise established side yard building setback line to any side yard property line.
- c) **Outbuilding and Accessory Structures** – all outbuildings or accessory structures (other than boat houses or docks) including free-standing garages. Shall be located within the building setback lines established in Section 3A of these Guidelines unless permitted by Governmental Regulations and approved in writing by the Architectural Review Board.

#### B. Heights

In order to maintain the residential integrity of Marsh Harbor, all single-family homes shall be limited to two (2) stories and thirty-five (35) feet in height above finished grade excluding chimneys. The ARB encourages the use of dormers or other roof features to reduce the overpowering effect of the roof.

#### C. Home Size

Minimum and maximum home sizes have been established to promote the construction of homes with substance and lasting value. For determining a home's minimum size, the total heated and cooled square footage is used in the calculation. Variances from these standards may be considered based on the lot's location, site orientation, or home design configuration. Any deviation from these standards will necessitate a complimentary landscape design and may require additional plantings to address any resulting vacant areas.

Lot #	Minimum	Maximum
All Lots	3,500	n/a

## **D. Lot Coverage Maximum Percentage**

In Marsh Harbor, the maximum impervious surface coverage for the homesite is 70%, while the maximum lot coverage for the building structures is capped at 45%. All calculations must comply with the Marsh Harbor South PRD and St. Johns County standards and policies.

## **E. Drainage**

The final plan submission must include a drainage plan showing proposed grade elevations around the house and along the lot lines. This must align with the approved Neighborhood Grading Plan. Any changes to the grading plan will be reviewed by St. Johns County during the permit process. Homeowners are responsible for maintaining proper drainage on their lot and ensuring that runoff does not discharge on adjacent properties.

## **F. Easements**

Easements for drainage, utilities, and access may be present on parts of your homesite. These easements can affect where the home is placed, how fences are built, and where landscaping and sidewalks can go. Permanent structures like patios, pools, or sidewalks cannot be built in these easement areas. Please refer to St. Johns County Land Development Code Section 1.2.2 regarding sidewalk design requirements that encroach into a drainage easement. Nothing should block traffic or prevent maintenance in these areas. Easements are marked on the community's plat or public records, and your site plan must show where they are.

## **G. Existing Trees**

Clearing of mature trees on homesites should be limited to areas necessary for the home's footprint, including typical yard space, utility services, and driveways. When preserving trees, care must be taken to avoid disturbing the root systems during construction. Protective barriers should be installed around all trees or groups of trees to be preserved before construction begins. Both trees to be preserved and removed must be clearly shown on the approved site plan. Existing trees do count towards your tree requirement.

# **4. Design Standards**

## **A. Design Philosophy**

The architectural vision for Marsh Harbor is designed to establish a community with a timeless character. This will be achieved through a blend of classical and regional architectural styles reflective of Coastal Living, featuring authentic details and high-quality materials.

### *Prohibited Architectural Styles*

While diversity and creativity in home design at Marsh Harbor are encouraged, certain architectural styles are not compatible with the community's Coastal Living theme. Prohibited styles include ultra-contemporary and postmodern designs—International, Revival, Miesian, and Art Deco—as well as traditional styles including Cracker, A-frame, Adobe, Cabin, Georgian, Federal, Southwestern/Pueblo, Colonial, Antebellum, and Mediterranean.

## B. Architectural Facade

Most of the homes in Marsh Harbor will be visible from all sides and various angles, particularly if the lot is located on the intercoastal. It is therefore vitally important that all elevations of the house be architecturally consistent and visibly appealing.

1. Long, unbroken walls are not permitted and must be enhanced with features such as windows, variations in wall planes, or added detailing like moldings or garden walls. Consistent use of exterior building materials is required on all elevations to maintain architectural harmony.
2. Expansive panes of fixed glass with no mullions are discouraged. Large windows should be divided with muntins unless incompatible with the architectural style. If muntins are incorporated on one elevation, they must be consistently applied across all elevations.
3. Elevation character should be consistent on all sides of the home, with rear and side elevations designed to reflect the same level of aesthetic interest as the front elevation. If frieze boards, fascia, and soffit designs are used they must be carried seamlessly around the entire home and be visible on all exterior elevations.

## C. Colors

The Developer or the ARB, as applicable, shall review and approve all colors proposed and all color changes for the exterior facade and roof. Colors shall blend with the natural environment and the structures in the immediate vicinity. Very light, very dark and primary colors are discouraged and will be carefully reviewed to ensure they maintain a natural aesthetic. Color samples must be submitted for approval prior to final plan approval or prior to such changes taking place.

## D. Foundations

To encourage the preservation of natural vegetation and trees on the homesite, Stem Wall Foundations are required. Monolithic slab foundations are not permitted.

## E. Exterior Materials

Permitted exterior materials include:

### *Stucco*

Cement-based finishes (5/8" or thicker) and cementitious finishes (thinner than 5/8") are allowed, with smooth or lightly textured options to match the architectural style. Other textures may be considered based on design compatibility. Wood moldings or tumbled brick are acceptable for exterior elevations, depending on their suitability with the architectural style and overall design approval. Other brick textures will be reviewed by the ARB. Modular (7-5/8" W x 2-1/4" H x 3-1/2" D) and standard (8" W x 2-1/4" H x 3-1/2" D) brick sizes are allowed; other sizes will be considered but may be disapproved. Painting of brick exteriors may be considered based on the architectural style.

### *Stone – (natural, manufactured or cast)*

Subject to ARB approval of material samples and color selections, natural stone and high-quality manufactured or cast stone products are allowed for exterior walls, wainscoting, windowsills, trim, lintels, keystones, door surrounds, water tables, corner quoins, pilasters, chimneys, privacy walls, service fences, and planters. Stone must be applied consistently on all exterior elevations.

### *Fiber-cement Lap Siding or Shingles*

Fiber cement siding or cedar shingle siding are allowed for certain architectural styles, and may be used for exterior wall finishes, bay or box windows, fascia, dormers, cupolas, and gable ends.

## **F. Wall Plates**

The minimum wall plate height for main living areas on the first floor must be 10'-0". Secondary bedrooms must have a minimum wall plate height of 9'-0". The second-floor wall plate height should be no less than 9'-0", and garages must also have a minimum plate height of 9'-0".

## **G. Roofs**

Roof structures can be conventionally framed or made with prefabricated trusses. The roof pitch for main structures should match the architectural style of the home. For secondary elements or roofs with varying pitches, a lower pitch may be allowed with ARB approval, as long as these elements are limited and essential to the home's overall design.

Flat roofs with a parapet may be approved if they are part of key design features like an entry portico, covered porch, or second-floor balcony over a porch or living space. Visor roofs or extensions are allowed above windows or balconies, and eave brackets should be included where appropriate.

Acceptable roof materials for consideration include, flat tile, "S" tile, slate tile, cedar wood shake and a high-quality standing seam metal roof. Copper and other metal roof products acceptable to the ARB are permitted for limited applications such as bay windows, process, cupolas, and dormers, or in accordance with specific architectural styles. Architectural grade asphalt shingles are acceptable for use only in the single-tab format. Flat "3-tab" standard shingles are not approved for use.

## **H. Fascia and Soffits**

Material selection and detailing for the fascia and soffit should be clearly depicted in the plans. Fascia and soffits should be made of wood or wood-like materials and painted accordingly. Other materials may be considered if the ARB determines they offer a similar quality appearance to wood. However, vinyl or aluminum fascia and soffits are not permitted.

## **I. Ridge Vents, Vent Stacks and Plumbing**

Unless required otherwise by building codes or municipal regulations, vent stacks should not exceed 12" in height. Whenever possible, ridge vents or vent stacks should be positioned on roof slopes that are not visible from adjacent roadways.

Ridge vents, plumbing, and vent stacks should be painted to match the roof color, except for copper, which may remain unfinished.

## **J. Fireplace and Chimneys**

Acceptable fireplace types include masonry or prefabricated fireboxes with flues (wood burning or gas), prefabricated metal fireboxes with flues (wood burning or gas), or vent-free gas fireboxes.

Fireplaces should enhance the home's exterior design. They can be located beyond the exterior wall, flush with the wall, or inside the structure. Any fireplace extending beyond the exterior wall must go from the foundation up—cantilevered chimneys are not allowed. Chimneys should be finished with stucco, stone, siding, or brick to match the home's architectural style. Acceptable chimney caps include clay pots, arched crowns, half-round caps (with stucco, stone, or brick), or decorative metal spark arresters. Any fireplace vent on the roof must be enclosed in a chimney.

## **K. Windows**

Exterior elevations should feature windows and transoms that are appropriately sized to maintain the home's scale and design. Windows should generally be rectangular to match the selected architectural style, though specialty window types may be allowed with ARB approval. Fixed, double-hung, casement, and gliding windows are permitted, with configurations such as rectangular or square (for specialty designs).

Acceptable materials include vinyl, vinyl-clad wood, aluminum-clad wood, and wood—aluminum frame windows are not allowed. Permitted glazing types are true divided lights, simulated divided lights, or a mix of full glass with either true or simulated divided lights. Glass block is not allowed on front elevations or where visible from nearby roads.

All windows should reflect the architectural style of the home and include suitable details like surrounds, eyebrows, lintels, keystones, or sills, as appropriate. If windows are to have just a head and sill piece, then it must be recessed a minimum of 2" and submit necessary details to the ARB for review. Window embellishments can be made from cast stone, wood, or approved synthetic materials.

## **L. Shutters**

Shutters may be used on the residence either as decorative elements or as hurricane shutters. If shutters are used, they must be installed on at least three elevations of the home.

Decorative shutters are primarily for ornamental purposes and are not rated for high wind zones. Two types of ornamental shutters are allowed: Colonial (side-hinged) and Bermuda (top-hinged). Shutter styles such as louver, panel, and batten may be approved based on the overall architectural design. Acceptable materials include painted aluminum, polyvinyl, wood, or formed synthetics. All ornamental shutters should appear fully operable, with materials, installation, and color to be reviewed by the ARB.

Traditional operable hardware (offset hinges and dog ears) is required. If hurricane shutters are used, approval is required prior to installation, with a submission to the ARB including installation details, product photos, and color samples.



## **M. Front Entry Door**

Front entry doors must be at least 8'-0" high, with single doors a minimum of 3'-0" wide and double doors at least 6'-0" wide. Specialty treatments, such as transoms, glass side lights, and surrounds made of wood, stucco, stone, brick, or synthetic materials, are encouraged to match the architectural style.

Doors should reflect the character of the home and may be made from glass, wood, fiberglass, or metal. Sidelights should align with the lock rail height and feature lower panels matching the door's detailing. For doors with transoms, the transom may span the full width or be separated by vertical framing. Door frames can be simple or include architectural elements like pilasters and entablatures.

## **N. Garages**

Front-facing garages are not permitted. The three allowed garage types are courtyard, side entry, and accessory garage buildings

The minimum size of the garage shall be for three vehicles. A fourth garage bay may be allowed if the house layout and architectural style are appropriate for four garages and the doors are not visible from the street and adjacent neighbors. Interior garage lifts are permitted to store excess vehicles

Garage doors should be a minimum of 8'-0" in height and minimum of 9'-0" in width. Other garage door configurations may be considered on their merit in individual circumstances. Each garage door must be operated by an automatic remote-control opening system. Doors must be decorative, and in a style complimentary to the architecture of the residence.

## **O. Porches and Columns**

Porches are encouraged to enhance the home's design and create outdoor living spaces. Front porches should be at least 6'-0" deep and made of materials that complement the home's style, such as paving or wood. Porches and front entries must have a minimum of 18" clearance and at least three, 6-inch steps. Covered porches must be within the building envelope and either have a foundation wall on all sides or be off grade with lattice, brick, stone or similar details, depending on the architectural style.

Columns used on all elevations must have a minimum finished dimension of 10" x 10". Acceptable materials include cast stone, wood, reinforced concrete, or concrete block with stucco, brick, or stone. Stone or brick bases may be used for columns. Other materials will be considered individually.

## **P. Railings and Balustrades**

Railings should match the home's architectural style. Acceptable materials include wood, decoratively painted aluminum, or wrought iron. Balustrades should complement the chosen design and can be used on balconies, exterior stairs, or low walls. Cast stone or cast concrete can be used for railing caps and balusters.

## Q. Driveways

All driveways, including those on all corner lots, should only access the property from the front property line. Circular driveways may be allowed but will be reviewed individually and must include landscaping to improve the view from the street and neighboring properties. At least one large landscape bed with a variety of plants is required in the center of circular driveways. Extra guest parking along circular driveways is not permitted.

All driveways must be a minimum width of 16-feet at the curb. From the right-of-way, the driveway may widen using a curvilinear design closer to the building envelope to provide overflow parking.

Driveways and walkways must be made with brick, stone, or concrete pavers. A mixed material design is allowed, where pavers can be combined with finished concrete (such as salt or shell) if preferred. Driveway design should be reflected on design drawings for review by the ARB.

Stamped concrete, asphalt, crushed rock, shell, or gray broom finished concrete are not permitted unless specifically approved by the ARB.

## R. Fence Standards

### *General Standards*

Fencing around the homesite is allowed for privacy, pet enclosures, and pool safety, but should follow these guidelines. Whenever possible, use landscaping, or limited privacy walls instead of full fencing. If a fence is used, it should have an open-picket design made of black wrought iron or high-quality aluminum, with a maximum height of 4'-0" unless the ARB approves a taller fence. Other designs may be considered if detailed in approval drawings submitted to the ARB. Fence types and locations will be reviewed based on views from nearby homes and open spaces.

### *Fence Locations*

Perimeter fences should include decorative columns, pilasters, or other features that match the home's architectural style. Fences cannot extend beyond the midpoint of the side wall of the house. Fences must allow proper drainage and must comply with utility, access, or drainage easements. When adjacent to lakes, fences should stop at the top of the bank, not at the water's edge. Homeowners are responsible for maintaining the area between the top of the bank to the water's edge when it falls within their property boundaries.

Fences cannot be installed within easements marked as 'Unobstructed Drainage, Access, and Maintenance Easement' because these areas provide access for pond maintenance. Fences may be placed within 'Drainage Easement' areas, but the Homeowners Association is not responsible for any damage to fences or landscaping caused during maintenance. Homeowners are not allowed to install fences or landscaping that could obstruct or damage the drainage function of these easements.

### *Dog Runs and Pet Fencing*

Fences designed for dog runs are not permitted on any homesite. As an alternative, the use of electronic underground (invisible) fencing to manage pets is encouraged.

## S. Dock and Boathouse Standards

*Only Applicable for New Lots 1-15 on South Harbor Lights Dr., New Island Lot 16 off South Harbor Lights Dr., and New Island Lot 68*

No dock or boathouse shall be constructed on a Lot or on or over State-owned lands or waters of the Intercoastal Waterway adjacent or contiguous to a Lot except for the private use of the Lot owner and only if such dock or boathouse shall be in compliance with the following requirements:

1. A permit or permits for any such dock or boathouse and any dredging, filling or vegetation removal required in connection with its construction shall have first been issued, if otherwise required, by the County, the SJRWMD, the State of Florida Department of Environmental Protection, the United States Army Corps of Engineers and such other governmental authorities, if any, as shall have jurisdiction of or over the construction of docks or boathouses on the Intercoastal Waterway.
2. Only one (1) dock or boathouse shall be permitted for each Intercoastal Waterway Lot.
3. All docks and boathouses should be centered on the lot.
4. Concrete piers for dock structures are prohibited. Docks must be constructed using pressure-treated lumber. Synthetic wood products may be used for decking and railing caps, but must be in natural, muted colors. Painting of decks and piers is not allowed.
5. Black piling wraps installed around dock posts for protective or aesthetic purposes are permitted.
6. Roofs must be 5/12 pitch, standing seam metal roof, dark bronze in color.
7. Two story dock structures are prohibited.
8. Boat curtains are prohibited.
9. Solid walls on the dock for restrooms, storage or other uses is prohibited.
10. No dock or boathouse shall contain bathrooms or built-in cooking facilities (other than barbeques) or otherwise be constructed in such a fashion as to contemplate occupancy as a living space, whether temporary or permanent.
11. Solar panels shall not be visible from the waterway.
12. Dock plans may be submitted to the ARB either with the house plans or as a separate submission.
13. Dock construction and use are not permitted until the construction of the main house has begun.

### *Seawalls and Bulkheads*

No seawall or other bulkhead shall be constructed on a Lot or on or in State-owned lands or waters adjacent or contiguous to a Lot.

## **T. Accessory Structures**

### *Mailboxes*

Individual mailboxes are not permitted on the New Lots of the community, as per the United States Post Office (USPS) regulations. Cluster mailboxes, provided by the Developer, will be placed in key areas and will be owned and maintained by the Homeowners Association. Please refer to the Cluster Mailbox Location Map Exhibit on page 40.

### *Service Courts*

Each home must have a designated service courts to store trash bins, lawn equipment, LP tanks, utility meters, HVAC units, pool pumps, heaters, generators, or any other outdoor mechanical equipment. The service courts should be screened by a 4'-0" high wall that matches the house's exterior in color and material.

Landscape material is required to be installed along the service courts walls to screen their view from the street and neighboring homesites. A gate may be required to screen the opening of the service court if mechanical equipment can be seen from the street or neighboring homesites.

### *Entry Features and Monuments*

Each home's entry should be unique and reflect the quality and style of the house. To enhance the streetscape, the area at the driveway entrance should create a distinct 'threshold' using a mix of hardscape, landscaping, and fencing elements. Pilasters and gates can be used to mark the entry and offer a view of the home. Entry gates across the driveway are not allowed except for lots 16, 50, 51 & 68. These pilasters and gates shall be a maximum height of 4'-0". Estate walls may also be used to mark the entry and shall be a maximum height of 3'-0". Estate walls, pilasters, and gates used to mark the entry of the homesite must be submitted to the ARB for review.

### *Entry Pilasters and Columns*

Pilasters and columns should be made of materials like stone, masonry, or stucco that complement the home's design. Pilasters and columns used on all elevations must have a minimum finished dimension of 10" x 10". These elements should blend with the home's architecture and landscaping and must be included in the site and architectural plans submitted to the ARB.

### *Street Address Plaques*

Street address plaques can be placed on entry monuments, columns, or pilasters. The design should match the home's style and be clearly visible from the street. The location and design of the plaque must be included in the plan submitted to the ARB.

### *Parking*

Each homesite is encouraged to have space for guest parking or extra vehicles. Auto-courts, which are parking areas surrounded by walls or columns, are a good option for additional parking. Parking areas should be discreet and consider views from nearby homes and streets.

Recreational vehicles, trailers, boats, and similar items must be parked inside an approved garage.

### *Sidewalks*

The approved neighborhood site plan shows where sidewalks are required. Each home must build the section of the four-foot (4') sidewalk in front of their lot, and along the side if it's a corner lot, as depicted in the plan. The sidewalk must meet County standards and be completed before landscaping begins. The concrete sidewalk should have a broom finish and extend through the driveway material. This sidewalk must be included in the approved site plan.

### *Recreational Structures*

To maintain the community's aesthetic and value, certain play equipment and structures are regulated. No recreational structure, including but not limited to, basketball backboards, tennis courts, pickleball courts, platforms, dog houses, playhouses and play forts, shall be constructed on any part of a Lot. Swing sets and slides may be considered.

Small putting greens may be allowed with proper landscape screening and must be submitted to the ARB for review.

### *Pools and Spas*

Swimming pools and spas should be placed at the back of the house or within a private courtyard. Pools with screen enclosures should not extend past the rear property line without approval. Any pool equipment, like pumps and heaters, must be screened from view using service court walls and landscaping. Please show the proposed screening on your plans for approval.

### *Screen Enclosures*

Screened rooms or pool enclosures should match the style of the house and not extend past the house's side walls. The screen fabric and frame should be black, charcoal, or dark bronze. Additional landscaping may be needed around the enclosure to reduce its impact on nearby homes and lake views.

### *Flagpoles*

Flagpoles cannot be installed on the ground or exterior wall of any house without prior approval from the ARB. Flagpoles that are installed in the ground should be incorporated into the landscape plan and submitted for approval.

### *Solar Panels*

Solar panels are allowed on the roof as long as they are placed on the side least visible from neighboring properties or the street. Plans showing the solar panel location must be approved before installation.

## *Lighting*

Exterior lighting can enhance safety, security, and the beauty of the landscape, offering different nighttime views of the community. All light fixtures must be low voltage, LED types, and placed to highlight the home's architecture and landscaping without being too bright. Lighting techniques like uplighting, downlighting, moonlighting, and spotlighting are allowed if used carefully. Lights should not interfere with streetlights or cause glare to neighboring properties. Soffit or eave-mounted spotlights are discouraged.

## *Antennae and Other Devices*

No antennas, aerials, discs, or other devices for the transmission or reception of radio or television signals or any other form of electro-magnetic radiation or communication shall be erected, constructed, installed, used or maintained outside of any building or structure on a Lot whether or not the same located on the roof of any structure or is otherwise attached to or detached from a building or a structure unless it is not visible from the street and remains below the plate line.

# **5. Landscaping, Trimming & Irrigation**

## **A. General**

It is the goal of these landscape guidelines to effectively enhance and protect the value of the community and the lifestyle of the residents through quality control of landscape design and material specification.

All lots shall have a unique landscaping design and differentiate from other homes in the community. The landscaping shall be complementary to the architectural style of the home and to the quality and feel of the community.

In general, the recommended design character should emphasize a natural appearance rather than formal, rigid plantings.

The owner is responsible for maintenance of right of ways, lake banks, jurisdictional area edges, etc. which fall within their lot.

## **B. Minimum Standards**

1. All disturbed areas on the lot must be irrigated and landscaped with either trees, plants or sod including to the back of curb along the street and to the edge of clearing for natural areas and the water's edge for lots along pond banks.
2. All plant material shall be "Florida Fancy Grade" as established in "Grades & Standards for Nursery Plants" Part I & II, State of Florida, Department of Agriculture.
3. All landscape material should be from nursery grown plant stock and be free from disease, pests, and defects. All material must be guaranteed for one year from date of final acceptance.

4. Landscape plans must indicate the caliper and height of all new trees. Plans must also indicate gallon size, height and spread of all new shrubs. Additionally, all plants and flowers must indicate their spacing on the Plant Schedule.

### *Sod, Shrubs and Ground Cover Minimum Standards*

1. St. Augustine “Floritam”, Bermuda and Zoysia sods are the only acceptable varieties of sod. All sod must be weed and pest free.
  - a. Rubber mulch, sand, gravel, rocks, pebbles, etc. are not acceptable alternatives to sod.
2. All shrubs should be a minimum 5-gallon container size and a minimum of 24” in height, spaced a maximum of 2’-6” on center, and ground cover areas should receive a 3” minimum depth of non-colored mulch.
3. Plant beds should be shaped to emphasize a natural appearance with curvilinear edges.
4. All landscaped beds shall be mulched with pine straw, pine bark or uncolored cypress mulch and should be kept at an appropriate scale to the landscaping within the bed.
  - a. All beds must consist of newly installed landscaping material.
  - b. No oversize pine straw beds without landscaping.

### *Tree Minimum Standards*

1. Hardwood “shade” trees should consist of a minimum of 6” caliper trees (Live Oak or Southern Magnolia or other acceptable species).
2. Accent trees should consist of a minimum 4” caliper or 65-gallon trees and may include, but are not limited to, Crepe Myrtle, Ligustrum Patio Tree, East Palatka Holly, American Holly, Savannah Holly, Dahune Holly, River Birch, Little Gem Magnolia and Drake Elm or other acceptable species.
3. All trees and shrubs should be placed in a tree ring or plant bed (see spec for tree bed on page 43).
  - a. A 4” caliper tree must be placed in a tree ring that measures a minimum of 36” from the outside trunk of the tree to the edge of the tree ring.
  - b. A 6” caliper tree must be placed in a tree ring that measures a minimum of 48” from the outside trunk of the tree to the edge of the tree ring.
4. Tree planting requirements may be modified if existing trees on the Lot are preserved and can be incorporated into the landscape plan or if planting the required number of trees becomes impractical due to available space or if the lot is exceptionally large. This issue will be reviewed on a case-by-case basis.

## C. Street Tree Requirements

Included in the landscape investment, each lot owner shall plant a minimum of three (3) “street trees” which may include but not be limited to magnolia, live oak, laurel oak, river birch, bradford pear, or drake elm. Feature palm trees, excluding palmettos or sago palms shall count towards the street tree allotment. Each street tree, other than palm trees, shall be a minimum of 3-inch caliper diameter at breast height.

## D. Front Yard Guidelines

1. The landscape plan typically must provide a minimum of one tree for every 750 square feet of front yard area excluding driveway walkway areas and patios/pools.
  - a. Of this total tree requirement, no fewer than 50% (one-half) should be specimen hardwood “shade” trees (live Oak or Southern Magnolia or other acceptable hardwood tree- a minimum 6” caliper and a minimum of 8’ in height).
  - b. To balance the trees, Accent Trees should be at least 4” caliper. At a minimum, each front yard must have at least two 6” caliper shade trees and two 4” caliper “accent” trees in addition to the required street tree(s).
2. Clusters of three cabbage or Washingtonian palms may be substituted for one required accent tree in the front yard.
  - a. Premium trees such as Medjool, Chinese Fan, Queen and Sylvester Palms or similar of at least 12 feet in height clear trunk may be substituted for required shade trees in the front yard. Up to two shade trees in the front yard may be substituted with these premium palms.
3. Shrubs and ground covers should be installed continuously around the base of the residence. This includes pools, service courts, and any detached structures.
4. Approximately 25% (one-quarter) of the front yard area should consist of shrubs and ground covers.

## E. Side and Rear Yard Guidelines

1. The landscape plan typically must provide a minimum of one tree for every 1,000 square feet of side and rear yard area excluding driveway walkway areas and patios/pools.
  - a. Of this total tree requirement, no fewer than 33% (one-half) should be specimen hardwood “shade” trees (live Oak or Southern Magnolia or other acceptable hardwood tree- a minimum 6” caliper and a minimum of 8’ in height).
  - b. To balance the trees, Accent Trees should be at least 4” caliper. At a minimum, each front yard must have at least two 6” caliper shade trees and two 4” caliper “accent” trees in addition to the required street tree(s).
2. Clusters of three cabbage or Washingtonian palms may be substituted for one required accent tree in the rear yard.



- a. Premium trees such as Medjool, Chinese Fan, Queen and Sylvester Palms or similar of at least 12 feet in height clear trunk may be substituted for required shade trees in the rear yard. Up to two shade trees in the rear yard may be substituted with these premium palms.
3. Shrubs and ground covers should be installed continuously around the base of the residence. This includes pools, service courts, and any detached structures.
4. Approximately 20% of the side and rear yard area should consist of shrubs and ground covers.

## **F. Artificial Grass/Turf**

1. Use of artificial grass in small areas in the rear yard such as around pool decks, spas, or putting greens is acceptable, subject to prior approval by the ARB. Artificial grass areas should be identified on the landscape plan and/or pool plan submitted for review.
  - a. Small areas with artificial grass should be complemented by landscaping to preserve a natural appearance.
2. The use of artificial grass in the front or side yard is prohibited.
3. The use of any artificial plants or other artificial vegetations is prohibited.

## **G. Upland Buffer Trimming Guidelines**

In upland buffers adjacent to the Intercoastal Waterway, limited trimming to create scenic vistas shall be allowed consistent with the buffer management guidelines established in the recorded Marsh Harbor South PRD (Ordinance Number: 2016-26). The vegetation in such Upland Buffers may be trimmed as follows:

1. Trimming shall be performed by hand only
2. The maximum trim area shall be limited to 60 percent of the lot width
3. The maximum trim area shall also be limited to the vertical zone no more than 25 feet in height as measured from existing grade
4. Trimming is limited to tree limbs having a limb diameter of four inches (4") or less; understory trees (excluding cedar) of 4 inch caliper or less may be removed
5. The existing ground cover and cedar trees will not be disturbed; shrubbery may be trimmed down to a height of 2 feet
6. Any dead or diseased trees and limbs verified by a certified arborist may be removed regardless of size
7. Non-native vegetation and invasive vegetation may be removed in its entirety, regardless of size

## H. Irrigation

1. All sodded and planted areas must be irrigated.
2. Irrigation system shall provide total coverage except in heavily shaded areas. Drip irrigation may be utilized in tight areas adjacent to building walls or planters.
3. Design
  - a. There shall be no overspray onto tree trunks, any adjacent lots, sidewalks or roads.
  - b. All sodded and ground cover areas shall contain spray pop-up heads.
  - c. Risers may be used in larger shrub areas where appropriate. However, risers shall not be installed in areas adjacent to pavements.
  - d. A minimum of SDK/26 Class 160 PVC pipe shall be used.
  - e. The system shall be fully automatic.
  - f. All exterior irrigation equipment shall be screened from view.
  - g. A rain sensor device is recommended.

## 6. Construction Standards and Procedures

The existing trees in Marsh Harbor are both sensitive and unique, requiring careful measures to prevent damage during construction. To safeguard these trees and preserve the surrounding vegetation, the following procedures have been established:

### A. Before Construction

After completing the review process and obtaining plan approval from the ARB, the following steps must be followed prior to lot clearing, material deliveries or construction activities.

#### *Pre-construction Checklist*

The Builder must ensure the following items have been performed before commencing construction:

1. Lot corners are clearly staked.
2. Trees to be removed and trees to be preserved are clearly marked.
3. Protective tree barriers are installed.
4. Silt fence along the rear and side lot lines is installed.

### B. During Construction

#### *Trash Containment*

It is extremely important each job site always be kept clean and orderly during construction including preventing debris from being blown into adjacent lakes or homesites. Failure to properly

police the job site will result in the ARB contracting to have the site cleaned and possible forfeiture of all or part of the Compliance Deposit.

### *Signage*

All signage placed on-site must conform to the Signage Policy attached (Pages 38-40). No signs from subcontractors, material suppliers or other vendors are allowed. It is the responsibility of the Builder to police these “vendors” signs. Builders are allowed to have one professionally painted Builder Identification sign placed on the lot during construction including only the name of the builder, lot number and phone number. The sign shall not exceed 4 feet x 4 feet in size.

### *Erosion Control/Silt Fencing*

Hay bales and/or silt fencing should be used to prevent runoff during construction. Each Builder is responsible for preventing or if necessary, repairing any sediment washed onto roadways, adjacent properties, lakes or environmental areas. Silt fencing should be installed along the side and rear lot lines immediately after clearing and remain until final grading. Any erosion of fill onto adjacent properties or preservation areas is the responsibility of the Builder to correct and may result in permit violations and/or fines imposed by Governmental Agencies.

### *Tree Protection*

Tree barricades must remain in place until final grading is complete. No fill may be placed within the drip line of trees, and barricaded areas must remain free of parked vehicles and stored materials. Contractors and owners are responsible for any disturbance or damage to trees resulting from construction activities, including stress or the placement of fill. Preserved trees used as credit toward tree planting requirements that are damaged or do not survive for period of 12 months after completion of construction must be replaced.

### *Street Tree and Right-of-Way Landscape Protection*

During construction proper care must be given to the protection of existing street trees, sod and irrigation within the right-of-way. Street trees should be protected with tree barricades throughout construction. Irrigation heads should be located and clearly marked. Access to the site should be from only one access point and vehicles should not be parked within the sodded right-of-way. At the completion of construction, any damaged street trees or sod should be replaced. Irrigation within the right-of-way should be capped and replaced with irrigation from the house’s underground system. Damage to street trees, sod or irrigation heads within the right-of-way during construction is the responsibility of the Builder.

### *Drainage*

It is the Builder’s sole responsibility to ensure the lot is graded in accordance with the Marsh Harbor Neighborhood Site Plan as approved by St. Johns County and the ARB. Drainage for each lot must be contained and conveyed on the lot.

### *Incidental Damage During Construction*

Repair of any damage to the landscaping of any adjacent lots, utility boxes including phone or cable, damage to the roadway asphalt and curbs or any other damage caused by the Builder's subcontractors or material suppliers is the responsibility of the Builder/Owner.

### *Conservation Areas and Vegetative Upland Buffers*

Areas within the community designated as "conservation" on the recorded plats and Neighborhood Site Plan are areas governed by the terms and conditions of the environmental permits issued by St. Johns River Water Management District and Army Corps of Engineers. These permits prohibit any construction, filling, removal of earth, cutting or removal of trees or other plants within these "conservation" areas. It is the responsibility of the Owner and Builder to ensure these areas are left undisturbed. Each Owner and Builder shall indemnify and hold harmless the Developer and Homeowners Association from any cost or expense, including legal fees incurred due to any action brought by any governmental agency due to a violation of this provision.

### *Temporary Electric Meters*

All temporary electric meters must be removed immediately upon the activation of permanent service.

### *Burning*

Burning is not permitted.

### *Existing Utilities*

The contractor/homeowner is responsible for knowing the locations and types of all utilities and must protect existing utilities during construction.

### *Builders Responsibility*

1. The Builder is responsible for the actions and conduct of the sub-contractors and vendors working on the job site. Loud music, disorderly conduct, drugs, alcohol, firearms or pets including dogs, are prohibited. Posted speed limits shall be obeyed by all workers, suppliers, and deliveries. Individuals, subcontractors, or suppliers who fail to obey the community's rules and regulations will be denied access into the community.
2. The Builder shall ensure the following guidelines are followed by all on the jobsite:
  - a. The site must be cleaned up at the end of each day including all trash and debris and dirt and mud in the street. Curb inlet filters in the road near the site should be cleaned regularly to insure proper drainage flow.
  - b. Lightweight material, packaging and other items must be covered to prevent wind from blowing such material off the site. If trash does leave the site, it shall be picked up by the end of each day.

- c. Temporary concrete wash-out pits must be approved by the Developer and cleaned up and removed at the completion of use.
- d. Workers shall not hunt or fish within Marsh Harbor at any time.
- e. Workers shall not park on or otherwise use other homesites or open areas. Parking within the drip line of a preserved tree is prohibited. All adjacent lots may not be utilized for alternate parking, material storage or construction activity without written approval from the Landowner.
- f. Any cleanup costs incurred by the ARB or Homeowners Association shall be deducted from Builder's Compliance Deposit.

### *Construction Hours*

- 1. Workers may not be present on site, nor shall deliveries occur except within the allowed hours listed below:
  - a. Monday through Saturday: 7:00am to 7:00pm
  - b. No work is allowed on Sunday or Holidays without prior approval.
- 2. Builder may request special permission from the ARB to vary from these hours for a specific hardship which shall be evaluated on a case-by-case basis.

### *Periodic Inspections*

Periodic inspections will be made by the Developer and/or ARB, as applicable, while construction is in progress to determine compliance with approved design documents. Violations will be brought to the attention of the owner/contractor. The owner/contractor is required to correct all problems immediately.

## **7. Submittal Forms & Checklists**

All applicable submittal forms and checklists must be filled out, signed, and submitted alongside any ARB submittal. These forms and checklists are located on pages 31-39. As a reminder, a \$2,750.00 application fee is due at the time of submission and is required prior to review. A \$10,000.00 compliance deposit is due when new home construction plans have received approval and prior to construction. Fees are payable to Marsh Harbor Homeowners Association, Inc. Please submit two (2) individual checks for application fee and compliance deposit. One lump-sum fee check cannot be accepted.

## A. ARB Submittal Form

### *Submittal Information*

Submittal Type: ☐ Preliminary New Home ☐ Final New Home ☐ Existing Home Improvement

Type of Improvement (if applicable): \_\_\_\_\_

Date of Submittal: \_\_\_\_\_

Lot Number: \_\_\_\_\_ Street Address: \_\_\_\_\_

### *Fee Information*

Plan Review Fee: Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_

Compliance Deposit: Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_

### *Owner, Contractor & Design Team Information*

Role	Name	Primary Contact #	Preferred Email Address
Owner			
Contractor			
Architect/Designer			
Landscape Architect/Designer			

### *House Information*

Heated & Cooled Space (Sqft.): 1<sup>st</sup> Floor: \_\_\_\_\_ 2<sup>nd</sup> Floor: \_\_\_\_\_ Total: \_\_\_\_\_

Exterior Wall Materials: \_\_\_\_\_

Exterior Wall Colors: \_\_\_\_\_

Roof Material: \_\_\_\_\_

Roof Color: \_\_\_\_\_

*Please complete all sections before submission*

## B. Hold Harmless Agreement Form

We are submitting this application and construction plans to the Marsh Harbor Architectural Review Board (ARB) for review and approval. We understand that the ARB has set forth guidelines and regulations and we agree to abide by the decisions of the ARB pursuant thereto. We understand the primary purpose of the ARB is to provide architectural guidelines and review to achieve aesthetic continuity in Marsh Harbor and to conform to the community's Declaration of Covenants and Restrictions. We understand that compliance with all applicable building codes, governmental ordinances, the Marsh Harbor South PRD Ordinance, and rules and regulations of the Marsh Harbor Homeowners Association is the responsibility of the Owner/Builder. Therefore, we hereby hold harmless and indemnify the Developer and the Marsh Harbor Architectural Review Board and its members from any and all matters concerning the construction and fitness of the home and other improvements to be constructed on the homesite, including but not limited to, drainage problems, code violations or plat, easement or setback violations.

Acknowledged:

_____	_____
Owner	Builder
_____	_____
Print Name	Print Name
_____	_____
Date	Date
_____	_____
Street Address	Lot Number/Phase Number

## C. Compliance Deposit Agreement Form

Lot Number:\_\_\_\_\_ Street Address:\_\_\_\_\_

Builder Name:\_\_\_\_\_ Contact Person:\_\_\_\_\_

Address:\_\_\_\_\_

Phone #:\_\_\_\_\_ Email:\_\_\_\_\_

Owner Name:\_\_\_\_\_

Phone #:\_\_\_\_\_ Email:\_\_\_\_\_

Type of Improvement:\_\_\_\_\_

As Builder and Owner of the above referenced home, we acknowledge and agree to the following:

1. We have received and reviewed the Architectural Review Board Standards and Procedure Manual and attachments and agree to abide by its conditions and requirements.
2. All improvements to be constructed on the homesite including construction of a dock, will be in accordance with plans submitted to and approved by the ARB.
3. The job site will be kept orderly at all times, and we are responsible for the actions and conduct of the subcontractors and vendors working on the site.
4. Any funds paid out by the Marsh Harbor Homeowners Association including, but not limited to those needed for the correction of changes not approved by the ARB, the cost of work necessary to improve the appearance of the site, the cost to repair drainage problems, damage to the roads, right-of-way landscaping, utilities, etc. are our responsibility and such costs will be deducted from the Compliance Deposit as necessary with any remaining balance over and above the amount of the Compliance Deposit held by the Homeowner's Association to be assessed against the Owner and collected by the Homeowner's Association as allowed by law.
5. The remaining Compliance Deposit, if any, will be refunded at the completion of construction and upon certification by the ARB that all improvements were built in accordance with plans and specifications approved by the ARB. The request for final inspection must be submitted to the ARB in writing once construction and landscaping is fully complete and must include a copy of the Certificate of Occupancy.
6. Withholding of Funds. Below are ARB standards whereby funds will be withheld from the Compliance Deposit if necessary. Written notice will be sent to the Owner and Builder providing a reasonable time to correct the issue or violation. Unless otherwise stated, \$50 per day will be withheld from the Deposit for each violation:
  - a. Failure to install portable toilet on site by completion of lot clearing
  - b. Failure to install silt fence upon clearing
  - c. No dumpster on site once foundation starts or dumpster is overflowing



- d. Construction materials, dumpsters, portable toilets placed on any adjacent lots
- e. Failure to keep job site and adjacent properties clean with grass and weeds cut
- f. Failure to immediately correct any damage to common areas, landscaping, asphalt or sidewalks, street signs, cable, phone, water meter boxes, etc.
- g. Loud music, children, pets on job site
- h. Violation of the signage policy including failure to remove the Builder sign once project is completed
- i. Parking on vacant lot or common areas: Warning followed by \$50 per incident per vehicle
- j. Failure to comply with allowed construction hours
- k. Removal of trees or vegetation not approved with the plans, \$100 plus the cost of replacement trees.

This Compliance Deposit Agreement is made this \_\_\_\_\_ day of 20\_\_\_\_\_ by:

\_\_\_\_\_  
Contractor's Signature

\_\_\_\_\_  
Print Contractor's Name

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Print Owner's Name

\$ \_\_\_\_\_  
Deposit Amount

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Date Received by ARB

\_\_\_\_\_  
By

## D. Architectural Review Checklist

### *Plan Compliance*

- ☐ Architectural plan to scale (1/4" or 3/16" = 1 foot)
- ☐ All architectural features such as pools, enclosures, decks, porches, fences, walls, or columns to be shown on the site plan and elevations
- ☐ Existing grade, proposed grade, impervious/pervious area, lot coverage %, and finished floor elevation are listed on the site plan
- ☐ Lot drainage plan with grade elevations consistent with the approved Neighborhood Grading Plan

### *Design Requirements*

- ☐ There are no long unbroken walls that are not enhanced with features such as windows, variations in wall planes, or added detailing like moldings or garden walls.
- ☐ Windows are divided by muntins and remain consistent around the house.
- ☐ If frieze boards, fascia, and soffit designs are used they are carried seamlessly around the entire house.
- ☐ Colors blend with the natural environment and the structures in the immediate vicinity.
- ☐ Stem wall foundation is used.
- ☐ A minimum of three, 6-inch steps used before the entry to the home.
- ☐ Only ARB approved exterior materials are used. Stucco, stone, and/or fiber-cement lap siding or shingles.
- ☐ Wall plates for living areas on first floor are a minimum of 10-feet in height.
- ☐ Secondary bedrooms have a wall plate that are a minimum of 9-feet in height.
- ☐ Wall plates on the second floor and garages have a minimum height of 9-feet.
- ☐ Only acceptable roof materials are used – flat tile, "S" tile, slate tile, cedar wood shake, or high-quality standing seam metal roof. Copper and other metal roof products acceptable to the ARB are permitted for limited applications such as bay windows, process, cupolas, and

dormers, or in accordance with specific architectural styles. Architectural grade asphalt shingles are acceptable for use only in the single-tab format.

- ☐ No use of flat, 3-tab, roof shingles.
- ☐ Material use for fascia and soffits are clearly depicted in the plan.
- ☐ Vent stacks do not exceed 12-inches in height.
- ☐ Ridge vents, plumbing, and vent stacks are painted to match the color of the roof.
- ☐ Fireplace type used is masonry or prefabricated firebox with flues, prefabricated firebox with flues, prefabricated metal firebox with flue, or vent-free gas firebox.
- ☐ A decorative chimney cap is included – clay pots, arched crowns, half round caps, or decorative metal spark arrestors.
- ☐ All windows include details like surrounds, eyebrows, lintels, keystones, or sills, as appropriate. If windows are to have just a head and sill piece, then it must be recessed a minimum of 2" with necessary details.
- ☐ Shutters used are Colonial (side-hinge) or Bermuda (top-hinge).
- ☐ If shutters are used, they are installed on 3 elevations of the home.
- ☐ Front entry doors are at least 8-feet tall, single doors are a minimum of 3-feet wide and double doors are a minimum of 6-feet wide.
- ☐ No front facing garages.
- ☐ All garages use single door configuration.
- ☐ Decorative garage door used.
- ☐ Front porch is a minimum of 6-feet deep.
- ☐ Railings match the home's architectural style.
- ☐ All columns have a minimum finished dimension of 10" x 10".
- ☐ Driveway is 16-feet wide at the Right of Way.
- ☐ Driveway made of brick, stone, or concrete pavers (mixed material allowed).
- ☐ Fence is open picket, black wrought iron, or high-quality aluminum with a height of 4'-6".

- ☐ Fence does not extend beyond the midpoint of the side wall of the house, unless part of an auto court.
- ☐ All service courts screened by a 4'-6" high wall that matched the house's exterior in color and material.
- ☐ Sidewalk is installed along the front of the property (if applicable).
- ☐ On lake and golf lots, the pool is at least 10-feet from the near property line and deck height does not exceed 30-inches.
- ☐ Screen enclosures match the style of the home and the screen is black, charcoal, or dark bronze.

## **E. Landscape Review Checklist**

### *Plan Compliance*

- ☐ Indicate the caliper and height of all New Trees
- ☐ Indicate gallon size, height and spread of all New Shrubs
- ☐ Indicate spacing for all Plants and Flowers
- ☐ Provide drainage arrows
- ☐ All trees and shrubs have been placed in tree rings or plant beds

### *Front Yard*

- ☐ Street tree(s) shown and labeled on plan
- ☐ Provided (1) tree for every 750 sqft. of front yard, excluding driveway and walkway areas
- ☐ 50% hardwood "shade" tree requirement (Live Oak or Southern Magnolia, min. 6" caliper and minimum 8' in height)
- ☐ Premium Tree substituted for hardwood "shade" tree
- ☐ 50% accent tree requirement (min. 4" caliper or 65-gallon)
- ☐ (3) Cabbage or Washingtonian Palms substituted for accent tree

- ☐ Approximately 25% of the front yard consists of shrubs and ground covers
- ☐ All shrubs are a minimum 3-gallon container size, minimum of 24" in height, and spaced a maximum of 4' on center
- ☐ All shrubs and ground covers received a 3" minimum depth of non-colored mulch
- ☐ Landscape beds are naturally shaped and curvilinear
- ☐ Additional landscaping provided to soften view of circular driveway
- ☐ Flagpoles are incorporated into landscaping plan and labeled

### *Side and Rear Yard Guidelines*

- ☐ Provided (1) tree for every 1,000 square feet of overall side and rear yard area
- ☐ 33% hardwood "shade" tree requirement (Live Oak or Southern Magnolia, min. 6" caliper and minimum 8' in height)
- ☐ Premium Tree substituted for hardwood "shade" tree
- ☐ 66% accent tree requirement (min. 4" caliper)
- ☐ (3) Cabbage or Washingtonian Palms substituted for accent tree
- ☐ Approximately 20% of the rear yard consists of shrubs and ground cover plantings
- ☐ All shrubs are a minimum 3-gallon container size, minimum of 24" in height, and spaced a maximum of 4' on center
- ☐ All shrubs and ground covers received a 3" minimum depth of non-colored mulch
- ☐ Artificial grass is being used around the pool deck or spa

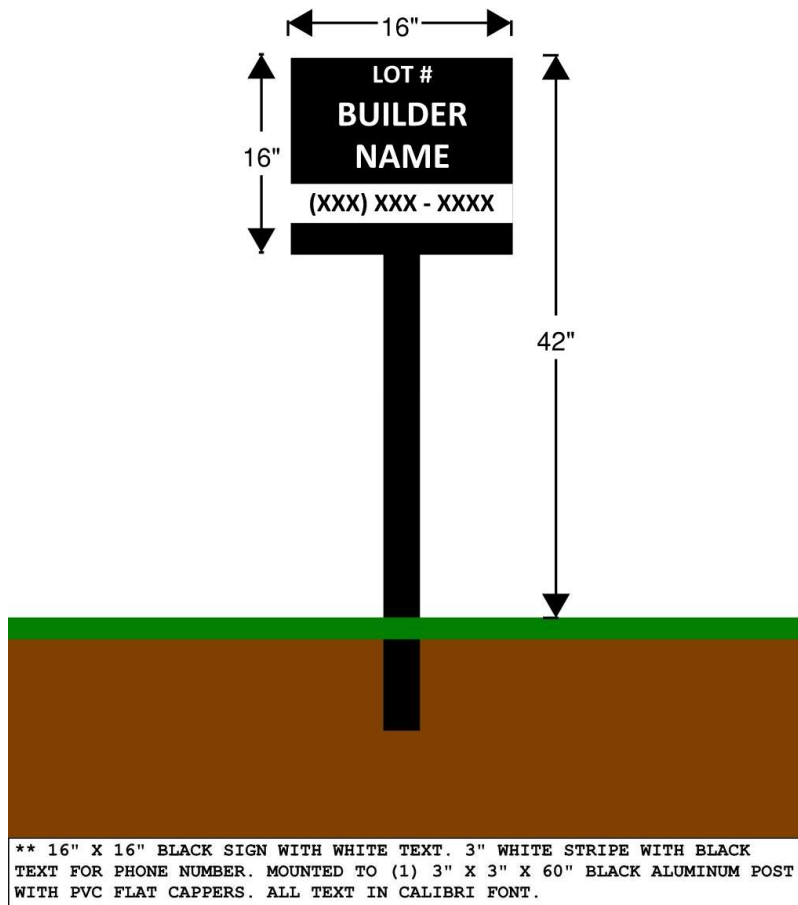
## 8. Signage Policies & Exhibits

### **A. For Sale/Rent/Brokers/Builder Sign Policy**

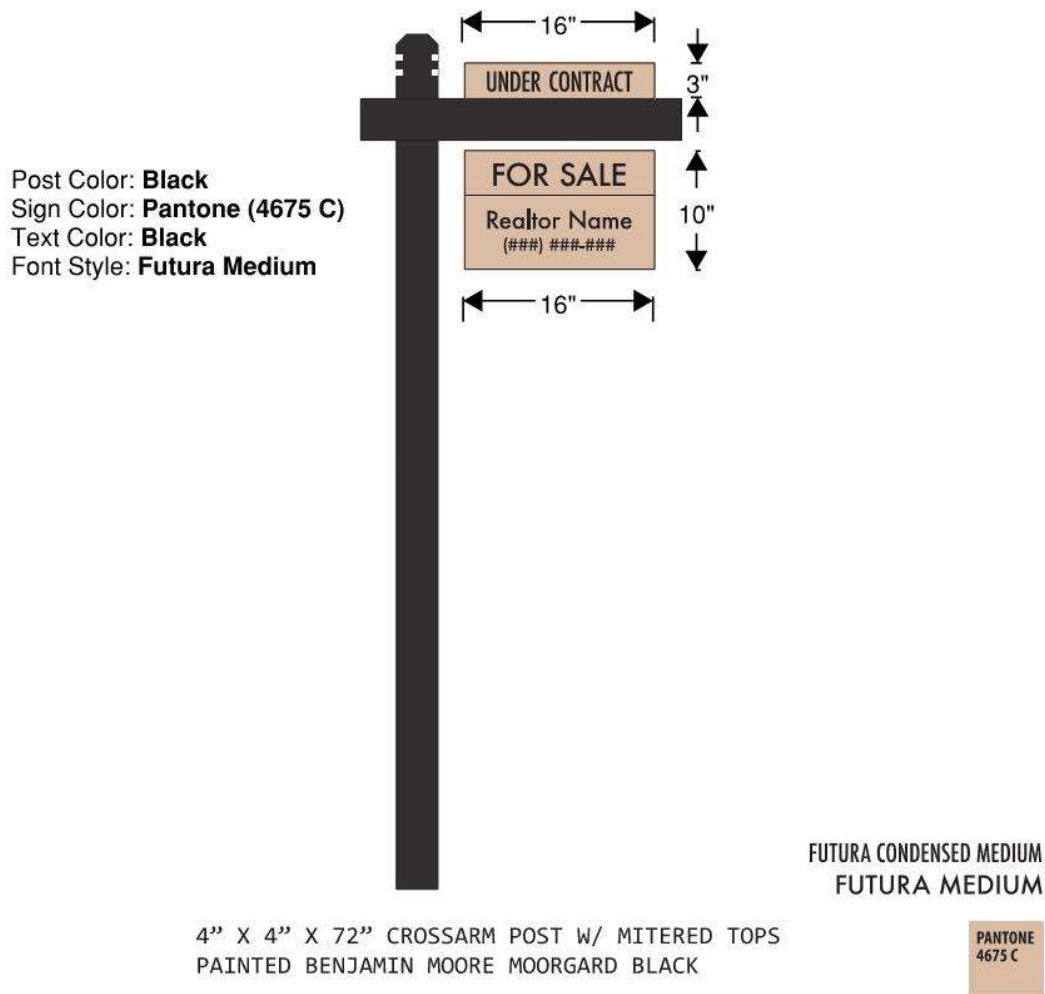
In order to maintain the overall privacy and beauty of the community, "For Sale", "General Brokerage", "For Sale By Owner", "For Rent" or any other signs on vacant land or residences are not permitted except for the approved sign standard.

Builders may place a "Builder Identification Sign" on the property while the house is under construction. This sign must follow the Builder Identification Sign specifications below. The text of this sign is limited to the Builder's name, phone number and the lot number or street address of the house. The sign should be placed at the street along the right-of-way at the front of the lot and shall be 16" in height and 16" in width and stand no more than 42" in height. The background color is to be black with white letters. A 3" white stripe with black letters is to be used for the phone number. All text on the sign should be in the Calibri font. The post is to be a 3" x 3" x 60" black aluminum post with PVC flat cappers. These signs are to be removed from the site upon completion of construction. No other signs shall be placed on each construction site.

#### **BUILDER IDENTIFICATION SIGN**



Lot Owners, Residents or Realtors who wish to place “For Sale” signs on their property must comply with this policy and sign standard. The sign face shall be 16 inches by 10 inches painted pantone beige mounted on a 4” x 4” wood post painted black with professionally painted message which should only include “For Sale”, the Realtor’s name, Agency Name and phone number. An optional 16 inch by 3 inch slide in or hanging sign painted pantone beige may be used to display the Builder’s Name, “Under Contract”, or “Closed”. The sign should be located approximately in the middle of the lot at least 5 feet behind the front lot line or sidewalk. Care should be taken when digging to install the sign including calling for utility locates. Please ensure that the “For Sale” sign matches the specification exhibit below.



**Production Notes**  
 HP LATEX - 3Mij35 W/ 3M8508 GLOSS LAMINATE APPLIED TO [1/2"] WHITE PVC

The use of temporary “bandit” signs is prohibited. All other signs are prohibited without written specific approval from the Developer. At no time should a sign be placed in a window of the house.

## **B. Political Sign Policy**

A resident of Marsh Harbor may place political signs not exceeding three square feet in total area on his or her own lot; however, political signs may not be placed earlier than fourteen days before the election and must be removed the day after the election. For the purpose of this provision, election is defined as any federal, state, or local election recognized and supervised by the St. Johns County Supervisor of Elections. There can be no more than one political sign on any lot at any time. Residents wishing to place signs meeting these requirements may do so without any formal request to the ARB. The ARB will cause the removal of political signs that do not meet these guidelines, that are deemed to be in bad taste, or in any way are not in keeping with the general standards of Marsh Harbor.

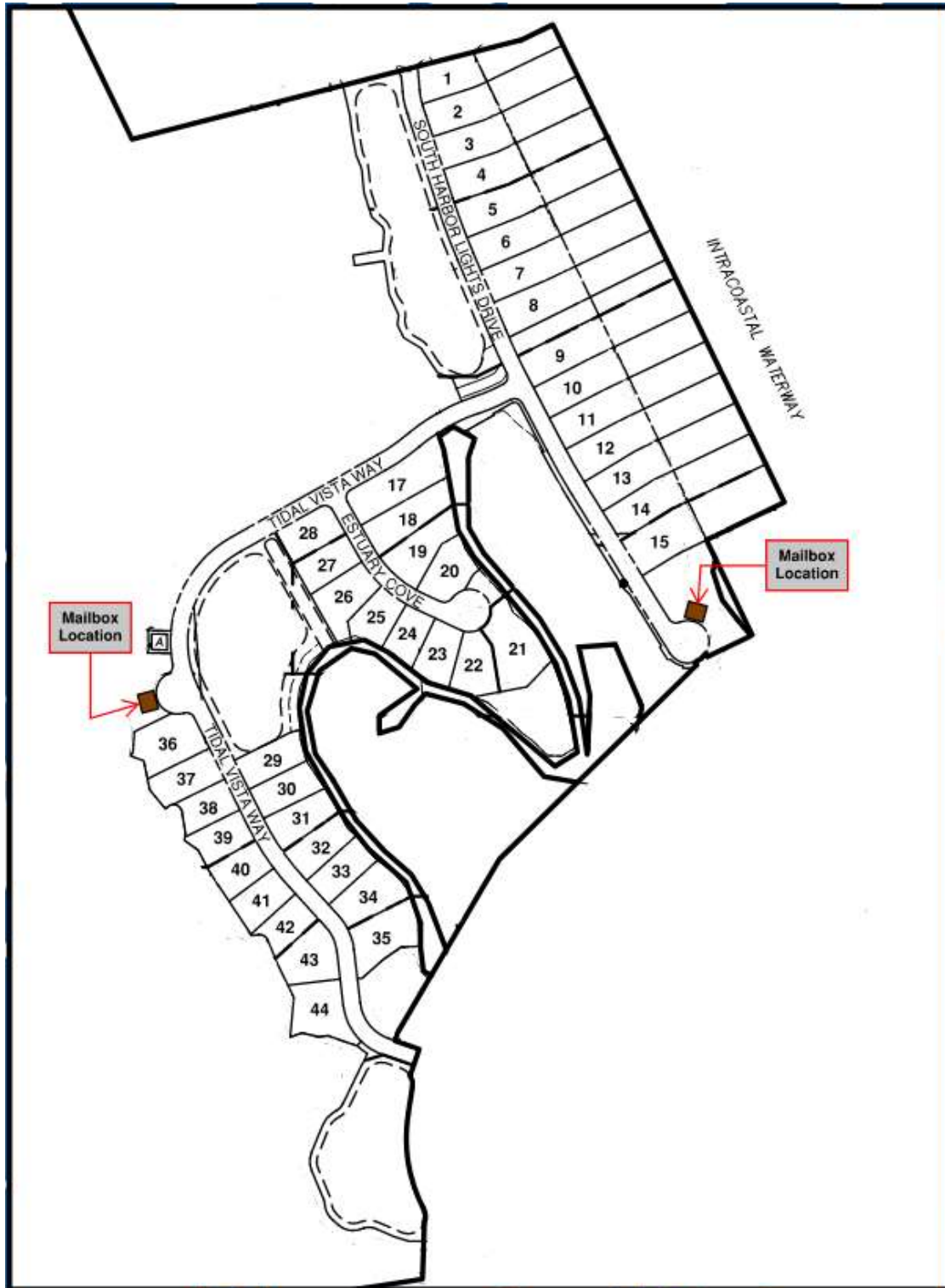
## **C. Waterfront Sign Policy**

At no time shall any signage of any kind be installed, displayed, or otherwise placed along the waterfront, in order to preserve the natural view corridor and maintain the aesthetic integrity of the Intracoastal Waterway.



## 9. Specification Exhibits

### A. Cluster Mailbox Location Map Exhibit



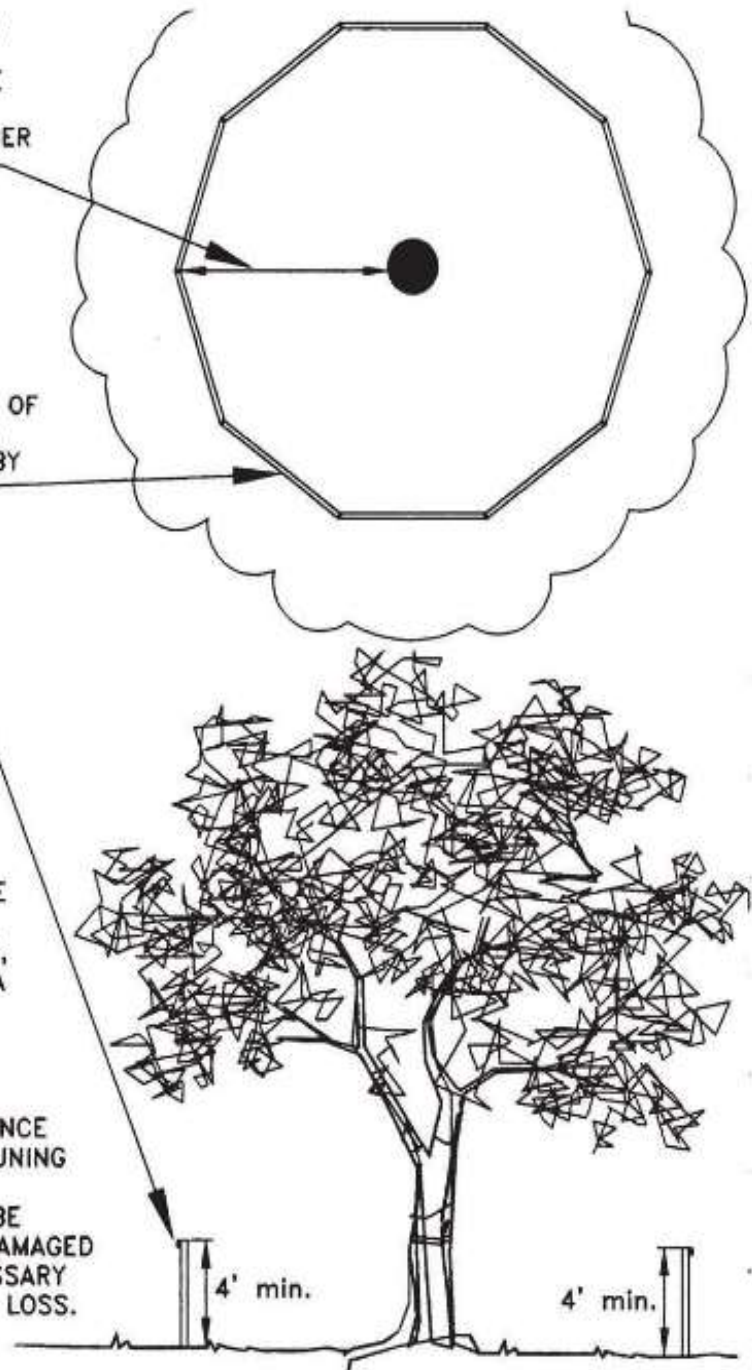
## B. Tree Protection Barrier Specification Exhibit

TEMPORARY TREE PROTECTION BARRIER IS TO BE THE GREATER OF: 10 FEET FROM THE BASE OF THE TREE OR THE DISTANCE REQUIRED TO INCLUDE AT LEAST 50 PERCENT OF THE AREA UNDER THE DRIPLINE OF THE TREE

THE BARRIER SHALL BE CONSTRUCTED OF TWO BY FOUR (2x4) POSTS PLACED A MAXIMUM 5 FEET APART, WITH A TWO BY FOUR (2x4) MIN. TOP RAIL.

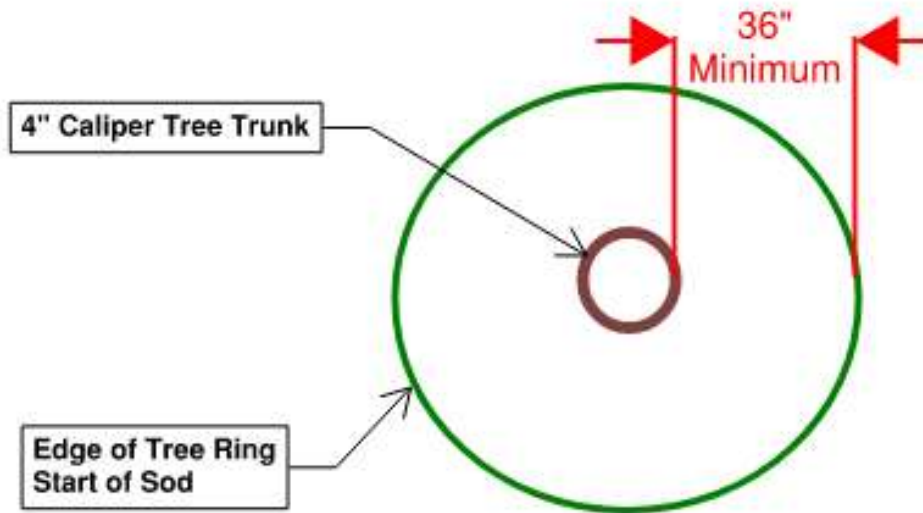
### NOTES:

- NO MATERIALS OR EQUIPMENT SHALL BE STORED, OPERATED, DUMPED, OR BURNED WITHIN THE PROTECTED AREA.
- NO ATTACHMENT (WIRES, SIGNS, ETC.), SHALL BE ATTACHED TO A PROTECTED TREE.
- PRIOR TO ANY LAND CLEARING OPERATIONS, TREE LIMBS WHICH INTERFERE WITH CONSTRUCTION SHALL BE REMOVED IN ACCORDANCE WITH NAT. ARBORIST ASSOC. PRUNING STANDARDS.
- ALL PROTECTED TREES SHALL BE PRUNED TO REMOVE DEAD OR DAMAGED LIMBS AND FERTILIZED AS NECESSARY TO COMPENSATE FOR ANY ROOT LOSS.



## C. Tree Ring Specification Exhibit

### 4" Caliper Tree



### 6" Caliper Tree

