

Welcome to the Neighborhood!!

Dear Property Owner:

Congratulations on purchasing a lot in one of the most beautiful developments of Flagler County. It is an exclusive area to be treasured. The Board of Directors welcomes you to the community. We look forward to your construction and the value it will add.

We know that the process of building a home can be stressful because oftentimes it is uncharted territory. Although our Community Association Manager and your Board of Directors is pleased to assist, many questions can be answered just by reading the material associated with the development.

To aid in your understanding and your contractor's understanding of the process as it relates to the community through our Architectural Guidelines and our governing documents, we strongly recommend the following:

- 1.) Read the Introduction Page of the Architectural Guidelines.
- 2.) Browse through the Architectural Guidelines and the forms required for submissions.
- 3.) Ensure that you have a copy of our governing documents and browse through them.
- 4.) Call our Community Association Manager with any unanswered questions.
- 5.) Ensure that the contractor submits your building plans to the Community Association Manager for review with the Architectural Review Board exactly as per the requirements indicated in the Guidelines.
- 6.) If your plans are not approved after the first review, most likely only a minor correction is required. Don't take the decision personal. Your builder will have a solution. If you disagree with the decision, an appeal process is available as per the Guidelines.

ARB Submission process:

- ARB Submission given to Watson Association Management who reviews the application to ensure it is complete. All ARB submission packages need to be reviewed by the property owner with his/her contractor to ensure the guidelines are met and the package is complete prior to submission.
- ARB is notified once application has been reviewed and determined complete
- ARB picks up Submissions on or around the 5th and 20th of each month
- New Home Submissions are given to our Association Architect for review by the ARB
- Once review is completed by Architect the Submission is returned to the ARB for their review to ensure that the Submission follows the Covenants and Architectural Guidelines
- ARB forwards the Watson Association Management a report with Architect/ARB findings
- Watson Association Management notifies Homeowner and the Contractor of the findings
- The ARB is notified once Watson Association Management receives any and all corrections
- The revised Submission will be picked up at the next scheduled collection
- Approval of submission provided by the ARB

The Board of Directors understands the importance of building your dream home. We also understand the importance of upholding the value to which you invested. Thanks for cooperating with the Architectural Review process. Our community is growing daily, and we are receiving multiple Submissions on a monthly basis. We ask that everyone have patience and treat our ARB volunteers, Watson Association Management and HOA with respect. That being said Homeowners/Contractors are prohibited from contacting the ARB and/or Association Architect directly. All communication must go through Watson Association Management. Please understand that the timeframe for Submission Review is 60 to 90 days.

Sincerely,
The Board of Directors and the Architectural Review Board

Exhibit “F”

**Seaside Landings at Flagler Beach Architectural Design and Development
Guidelines**

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Seaside Landings at Flagler Beach Introduction

The intent of these guidelines is to help make Seaside Landings at Flagler Beach a community of custom homes that are all built tastefully and are aesthetically pleasing. This includes the use of long-lasting materials, high construction standards, and quality landscaping.

The primary function of the Architectural Review Board (ARB) is to review and approve or disapprove plans for any proposed construction, modification, addition or alteration to existing lots, buffer areas, open spaces, and common areas within Seaside Landings at Flagler Beach. The covenants grant the ARB broad discretionary powers regarding design, construction, and development including: architectural style, colors, textures, materials, landscaping, overall impact on surrounding property, and other aesthetic matters.

The ARB has prepared these guidelines to aid builders and homeowners in designing and constructing homes and other improvements within Seaside Landings at Flagler Beach. Specifically, they:

- Provide a systematic and uniform design review process.
- Ensure the siting and design of structures are compatible with existing terrain and complement the community.
- Ensure all dwellings comply with the covenants and these guidelines.
- Ensure landscape plans provide pleasant surroundings.

These guidelines are in addition to all building, use, and other deed restrictions placed on Seaside Landings at Flagler Beach. All homeowners and builders should familiarize themselves with the provisions of the covenants.

The ARB's right to approve or disapprove any proposed matter supersedes guidance in these guidelines. The ARB will be evaluating each application for total effect, including the manner in which the homesite is developed. This evaluation related to matters of judgment and taste that cannot be reduced to a simple list of measurable criteria. It is possible, therefore, that a house plan might meet the individual criteria in these guidelines and still not receive approval if the ARB determines the overall aesthetic impact to be unacceptable. The approval of an application for one homesite shall not be construed as creating an obligation on the part of the ARB to approve applications involving similar designs pertaining to different homesites.

Approval by the ARB does not constitute approval by any public permitting agency. Flagler County require building permits for home building that will need to comply with local and state building codes.

The Review and Approval Process

The Architectural Review Board requires that all building be done by a licensed and insured contractor/builder with demonstrable experience in building custom homes. The ARB reserves the right to reject an application for approval on the basis of builder qualification. The owner is responsible for assuring that a qualified builder is employed and that fully qualified and licensed sub-contractors are used.

Review Fees and Applications: Please see attachments at the end of this document.

All builders/contractors shall be responsible for any costs incurred by the association or ARB in order to:

- Repair damage to any property caused by the builder or subcontractor, supplier, and representatives during construction.
- Pay for the cost of any cleanup of the site and adjacent property not performed by the builder.
- Bring the homesite and any structures thereon into compliance with the requirements of the covenants.
- Recover legal fees and/or costs incurred by the ARB in order to correct and construction or alteration not performed in substantial compliance with the plans receiving final approval.
- Pay any fines or penalties imposed by the ARB or the association for violation of any rules of conduct or regulations governing use of property within Seaside Landings at Flagler Beach.

Alterations, Revision, or Additions DURING Construction Process:

If the Final Review process has been completed and approved by the ARB, (See Final Review below), and an alteration, revision, or addition is desired that will in any manner change the exterior appearance of the home, detached structure, dock, seawall, fence, or landscaping *during* construction, then sufficient information in order to understand the change shall be submitted to the ARB for approval. (Without the information being submitted, it is possible that the ARB final inspection may be disapproved).

Final Review:

No construction of the building or structural improvement, no clearing, landscaping or other site improvements, and no alteration to any existing structure or site improvement shall be made on any property until the plans showing proposed design have received final written approval by the ARB. Builders shall not submit for any local government permits prior to obtaining final ARB approval with being authorized to do so by the ARB.

A failure by the Builder to adhere to either of these requirements may result in forfeiture of all or part of the Builder's Deposit and/or imposition of a fine per the violation and fine schedule indicated by the Bylaw "Resolution Establishing Compliance Committee and Process for Imposition of Fines and Suspensions," dated December 23rd, 2020.

The ARB will notify builders of final approval and will authorize construction to begin by letter or email. Construction must commence within six (6) months of the date of final approval or final approval becomes void. Construction must be completed within eighteen (18) months from the date of commencement. ARB approval is in no way an assumption of liability or an endorsement of the structural design or engineering of the building, nor does it render judgment on the compliance with local building codes.

The Final review should include the following information:

- The completion of any and all applications.

- Site plan at a minimum scale of 1" = 20' showing: a clearing and grading scheme with proposed and existing land contours, grades and flow of the site draining system with relevant elevations shows; location, size, and species of any tree having a diameter of six (6) inches or more around the building site only; and, the dimensions and locations of all buildings, access drives, parking, utilities, street pavement location, and all other proposed improvements to the site. Reduced copies will not be accepted.
- Landscape and Irrigation Plans: The final landscape and irrigation plan shall refine the conceptual plan taking into account remaining natural vegetation. The final plans shall be at a minimum scale of 1" = 20' showing: the size, type, and location of existing and proposed trees around the building site only; and an irrigation plan.
- Plans at a minimum scale of 1/4" = 1'0" for all floors, cross sections, and finished elevations including total square feet of air-conditioned living area.
- Plans, elevations, types of materials, and other information associated with any other site improvement or ornamentation, exterior lighting, walls, fencing and screening, patios, decks, pools, porches, and signage.
- Samples and color chips of all exterior finishes and materials to be incorporated into the plan including roof samples.
- Such other information, data, and drawings as may reasonably be requested by the ARB.
- Any required review deposits.

Alterations, Revisions, or Additions AFTER Construction Process:

Alterations, revisions, or additions to the home, detached structure, dock, seawall, fence, or landscaping that in any manner change the exterior appearance *after* construction completion, and after ARB final inspection, are considered a separate project, requiring submission to the ARB for approval. Applicable fees, deposits, and forms must accompany the submission.

Final Inspection:

The ARB coordinator will monitor the activities and progress of the builders and their employees closely throughout the construction phase. This monitoring includes both the construction activity/progress and conformance with rules and regulations governing use of the property within Seaside Landings at Flagler Beach.

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

Upon completion of the construction, a builder shall give written notice to the ARB. Attached to the notice shall be a final survey and a copy of the Certificate of Occupancy for the newly constructed improvement. The ARB will then conduct a final inspection and provide the results by letter or email. If additional inspections are required to ensure noted deficiencies or un-approved improvements have been corrected, additional fees to the ARB may apply.

Builders and homeowners are forewarned that the covenants grant to the ARB broad discretionary powers regarding the remedy and removal of any non-complying improvement constructed within Seaside Landings at Flagler Beach. In this regard, if the ARB finds that any improvement was not performed or constructed in substantial compliance with the submittals receiving final approval, the ARB may remedy or remove the non-complying improvement and charge the action to the builder or homeowner.

Builder/Contractor Daily Conduct and Responsibilities Policy:

All builders shall be held responsible for the acts of their employees, subcontractors, suppliers, and any other persons or parties involved in the construction or alteration of the home/homesite. Failure to adhere to the rights and responsibilities set forth below may result in the forfeiture of all or part of the Builder's Deposit and/or imposition of fines as per the fine schedule indicated by the Bylaw "Resolution Establishing Compliance Committee and Process for Imposition of Fines and Suspensions," dated December 23rd 2020. In this regard, a builder shall be responsible for the following daily conduct and responsibilities:

- Ensure that no clearing, grading, or construction begins until the ARB has given final written approval of the proposed design.
- Ensure that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion. Placement of dumpsters on the site is required upon the start of plumbing work.
- Ensure there is no burning on the construction site of adjacent properties.
- Installing silt fencing on sites that create the possibility of sand/soil eroding off the homesite.
- Maintaining portable toilets at the construction site from the completion of site clearing.
- Prohibiting the consumption of alcoholic beverages, illegal drugs, or other intoxicants that could hamper the safety or well-being of other personnel on the site or affect the quality of workmanship.
- Contractors, subcontractors, and their employees may only park on one side of the road during construction hours and days and may not park on any adjoining properties unless prior written consent was obtained.
- Ensure all those for whom the builder is responsible are properly insured.
- Ensure all those for whom the builder is responsible do not commit any violations of the rules and regulations of the ARB.
- Limiting working hours for construction personnel to 7:00 AM to 7:00 PM on Mondays – Fridays and 8:00 AM to 5:00 PM on Saturdays. No construction work will be allowed on Sundays or the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.
- Prohibit construction personnel from having children or pets in Seaside Landings at Flagler Beach.
- Prohibit construction personnel from having firearms or other weapons inside of Seaside Landings at Flagler Beach.
- Prohibiting the playing of music or other sounds from non-construction activities.
- Prohibiting the use of adjacent properties for access or storage of material or equipment without prior written consent.
- Limiting all builders, employees, subcontractors, and suppliers to construction related activities at the designated site only. (No fishing, jousting, etc.)
- Ensuring all builders, employees, subcontractors, and suppliers use only the designated construction access routes as described by the ARB.
- Ensure that any dirt or debris in the road is cleaned up at the end of each day.

Appeal:

If an application has been denied, if an approval is subject to conditions which a builder or owner feels are unwarranted, or if there are disputes of any other matter related to actions of the ARB, the builder or owner may request a hearing before the full committee of the ARB. The ARB has the right to accept or deny a hearing based on only new information the builder or homeowner chooses to submit which supports the builder or homeowner's arguments. At the hearing, the builder or homeowner will be allowed to present their position of the matter and make requests of recommendations as to an alternative action. After the hearing, the ARB will review the information presented and notify the builder and homeowner of the final decision in a timely manner. The decision of the ARB regarding the matter shall be final.

Disclaimer:

In connection with all reviews, acceptances, inspections, permissions, consents, or required approval by or from the association or the ARB under these guidelines, neither the ARB, any member of the ARB nor the 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 arising out of or in a way related to the subject matter of any such reviews, acceptances, inspections, consents or require approvals, whether given, granted, or withheld by the association of the ARB. Approval of any plan by the ARB does not in any way warrant that the improvements are structurally sound or in compliance with any governmental agencies' regulations and codes, nor does it eliminate the need for approval from the Flagler County Building Department.

General Community Guidelines for Seaside Landings at Flagler Beach

General:

No structures shall be erected, placed, or permitted to remain on any property other than one single family dwelling constructed in accordance with the ARB approved plans, except for temporary improvements discussed below.

Temporary Improvements:

No temporary building or structure shall be permitted on any property; however, trailers, temporary buildings, barricades, temporary power poles and the like may be permitted during the construction of a permanent improvement, and provided that the ARB shall have approved the design, appearance, and location of the same. All such temporary improvements shall be placed on the property not on the road right-of-way. They shall be removed prior to the ARB's final inspection.

Accessory Structures:

Accessory structures such as garages, barns, sheds, gazebos, guest houses, docks, boat houses and the like that are detached from the main residential dwelling are allowed so long as they are erected in conjunction with or after the construction of the main residential dwelling. Accessory structures must complement and conform to the architectural scheme and appearance of the dwelling.

Other Structures:

No tent, shack, trailer, mobile home, or other out-building structure shall be placed on any property at any time either temporarily or permanently, nor shall aboveground swimming pools be permitted.

Equipment Screening:

All A/C, pool, and other equipment shall be concealed by appropriate landscaping and/or fencing that compliment and matches the exterior of the residence as determined by the ARB. Landscape screening should be installed of sufficient size so as to hide equipment from view after being planted.

Utility Services:

No lines, wires, or other devices for communication purposes, including telephone, television, data, and radio signals, or for transmission of electric current or energy shall be constructed or placed on any homesite unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvements. Above ground electrical transformers and other equipment may be permitted if properly screened and approved by the ARB. In addition, all gas, water, sewer, oil, and other pipes for gas or liquid transmission shall also be placed underground whenever possible or within or under buildings. Gas tanks shall either be buried or screened in the same manner as A/C and pool equipment. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements.

Refuse and Storage Areas:

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

Mail Boxes:

Individual mailboxes will not be allowed at Seaside Landings at Flagler Beach.

Fences:

1. Plans for fencing must be submitted and reviewed by the Seaside Landings at Flagler Beach ARB.
2. Submission to the ARB must include a site plan locating the owner's home, type of fencing inclusive of photographs or drawings, location of the fence, and all dimensions of the fence. Manufactured fences or natural fences shall be limited to 4 feet in height.
3. Manufactured fencing and natural fencing that may potentially limit site lines of the adjacent neighbor's water view requires an evaluation by the ARB. Pre-existing natural landscaping is excluded from the evaluation.
4. Wire and chain link fences are prohibited.
5. Manufactured fencing will be picket style. Typical designs include pickets that are approximately 5/8" square aluminum tubing spaced approximately 3 13/16 inches apart. The individual pickets may include ornamental features and a maximum of three side rails. Each of the side rails can be up to 1 1/8 inch square. All picket fencing shall be coated black or bronze. An example of a typical picket fence is included below.



6. Equestrian lot animal fencing will be evaluated by the ARB based on the type of animals. Two or three rail vinyl fencing is recommended for larger animals. No chain link or barbwire fencing is permitted.
7. No portion of a manufactured or natural fence will be installed on a shared property line. The fence must remain within the homeowner's lot, with no portion extending onto adjacent lots. Gates must not swing across the adjacent property line.
8. Fences extending past the front of the house toward an access road are not permitted.

Flags and Flagpoles:

Flagpole installation must comply with Florida Statute 720.304 as it pertains to the maximum size of the patriotic flag to be flown (4 ½ ft x 6 ft) and the maximum height of the flagpole (20 ft). Consideration should be given as to the aesthetics of location and to potential noise from both the flag itself and the attachment line during wind events. In addition, for those owners intending to display the US flag, consideration should be given to the standard customs and traditions observed by our US military. All flagpole installations require ARB review and approval, with the submission requiring:

1. Location of the Flagpole on the lot site plan
2. Flagpole design specifications and photo and/or brochure
3. Flagpole base design plans.

Lawn Furnishings:

No fountains, benches, birdbaths, frog ponds, flagpoles, lawn sculpture, artificial plants, birdhouses, rock gardens, or similar type of accessories and lawn furnishings are permitted on any homesite without prior approval of the ARB.

Site Placement:

All buildings and other improvements shall be placed as approved by the ARB. Much of Seaside Landings at Flagler Beach is covered by large, old growth trees. They are invaluable and it is the goal of the ARB to keep as many of these trees as possible. The ARB expects all lots owners and builders to go to extremes to achieve this goal and, therefore, the existing topography and landscape shall be disturbed as little as possible. The ARB will review the proposed location of all improvements on the site prior to lot clearing. Builders and homeowners are reminded that they are not permitted to alter or modify any buffer area, wetland area, or conservation easement without official written authority to do so by the association and any appropriate government agency.

Wetlands and Restricted Areas:

Builders and homeowners are reminded that they are not permitted to alter or modify any buffer area, wetland area, or conservation easement without official written authority to do so by the Association and any appropriate government agency (i.e. SJWM, Army Corp of Engineers, Flagler County). These are restricted areas that cannot be disturbed as they are regulated by proper authorities.

Signage

All signage shall be submitted and then approved by the ARB in accordance with the governing documents, Article IX, Section 18. Appropriate Guidelines forms must be submitted. Signage is considered a minor modification with no fee required.

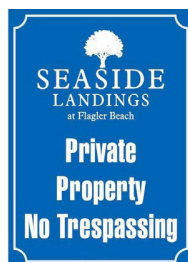
For sale by owner or realtor signs:

- 1.) Submission of appropriate Architectural Guideline forms must include realtor/owner contact info, street address of property, and lot number, plus a photo or design drawing.
- 2.) All signs are standardized with blue background, white lettering, tree logo of Seaside Landings, and crown shape on top. (See photo below). The dimensions are 16 inches by 16 inches. Use CMYK Color Codes: C-98, M-60, Y-11, K-1.5/Pantone colors: PMS 300C (Check with local print/sign shops for signage on file).
- 3.) Sign can include realtor name, realtor company, realtor logo, contact phone number, and contact email address.
- 4.) Support post shall be white, two-inch square aluminum or PVC material.
- 5.) One sign shall be placed on the sale property within 10 feet of adjacent road.
- 6.) Sign cost will be borne by property owner and/or realtor.



No trespassing signs:

- 1) Only permitted on unimproved lots or homes still in the construction process.
- 2) Submission of appropriate Architectural Guideline forms must include property owner contact info, street address of property, and lot number.
- 3) Submission to the ARB must include *number of signs* and *location* via site plan or photo(s).
- 4) All signs are standardized with blue background, white lettering, and the tree logo of Seaside Landings. (See photo below). The dimensions are 24 inches by 18 inches. Use CMYK Color Code: C-98, M-60, Y-11, K-1.5/Pantone colors: PMS 300C (Check with local print/sign shops for signage on file).
- 5) Support post shall be white, two-inch square aluminum or PVC material.
- 6) Sign cost will be borne by property owner.



Setbacks:

The minimum setbacks for Seaside Landings at Flagler Beach shall be as follows:

- Front – 20’
- Rear non-waterfront – 20’
- Rear waterfront – 5’ from normal high-water line
- Side – 10’

No building or structure, including porches, walls, decks, and swimming pools shall be erected so as to encroach, at ground level, into any of the setback lines. The location of normal air conditioning units, pool equipment and any screening within setback areas is permissible, but not in any drainage/utility easement, as long as it is in conjunction with an approved structure on the lot.

Drainage and Grading:

Special attention shall be given to proper site surface drainage; grading shall not interfere with natural drainage flows and runoff from one homesite will not discharge onto surrounding homesites. Paved areas shall be designed to allow surface water to drain naturally and not allow water to collect or stand. Site plans shall show the drainage plan for the homesite. A/C, generators, or pool equipment are not permitted in any drainage easements. Restoration of vacant lots/common areas disturbed during construction require grading/seeding to repair any and all damage to the satisfaction of the ARB.

Driveways:

Parking spaces, garages, curb cuts and the driveway to the garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography, and compatibility with surrounding improvements. All homesites on the east side of John Anderson shall have a paved driveway of stable and permanent construction. Typically, the width of the garage door will dictate the width of the driveway. Driveways shall not be placed within 3 ft of the side lot line.

Game and Play Structures:

All fixed games and play structures are subject to the approval by the ARB and shall be located at the side or rear of the dwelling so as to not be visible from the street.

Swimming Pools:

Any swimming pool or spa to be constructed upon any homesite shall be subject to review by the ARB. The design submittal must include all design components including materials, finishes, and colors for the pool, pool deck, fence, screen enclosure, additional landscape or any other requested element. The pool or the spa and its enclosure shall not extend towards the side lot lines beyond an imaginary line projected rearward from the side of the dwelling.

Easements:

No structures, including walls, fences, A/C, generators, pool equipment, landscaping, or paving shall be located in any drainage easements, utility easements, lake maintenance easements, or buffers except that driveways may cross utility and drainage easements at the front of lots.

Docks/Boathouses for Canal Lots:

Any docks or boathouses must compliment and conform to the architectural scheme and appearance of the dwelling. Any dock/boathouse approval obtained in writing from the ARB does not constitute an approval from Flagler County.

Dock Guideline Specifications (See Dock Addendum, Page 22)

1. Dock and boat house designs will be reviewed and approved by the ARB.
2. The dock submission must include a site drawing locating the owner's home, the proposed dock, the boat house, the walkway, and all pertinent lot dimensions.
3. Details of the dock decking materials, color of the decking, and installation of utilities, i.e. (plumbing & electrical), must be included as part of the submission. Except for pilings and framework used to support the structure, composite, non- wood material is required for dock construction. Examples are: Trex or Azec.
4. Boat house roofing materials must match the home. Dock roof height is limited to a maximum of 13 feet above the dock decking. No additional levels or platforms above the roof are allowed. The boat house is not permitted to be permanently enclosed. For clarification there will be no two (2) story docks permitted in Seaside Landings at Flagler Beach. Notwithstanding, step down platforms for canoes, kayaks, and paddle boards may be permitted at ARB consideration.
5. Dredging of the canal to accommodate proposed dock design will not be considered as a method to achieve reasonable placement.
6. Dock design should orient the boat so that it is parallel to the canal shoreline whether it is moored or cradled in a boat lift while accounting for water depth to clear the propeller. Variations may be considered.
7. No part of the dock will extend into the canal more than 30 feet from the seawall. For docks built on lots without a seawall, the docks cannot extend into the canal more than 40 feet from the top-of-bank pins. So as not to create a navigation hazard, the 30 feet measurement restriction also includes the extension of a boat permanently (more than 24 hours) moored against the dock. Lots at the western terminus(end) of both canals may require variations because of the irregular shape of the submersible portion of those lots and existing setback rules. Variations in maximum extension from the buildable pins/top of bank pins will be considered. If buildable pins cannot be located, a new survey is required.
8. As per the requirements of the community's PUD (Planned Unit Development), docks for single family homes shall have a minimum setback from the side property line of 15 feet unless a common dock is shared by an adjoining property under a recorded agreement.

9. As per the DECLARATION OF COVENANTS & RESTRICTIONS AND EASEMENTS FOR Seaside Landings at Flagler Beach, ARTICLE IX, USE RESTRICTIONS, Section 17, only watercraft are allowed to be stored on or attached to docks. Watercraft are inclusive of kayaks, paddleboards, etc. Other materials or appurtenances, such as marine storage boxes, furniture, etc. must also comply with maintenance/unsightly/unclean/unsanitary provision of the same paragraph. Additionally, paddle-propelled watercraft must not be stored more than 4 feet above deck level unless hidden under the roof of the boathouse.
10. In the interest of design uniformity and deterioration prevention, floating docks will not be allowed.

Marina Boat Lifts:

Boat lifts are allowed to be installed at the marina with the requirement that any structure of the vessel, i.e. engine, swim platform, etc. does not protrude past the end of the slip by more than 5 feet. Brackets for the lifts shall be the *side mount type*, attached to the walkway side of the slip and to the two pilings directly opposite the walkway. The brackets shall be mounted above or below the bracket on the adjacent slip such that they are nearly even in height, staggered on to the extent required to accommodate the necessary hardware. A submission is required prior to installation, which shall include a design plan and type of lift, inclusive of image.

Shoreline Stabilization/Seawalls:

1. Seawall construction shall be corrugated vinyl piling with poured concrete cap.
 - a. Vinyl piling – Crane Materials, International SG-425 or equivalent for pilings up to 10 feet in length. Crane Materials International CL-9900 or equivalent for pilings in excess of 10 ft long. All vinyl pilings shall be colored CMI gray or equivalent.
 - b. Cement Cap – Poured concrete 14” wide x 11 ½” high secured with deadman anchors.
2. Seawall must have 10 foot returns if adjoining lots do not have seawalls with an exposed pile connector.
3. Seawalls must be landscaped with indigenous vegetation to camouflage the bulkhead material such that a natural shoreline appearance is achieved. The landscaping can be accomplished by planting a 3-gallon Blue-Pacific Juniper ground cover along the edge of the seawall. (Mangroves are not recommended due to government maintenance restrictions as it pertains to trimming.) The landscaping should be planted of reasonable size so as to begin showing evidence of camouflaging the seawall within a six-month time period. Upon completion of a seawall on an undeveloped lot the property owner/contractor is required to plant Bahia seed 10 feet back from the seawall cap to prevent erosion. The home builder must include the seawall vegetation requirements in the overall landscape plan.
4. All trees must be 20 feet back from the seawall and seawall return. ARB review and approval is required prior to any planting of trees.
5. Surveyor pins were located at the top-of-bank on all canal building lots during development of Seaside Landings. If the pins cannot be readily found, a surveyor must be hired to locate the existing pins or install new top-of-bank pins. Seawalls cannot extend into the canal more than 10 feet from the surveyor's top-of-bank locating pins. Seawall shall be installed at a position that will connect evenly with the adjacent lots such that the cement cap will run in a relatively contiguous straight line on the canal when seen from the waterside both vertically and horizontally. If the contractor cannot meet these requirements, a written explanation of the deviation request must be included with the seawall submission.
6. A design plan must be submitted to ARB for approval, inclusive of construction plans and installation site plan. All plans are subject to the approval of any federal, state and county requirements.

Solar Panel Guidelines: (See Solar Panel Addendum, Page 23)

1. Homeowners must submit an application to the ARB for approval, and must obtain such approval, prior to beginning any installation of solar panels.
2. The submission package to the ARB must include a site plan locating the owner's home, the size of the solar arrays, the location of the solar arrays on the home's roof, the proposed elevation of the panels relative to the roofline, the location of wires and conduits, and all pertinent lot dimensions. The package must identify the contractor that will perform the installation and specify the make and manufacturer of the panels.
3. Ground-based panels are not subject to Florida Statute 163.04 but will be considered on a case by case basis, utilizing the submission requirements of Item #2 above, substituting the roof location and elevation for the site location.
4. Homeowners are encouraged to make every effort possible to aesthetically integrate the panels into the architectural design of their home. For example, Solar Pool Heaters are especially noticeable on light to medium colored roofs. Homeowners are encouraged to consider, color, size and location of the panels in the context of the existing roof.
5. As a courtesy to neighbors, and for the benefit of the community as a whole, homeowners are strongly encouraged to make every effort to mitigate glare. If glass panels are featured, homeowners are strongly encouraged to use panels manufactured with anti-reflective coating or a textured glass surface.
6. Homeowners are strongly encouraged to use mid to high performance PV panels, which have higher module efficiencies requiring less surface area, are less susceptible to damage, and are less reflective of sunlight. *Panasonic N340 and LG350Q1C* are two examples of PV panels that are considered mid-to-high performance. *Tesla's* solar roof tiles are a relatively new product, offering an opportunity to install a PV system without the drawbacks of roof mounted solar collectors.
7. If glare problems occur after installation, the homeowner must make a good faith effort to mitigate by adjusting the panel angles or location. Reflected sunlight will vary by time of day as well as time of year. (*Glare that is not apparent in January could potentially be an issue in June.*)

Seaside Landings at Flagler Beach Design and Development Guidelines

Seaside Landings at Flagler Beach is intended to be a custom home community heavily influenced by “*Old Florida*” style architecture. The two most popular genres in America that are permitted at Seaside Landings at Flagler Beach are the *Florida “Cracker”* and the “*California*” *Bungalow*.

The *Florida “Cracker”* architectural characteristics are most recognized for their utilitarian features and details. Historically a single elevated floor (but not limited to) to allow ample air circulation in hot humid climates, the addition of ample numbers of dormers and a cupola perched high upon the peak of the roof. All of these features and details contribute to increasing air circulation which results in a cooling breeze for the residents’ comfort. In addition, such features help to preserve the building materials from an accelerated rot and decay caused by the hot humid climate in Florida.

There are many interesting aspects to the features and details used in the design of this style home. “*Cracker*” homes were partial to large porches to allow connectivity to the outdoors. The porches are an area for the family to gather and socialize in a place out of the direct sunlight. Many homes had porches that actually wrapped around three sides of the structure which created shade so the prevailing breeze would cool before entering the home. The “*Cracker*” home had simple roof profiles. The main building design with gable roofs with roof pitches from five twelve (6/12) to nine twelve (9/12). Porches were shaded by a shed roof with a lesser pitch of four twelve (4/12).

Traditionally, the materials used for these designs were materials that were readily available. Wood was the material of choice in the *Florida “Cracker”* design. Wood lap siding was almost exclusively used and wood columns supporting the porches often had interesting artistic details. Metal (tin) roofs were common. Natural materials such as field stone, flag stone or other nature provided materials were used. Masonry pilasters were introduced and commonly used to support the elevated floor level. Such natural or manmade materials prevented decay.

The *Bungalow*, popularized in California became one of the most desirable housing styles in America. The popularity spread due to its economy of construction that incorporated both the structural and decorative use of modest materials.

The *Bungalow* style architecture became popular at the turn of the Twentieth Century. Many years afterwards it has become a special interest today for being the home of American Arts and Crafts movement. Early in the twentieth century, America was putting down roots and searching for an identifying housing architecture. The *Bungalow* style emerged, unaffected by Gothic, Greek or Italianate over tones. America finally had a domestic architecture style to call its own.

The buildings are usually one story (but not limited to) and may have dormers, varying in size and the locations are usually dictated by the floor plan or otherwise, at the discretion of the designer. The roofs may be more complex than a *Cracker* house with separate roofs of varying pitches from five twelve (6/12) to seven twelve (7/12). Rafter tails may be exposed and exterior-framing designs can often be seen within the home. Roof materials are traditionally shingle and or shake.

The entire building may be either at grade or elevated on masonry stem walls. Front entry designs varied and may include a porch with various sundry Arts and Crafts architectural details. Masonry, stone or brick chimney are common. Exterior cladding materials vary from different wood species and shapes to different types of natural stone and masonry. There are an abundance of design opportunities for creating *Bungalow* architecture. Many years of designing Architecture in Florida has resulted in combining the *Florida* "Cracker" and "California" *Bungalow* characteristics, materials and details.

"Old Florida" style architecture can also include the Spanish influence of Florida's early settler. The "Spanish Mission" style typically displays the colors and building styles of the Mediterranean adapted to Florida. The sturdy construction of a Mediterranean influenced home typically handles the Florida climate well.

Most recently the "Florida Coastal" or "Florida Coastal Contemporary" genre has emerged as the top choice for new construction in coastal Florida. "Florida Coastal Contemporary" is a mix of modern and traditional styles. It is heavily influenced by the international and Key West styles with features such as larger exterior overhangs and a mix of finishes that include stucco, glass, and natural woods like cypress.

Examples of “Old Florida” architecture that is permitted at Seaside Landings at Flagler Beach



Florida Bungalow



Florida Bungalow



Florida Cracker



Florida Coastal



Florida Coastal Contemporary



Mediterranean Influenced

General Neighborhood Building Design Guidelines

Minimum Dwelling Size:

The minimum square feet of heated/air conditioned living area requires for main residential dwelling structures is 1,800 square feet. These minimum requirements exclude porches, decks, garages, and other unheated spaces.

Dwelling Heights:

The maximum height of dwellings shall be 40' or 3 stories. Dwelling heights shall be compatible with adjacent buildings. Height shall be measured from the predominant or average final grade of the lot to the ridge of the highest roof element.

Finished Floor Elevations:

Each lot has a specified minimum finished floor elevation. These are shown on the preliminary plat, a copy of which is maintained and available for review from the ARB.

Exterior Materials:

Siding materials may be of cementation composition, composite or wood but ease of maintenance should be a consideration. Finish materials shall be applied consistently to all side of the exterior of the dwelling. Metal and vinyl siding, exposed concrete block, imitation asphalt brick siding, and tarpaper are prohibited. All materials proposed for exterior use shall be approved by the ARB prior to construction. The ARB may require sample materials for review.

Exterior Features:

Exterior window and door trim and similar decorations shall be of same, complementing, or contrasting color and material. Compatibility should be considered by the ARB in accepting proposed trim and decoration.

Any architectural appointments or trim details must be consistent with the architectural style of the structure.

Window, Shutters and Doors:

Windows and doors shall be manufactured with finishes capable of resisting chalking and fading. All exterior window and door designs shall be submitted to the ARB for review and approval prior to installation. Impact resistant glass is recommended and must meet mandatory code restrictions. If Hurricane shutters are used in lieu of impact resistant glass, attachment systems must match the home color scheme. Non-removable, accordion, and/or permanently

attached Hurricane shutters are prohibited. All attachment hardware must be non-corrosive material i.e. stainless steel and must be maintained from peeling, chipping or fading. The hardware must be color matched to the home paint scheme and not visible from the street. All windows are to be single or double hung, or casement and the style shall be consistent with the architectural style of the home. Screens are permitted but must have gray screening material. Aluminum awnings, reflective glass and jalousie-type windows are prohibited. The use of glass block windows shall be limited to the side and the rear. Exterior doors and sidelights with stained, colored, leaded, or etched glass will be permitted when approved by the ARB. Doors constructed of wood, metal or fiberglass and encased in wood surrounds are recommended for the front of the home.

Hurricane shutter systems must be approved by the ARB and must meet mandatory code restrictions. Aluminum awnings and jalousie-type windows are prohibited. Hurricane shutters, supports, and hardware are subject to approval by the ARB. Any supports or hardware that remains permanent shall be finished to match the adjacent architectural element. Hurricane shutters are to be installed no earlier than the official hurricane watch and are to be removed 72 hours after the official watch is no longer active.

Screening of front porches and entrances is prohibited. If screening of side or rear porches and patios is desired, then the finished product must look as if the porch or patio is open with all architectural features intact. To promote indoor/outdoor transitions, the creative use of wide verandahs on the rear of homes is strongly encouraged.

Exterior Finishes/Materials/Colors:

With custom homes it is very important to mitigate duplication of colors to insure diversity of the color pallet. When selecting the color of your home, owners need to be cognizant of the colors of existing homes and approved submissions when selecting their color pallet. Paint color or tone shall be subdued colors and earth tones complimentary to Florida coastal designs, complimentary to the architecture of the home and complimentary to the style of the community. Exterior finishes, or materials, including, but not limited to roof tiles, pavers, paint color(s), ornamentation, exterior lighting, fountains, and waterfalls shall be submitted for review and approval by the ARB. Note the finish of Metal Roofs shall be non-reflective.

Preliminary Color Scheme & Material Approval Process:

Property Owners and/or Builders requesting approval for any exterior finish, material, or color shall complete the appropriate sections of the Seaside Landings at Flagler Beach Design Review Application. Submit the application to the Association Management Company with two (2) sets of the following:

- Plans and color photographs, types of materials, manufacturer, model #, color, etc. and any other information associated with any exterior finish or ornamentation, including but not limited to roof tiles, pavers, exterior railings, gutters, lighting, fountains and waterfalls.
- Three inch (3") square color chips of all proposed exterior body and trim paint colors – with paint manufacturer and color number clearly identified. The ARB requires on site samples of the preliminary approved color palette in order for final color scheme approval to be considered. The process must be followed as indicated below.

Final Color Scheme Approval Process:

Note: Color palette being proposed, all architectural details such as trim, accents, fauxs, etc. should be applied to the home prior to submitting a request for final color inspection. This allows the ARB the ability to visualize a true finished product.

In requesting the final color inspection, the following steps apply:

- 4x4 color samples (two coats of paint) to be placed on the front of the home.
- Samples to be clearly labeled for verification of intended placement, inclusive of manufacturer, paint color name and number, material name, etc.
- When multiple body tones are proposed for multiple story homes, placement of the body color sample should coincide with the assigned floor.
- Exterior materials (roof tiles, pavers etc.) to be placed next to the color samples on site.
- Once all samples are on site, notify the Association Management Company.

Roofs:

The preferred and encouraged composition of all pitched roofs shall be tile, slate, metal, and architectural shingles with colors permitted by the ARB. Shingles should be impact resistant with superior quality and warranty. All roofing material shall be compatible with the style of the home.

Roof pitches shall be compatible with the architectural style of the home and must be 6:12. Flat roofs shall not be permitted on the main portion of the structure. Flues, vents, and skylights must be flush mounted on rear slopes so as not to be visible from the street and are to blend in with the color of the roofing material. The use of solar energy producing devices (active and/or passive) may be approved by the ARB but should be removed from the view of adjacent streets and properties when feasible.

Chimneys:

Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone, or stucco. If the fireplace is a metal (self-insulated) type with a metal spark arrester at the top of the chimney, this arrester must have a cowl or surround of a material approved in advance in writing by the ARB and be a color approved by the ARB. No unpainted aluminum or other metals may be left exposed. Chimneys, porch towers, or catwalks constructed as an integral part of the main dwelling may extend up to 50' in height.

Garages:

All homes require an enclosed garage be included in the home design.

No garage shall be less than 400 square feet of total floor space for automobiles, not including space required for hot water heaters, HVAC equipment, and other equipment and appliances commonly located in garages. All garages shall be constructed of the same exterior materials and colors as the main dwelling. Rigid panel garage doors are prohibited. ARB review and approval is required prior to any installation.

No carports shall be permitted. Garage doors shall be maintained in a useful working condition and shall be kept closed when not in use.

Energy Efficiency:

All homes shall meet or exceed Florida's Energy Efficiency Code for Building Construction.

Antennas:

Antennas, aerials and similar equipment, including satellite dishes and antennas are encouraged to be placed, screened, or landscaped so as to be hidden from view as long as such landscaping or placement does not affect the quality of the reception or unreasonably increase the cost of obtaining the antenna.

Window Air Conditioners:

No window air conditioners shall be permitted.

Hurricane Shutters:

Hurricane shutters, supports, and hardware are subject to review and approval of the ARB. Any supports or hardware that remains permanent elements shall be finished to match the adjacent architectural element. Hurricane shutters are to be closed no earlier than the official hurricane watch and are to be taken down (or opened) 72 hours after the official watch has been lifted.

General Landscaping Guidelines

General:

All developed homesites shall be landscaped according the plans approved by the ARB. All shrubs, grass, and plantings of every kind shall be kept well maintained, properly cultivated, and free of trash and other unsightly material. Landscaping as approved by the ARB shall be completed in a timely fashion.

Landscaping Plan:

A basic landscaping plan for each homesite must be designed by a registered landscape architect or landscape designer and must be submitted to and approved by the ARB. The plan shall incorporate existing vegetation on the site and show existing trees to be removed. Existing trees over 6" in diameter may not be removed without prior approval from the ARB.

Trees:

1. In order that the natural beauty of the homesite may be preserved, no living tree having a diameter great than 6" shall be destroyed or remove from the property unless approved by the ARB. The builder shall take special care during construction not to injure or destroy trees or tree root systems including use of protective barriers to keep equipment away from trees.
2. All trees must be 20 feet back from the seawall and seawall return. ARB review and approval is required prior to any planting of trees.
3. As per the provisions in Section #7(Environmental Considerations), Paragraph (c) of the Third amendment to the Seaside Landings at Flagler Beach PUD, Flagler County Ordinance #2020-0, in satisfying the requirements of Section 6.01.03 of the Land Development Code, at the property owners' option, a *maximum 50% of the 40% replacement index tree caliper inches may be transferred to Association Common Areas with the following stipulations:*
 - a. Transferred trees must be at least 3 1/2 caliper inches measured 6 inches above grade.
 - b. Association must agree to the type of trees transferred.
 - c. Property owner must pay the cost for planting and/or transfer of trees.
 - d. Property owner must complete the **HOA Tree Transfer Form and Flagler County Residential Tree Protection and Landscape Compliance (For a New Residential Structure)** Forms included in the Architectural Guidelines Packet.
 - e. Lots #1 through #10 are excluded from the tree transfer option.
 - f. Transplanted trees will be maintained by the HOA.
 - g. Acceptance of a property owners' participation in the HOA Tree Transfer Program shall be at the sole discretion of the Board of Directors of the HOA.

Shrubbery:

There should be sufficient quantities of shrubbery to ensure a well-landscaped appearance consistent with a high-quality community. Foundation shrubs shall be placed in key locations around the dwelling taking into account doors, windows, and other exterior features. The ARB may approve, on a case-by-case basis, hedges on the rear and side lot lines.

Sod:

All areas within each homesite not covered with pavement, buildings, shrubs, or groundcover shall be completely sodded unless otherwise approved by the ARB.

Mulch:

All planting areas within each homesite shall be covered and maintained with 3” or more of pine, cypress, gravel, or other suitable mulch. The type of mulch shall be identified on the landscape plan.

Irrigation:

All landscaped areas shall be provided with an automatic underground irrigation system. Irrigation systems shall not draw water from canals, surface waters, lakes, creeks, or streams.

Seaside Landings at Flagler Beach Homeowner Dock Guidelines Addendum**Community Information**

1. Seaside Landings at Flagler Beach is a community of 99 building lots situated on some 246 acres of land in Flagler County.
2. The community is located in a pristine area with an expansive view of the Matanzas River. One of the key attributes of the community are two canals, which provide river access for 80 building lots. The remaining 19 lots in Seaside Landings at Flagler Beach obtain access to the canal and river with a 20-slip marina located on the southern most road, Seaside Landing South.
3. The southern canal is some 1,975 long with 42 building lots. There are two lots owned by one homeowner – Lots 57 & 58.
4. The northern canal is some 1,650 feet long with 38 building lots. There are two lots owned by one homeowner – Lots 50 & 51.
5. The width of the canals varies along their length. The southern canal is some 118 wide at the western terminus and some 140 feet at the eastern entrance to the Matanzas River. The northern canal is some 116 wide at the western terminus and some 134 feet at the eastern entrance to the Matanzas River.

6. Tidal variation in the canals are some 2 feet.

7. A survey of the Seaside Landings at Flagler Beach canals was performed on Monday, August 26, 2019. The survey was performed over the period 11:00AM to 12:30PM. Forty-six depth measurements were made. The water depth at the center of the north canal measured between 8 feet deep and 9.5 feet deep depending on location. The depth of the water measured 10 feet from the shoreline in the north canal was between 1.5 feet and 2.5 feet deep. The water depth at the center of the south canal measured between 7.5 feet and 9.5 feet depending on location. The depth of the water measured 10 feet from the shoreline in the south measured between 6 inches and 2.0 feet deep.

Dock Guidelines Objectives

The development of canal guidelines is essential for maintaining or at least managing the quality of life we all aspire to achieve by locating our homes on or near the Matanzas River. Individual homeowners with lots on the canal can derive a benefit by constructing docks on the canal but at a cost to their neighbors with potential sightline obstructions and a financial impact to the community for occasional dredging of the canals.

The sheer number of docks and the density of the structures is going to lead to reductions in sightlines. There is the possibility that up to 78 docks can be built on the two canals, 41 on the southern canal and 37 on the northern canal. The number of docks that could be built on southern side of the north canal is 26. On the northern side of the north canal the number of docks that can be built are 12 docks.

The sightline obstructions are critically dependent on the individual homeowners' dock plans. The dock dimensions, the size of the boats, whether the boat is on the lift or on the water, and the placement of the docks are all going to obstruct views depending on how far west your viewpoint is. Boathouses with roofs will further reduce or eliminate any sightline.

Potential exists for significant financial impact to Seaside Landings at Flagler Beach depending on the placement of the docks and orientation of the boat slips. Locating the dock near the shoreline, like our community marina, reduces the impact of obstructed views. The fact is, the 20-slip marina has little impact on the south canal's sightlines. But locating docks near the shoreline may create a canal dredging expense, which is borne by the HOA. Locating a dock further out in the canal most likely reduces dredging concerns, but has a much more serious impact on sightlines west to east.

Boat slip orientation is another factor that must be considered by homeowners building docks. From recent water depth mapping of the canals, it is apparent that water depth increases with distance from the shoreline to the center of the canals.

Seaside Landings at Flagler Beach Homeowner Solar Panel Guideline **Addendum**

Solar Panel Background Information

There are three general types of solar collectors. *Solar Pool Heating Panels*, *Solar Domestic Water Heating Panels*, and *Photo Voltaic (PV) Panels*. All three types of solar collection panels are designed to capture sunlight with the potential to reduce homeowner's energy costs.

Solar Pool Heating Panels and *Solar Domestic Water Heating Panels* perform a similar function. The panels collect solar irradiance that falls on the panel surface and directly transfers thermal energy from the sun to water in either the pool or domestic hot water heater.

Solar Pool Heating Panels are constructed from black polypropylene plastic sheets and pipes. The panels are normally 4 feet by 10-foot. There are no glass panels and the design is generally less sophisticated than that of other solar collection systems.

Solar Domestic Water Heating Panels use a similar black polypropylene plastic sheet and pipes in an insulated box. Some system designs incorporate a slightly more sophisticated approach using evacuated tubes in an insulated box. In either design, the front face of the insulated box has a glass panel. The arrays are generally less obtrusive because of the smaller array size.

PV Panels use sunlight to generate electricity. Photovoltaic cells are constructed from two thin films of silicon. Typically, one layer of silicon is doped with boron and the second layer is doped with phosphorous. When a photon of sunlight strikes the photovoltaic cell, electrical energy is produced.

Solar collection panels require large surface area arrays. The array for Solar Pool Heating Panels in Florida is typically sized equal to the surface area of the pool, approximately 450 square feet. Solar Domestic Water Heating systems for a family of two to three people would likely have a roof-mounted array of 30 to 35 square feet. A 6-kilowatt PV Panel array would be approximately 350 square feet. To optimize thermal energy output or electrical power output the arrays generally are oriented due south or southwest.

While there are economic advantages to harnessing the sun's energy, there are other costs. Arrays can be expensive to purchase and install, with return on investment taking many years. The arrays are large and clearly visible on the roof surfaces, which many consider unattractive.

Installing solar collectors on Seaside Landings at Flagler Beach homes presents a unique set of problems. In many communities the arrays can be installed on roof surfaces that are not visible from the street side of the home. This is not possible in Seaside Landings at Flagler Beach. Eighty-nine lots, 90%, of home sites in our community, are located around the north and south canals. Any roof mounted solar collector array will be visible by neighboring homes just by the very nature of the building lot layout. Virtually every roof surface in Seaside Landings at Flagler Beach that contains a solar collection device will be in clear view of one or more neighbors.

A second and more serious issue is the reflected sunlight from the array's glass panels. Solar Domestic Water Heating Panels and PV Panels are constructed with a glass outer panel. Although solar panels are designed to absorb light, rather than to reflect it, glare does result, and can vary in intensity depending on the time of day and year. There is a surprising amount of information regarding PV solar panel glare that has resulted in neighbors initiating litigation against neighbors.

Manufacturers are responding to the glare issue by adding (AR) anti-reflective coatings. Uncoated glass surfaces reflect approximately 8% of the sunlight, which is actually a large amount. The mid-priced PV panels, which incorporate tempered glass with an AR coating, either a gelcoat applied before the glass panel is tempered or a sputtered multilayer AR coating after tempering, are less problematic. The more sophisticated AR coatings reduce the reflected sunlight from 8% to 4%, or even less, and result in a boost to photovoltaic cell efficiency.

Florida Statute Chapter 163.04 provides homeowners with the legal right to install solar collectors on buildings erected on their lots notwithstanding community association rules to the contrary. Under the statute, however, the HOA or HOA-authorized architectural review committee may determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45 degrees east or west of due south provided that such determination does not impair the effective operation of the solar collectors. Thus, the statute does not prohibit an HOA from requiring that the homeowner first apply for, and receive, approval from the HOA or ARB. Further, the statute provides rights only with respect to building-mounted panels; it does not provide a legal right of a homeowner to install ground-based solar collection systems.

SEASIDE LANDINGS AT FLAGLER BEACH HOA

INDEX TREE TRANSFER FORM- PROPERTY OWNER TO ASSOCIATION

As per the provisions in Section #7 (Environmental Considerations), Paragraph (c) of the Third amendment to the Seaside Landings at Flagler Beach PUD, Flagler County Ordinance # 2020-01, in satisfying the requirements of Section 6.01.03 of the Land Development Code, the following provisions for *index tree transfer from property owner to Association common areas* are:

- 1.) A maximum 50% of the required 40% caliper index tree replacement allowed to be planted on Association common areas.
- 2.) Transferred replacement index trees must have a minimum of 3½ inches measured 6 inches above grade after planting.
- 3.) Property owner must bear the cost of the transfer planting.
- 4.) Excludes Lots #1 through #10.
- 5.) Must have Association Approval via this form and must provide a copy of this form to Flagler County permitting.
- 6.) *A copy of the Flagler County Residential Tree Protection and Landscape Compliance (For a New Residential Structure) must accompany this form*

Property Owner(s) _____

Property Address _____

Property Owner Mailing Address _____

Property Owner Phone Number _____

Property Owner Email address _____

Predevelopment Tree Caliper Inches (TCI) _____

40% of Predevelopment TCI _____

TCI transfer request to Association _____ Date _____

(Individual index trees transferred must be a minimum of 3½ caliper inches measured 6 inches above grade. This measurement is in addition to the 40% replacement and not subtracted from the calculation.)

Type of trees requested to be transferred

Type of trees approved by Association

Architectural Review Board or Officer Approval _____

Title _____ Date _____



Permit Number: _____

Flagler County
Residential Tree Protection and Landscape Compliance
(For a New Residential Structure)
Page 1 of 2

A tree survey is required and shall include at a minimum a description of the species, size, quantity and location of all trees and depiction of the site including proposed structures and vehicle use areas. Tree survey shall be prepared by a Florida licensed land surveyor.

I, _____, the undersigned, certify that
 Print or Type Name(s)

I am the owner or duly appointed agent for the property described below:

Property Street Address _____ Parcel Number _____

I **Residential Tree Protection Compliance LDC, §6.01.03**

Index tree protection/replacement requirements:

Each single-family residential lot must preserve or replant at least forty (40) percent of the total pre-development caliper inches existing on the site.

- Where replacement trees are required to be planted in order to maintain the minimum number of caliper inches, they shall be from the index tree list, have a minimum caliper of two and one-half (2 ½) inches measured six (6) inches above grade after planting and be Florida Grade #1 or better.

INDEX TREE: A Tree (listed below) having a caliper of 6 inches or greater.

Flagler County Protected Index Trees					
Predevelopment Tree Caliper Inches (TCI):			40% of Predevelopment TCI:		
Total Caliper Inches Post Development:			<i>Minimum replacement tree size 2 ½" diameter, 6" above grade</i>		
Common Name	Number of Trees Provided	Caliper Inches	Common Name	Number of Trees Provided	Caliper Inches
Example:			Magnolia, Southern *		
Elm	3	6", 6", 10"	Magnolia, Sweetbay*		
Ash*			Maple, Red*		
Bay			Oak*		
Black Cherry			Persimmon		
Cherry Laurel			Redbud, Eastern		
Cypress, bald			Red Cedar, Eastern		
Cypress, pond			Red Cedar, Southern*		
Devil's Walking Stick			Sweetgum*		
Elm*			Sycamore, American*		
Hackberry			Tupelo, Black		
Hickory*			Tupelo, Swamp		
Holly			Yellow-Poplar (Tulip tree)		
Totals:			Totals:		

Flagler County
Residential Tree Protection and Landscape Compliance
(For a New Residential Structure)
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II

Residential Landscape Compliance, LDC §5.01.04(3)

Each single-family lot must provide at least one (1) tree per three thousand (3,000) square feet of lot area for first quarter (1/4) acre of lot area. For lots exceeding one-quarter (1/4) acre, one (1) tree for every additional one-quarter (1/4) acre, or major fraction thereof shall be planted. (i.e.) Four (4) trees required for the first 10,890 sq. ft. and one more tree for every 10,890 sq. ft. or major fraction, thereafter.

- When trees are planted to meet the minimum requirement they must be shade trees (see list above with *), have a minimum caliper of one and one-half (1 1/2) inches measured at four and one-half (4 1/2) feet aboveground at the time of planting.
- Existing shade trees, sabal palms and pine trees may be used to satisfy this requirement, in whole or in part, provided that they have a minimum caliper of two and one-half (2-1/2) inches and overall height of ten (10) feet. Other trees as may be allowed by the County Planner and State Forester.

<u>Flagler County Shade Trees to be planted</u>	
Square Foot of Lot:	Number of Trees Required:
<u>Common Name of Tree</u>	<u>Number of Trees Planted</u>
Total:	

III

Please initial the following Statement if no Protected Index Trees over 6 inches in caliper exist on the property.

_____ I certify that no protected index trees exist on the above-described property for which a building permit is sought.

IV

Please initial the following Statement if no Trees will be removed from the property.

_____ I certify that no trees will be removed on the above-described property for which a building permit is sought.

V

Please sign below to certify that the above information is true and accurate.

 Owner/Agent Signature

 Date