



Design Code

May 11, 2012

(And as Amended 5/24/13, 4/18/14, 9/19/14, 11/14/14, 2/20/15, 4/10/15, 7/17/15, 8/19/16, 11/18/16, 2/10/17, 12/29/17, 8/16/19, 3/20/20, 9/18/20, 6/18/21 and 12/17/21)

And

Community Rules

May 11, 2012

(And as Amended 4/18/14, 9/19/14, 2/10/17, 7/21/17, 12/29/17, 4/17/20, 6/19/20 and 12/17/21)

THIS DOCUMENT CONTAINS BOTH THE SEACREST BEACH II “DESIGN CODE” AS DEVELOPED BY THE DESIGN REVIEW BOARD (DRB), AND THE “COMMUNITY RULES” AS APPROVED BY THE BOARD OF DIRECTORS (BOD). IT IS TO BE USED BY ALL ASSOCIATION MEMBERS, THEIR CONTRACTORS AND GUESTS AS A REFERENCE FOR ALL CONSTRUCTION REQUIREMENTS AND COMMUNITY REGULATIONS.

TABLE OF CONTENTS

1.0	DESIGN REVIEW BOARD (DRB) OVERVIEW	7
1.1	Intent.....	7
1.2	Projects requiring approval by the Design Review Board	7
1.3	Project Classification.....	8
1.4	Basis of Design Review Board's Decisions	8
1.5	Appeal of DRB Decisions	9
1.6	Project Concept Proposal "Opinion" Votes.....	9
1.7	DRB Meetings	10
2.0	PROCESSES AND APPROVALS.....	10
2.1	Procedure & Responsibilities.....	10
2.2	Submittal Of New Construction Plans	11
2.3	Changes to DRB Approved Plans	11
2.4	Construction Project Abandonment	11
2.5	Approval Administration.....	12
2.6	Accepted Contractors and Architects/Designers	12
2.7	Compliance	12
2.8	Variances	13
2.9	Policy for Removal of Contractors and Subcontractors.....	13
3.0	PROJECT DESIGN REVIEWS & FEES	13
3.1	New Construction Project Design Reviews and Fees.....	13
3.2	Major Remodel and Repair Design Reviews and Fees.....	15
3.3	Minor Residential Improvement and Repair Project Reviews and Fees.....	17
4.0	CONSTRUCTION	18
4.1	Accepted Construction Contractors.....	18
4.2	Owner And Contractor Responsibilities	18
4.3	Construction Commencement Procedure.....	19
4.4	Inspections and Surveys.....	19
4.5	Occupancy	19
4.6	Regulatory Approvals.....	20
4.7	Contractor Rule Violations and Non-Compliance Penalties	20

4.8	Hurricane and Tropical Storm Preparedness	22
5.0	SETBACKS AND BUILDING REQUIREMENTS	22
5.1	Setbacks	22
5.2	Structures	25
5.3	House Levels	26
5.4	Height	26
5.5	First Floor Elevation	26
5.6	Roofs, Deck Membranes and Flashing	26
5.7	Exterior Wall Materials	27
5.8	Stairs	27
5.9	Porches	27
5.10	Garages	28
5.11	Carports & Arbors Used for Vehicle Parking	28
5.12	Bicycle/Beach Gear Storage	28
5.13	Garden Structures	29
5.14	Exterior Doors	29
5.15	Windows	29
5.16	Shutters	29
5.17	Awnings	30
5.18	Fascia & Rafter Tails	30
5.19	Columns	30
5.20	Railings	30
5.21	Exterior Trim	30
5.22	Colors and Sheen	30
5.23	Painting	31
5.24	Aesthetic Standards	31
6.0	HOME SITES	31
6.1	Subdividing & Minimum House Sizes	31
6.2	Parking Space Requirements	32
6.3	Parking Table	32
6.4	Driveways & Parking	33
6.5	Impervious Area	35

6.6	Storm Water Retention	35
6.7	Storm Water Retention Table	35
6.8	Soil & Fill Material	36
6.9	Garden, Courtyard and Pool Walls.....	36
6.10	Fences.....	37
6.11	Gates	37
6.12	Mechanical & Electrical Equipment.....	37
6.13	Garbage Containers	38
6.14	Garbage Enclosures	38
6.15	Pools & Spas.....	38
6.16	Play Equipment.....	39
6.17	Antennas & Satellite Dishes	39
6.18	Solar Panels.....	39
6.19	Exterior Lighting.....	40
6.20	House Numbers	40
6.21	Mailboxes	40
6.22	Utilities	40
6.23	Built-in Outdoor Grills And Fireplaces	40
6.24	Signs.....	40
7.0	LANDSCAPING	42
7.1	General.....	42
7.2	Landscaping Plan	42
7.3	Irrigation.....	43
7.4	Landscape Requirements.....	43
8.0	COMMUNITY RULES AND PENALTIES.....	44
8.1	Outdoor Maintenance/Upkeep:	44
8.2	Construction, Repair and Renovation at Existing Homes:	45
8.3	Animals:.....	45
8.4	Parking Passes and Prohibited Vehicles:	46
8.5	Commercial Vehicles & Vehicle Requirements:	46
8.6	Garbage Containers:.....	46
8.7	Common and Preservation Areas:	47

8.8	Other Prohibited Acts:.....	47
8.9	Homeowner Fines and Penalties:	47
9.0	LAGOON POOL RULES AND PENALTIES	48
9.1	Lagoon Pool Eligibility and Wrist Band Requirements:	48
9.2	Rules Governing Use of the Lagoon Pool:.....	49
APPENDIX 1:	Sample of Concept Proposal Drawings.....	51

1.0 DESIGN REVIEW BOARD (DRB) OVERVIEW

1.1 INTENT

The Seacrest Beach II development was conceived to create a compact, livable, and people-oriented community. The Seacrest Beach developer's vision was to bring about a revival of the lost art of place-making and wholesome living by incorporating landscaped streets, streetlights, sidewalks and walking paths, front porches, alleyways, and rear garages into its plan. Paths and roads for pedestrians and cyclists connect in all directions, unifying the neighborhood. The focus of Seacrest Beach was to integrate what is commonly termed "New Urbanism" design principles with environmental objectives. Conservation of native vegetation, guidelines for storm water retention, extensive use of pavers on lanes and byways, and environmentally friendly practices in building conventions and materials choices have demonstrated the community's intent of being both ecologically sound within the community and a contiguous extension of the natural geographic area. This design code and the community's existing structures represent the reborn Florida cottage, but with a smattering of Dutch Caribbean, New Orleans, American Victorian, and Mediterranean architectural references. Diversity is encouraged further through railing designs, roof lines, and paint color standards, while requiring a level of adherence to proportionally-sound principles including the fostering of creativity in the overall building's profile from each side, whenever possible.

1.2 PROJECTS REQUIRING APPROVAL BY THE DESIGN REVIEW BOARD

Each Seacrest Beach II property owner, by acceptance of title to a lot, agreed to comply with the Design Code as required by the community's legally enforceable "Declaration of Covenants." These Covenants specify that the Design Review Board (DRB) must approve construction or covered modifications on any lot. Modifications subject to review specifically include, but are not limited to: painting with colors different than previously approved or other alteration of a structure (including doors, windows and trim); interior alterations involving room function or layout, or requiring onsite dumpsters or workers working/fabricating some components/items on the outside of the home; replacement of roof or other parts of structures; installation of antennas, solar panels or other devices; construction of fountains, swimming pools, spas or other pools, construction of privacy walls or other fences or gates; addition of awnings, flower boxes, shelves, statues, or other outdoor ornamentation; window coverings; any individual irrigation wells; and any material alteration of the landscaping or topography of Seacrest Beach Phase 2, including without limitation, any removal or substantial cutting of trees or plants. The listing of a category does not imply that such construction is permitted. This Design Code may, for example, prohibit specific improvements. IN SUMMARY: If an owner wants to undertake any project that he /she believes complies in all respects with the design code, they still must request DRB approval except when:

1. Interior changes will not be visible externally; do not change interior room function or layout; do not require an onsite dumpster; and will not result in any work being fabricated outside the house.
2. Installing a sign that fully complies with current sign regulations.
3. Making insignificant landscape changes/maintenance.

Even when DRB approval is not required as listed above, all contractors that will be working at a property for more than two (2) days (except for emergency work that involves restoration of electricity, water, gas, communications, or damage protection) must read, and acknowledge by signature, the design code contractor rules and charges for violating those rules. The signed form must be in possession of the Association Manager before the commencement of work. It is the responsibility of

each property owner to provide the contractor rules to the contractor, and the property owner is also responsible for any fines of the contractor due to Design Code violations. If any fines are levied for violating the contractor rules, and not collected from the contractor by the conclusion of the project, those fines will be collected from the construction deposit (if applicable) or levied against the property owner's association account.

Owners acting as their own contractor for minor remodeling, maintenance, or repairs, using only unpaid help to undertake work typically done by a contractor (that takes more than two days as described above) shall sign and submit the same rule violations form. By doing so they are acknowledging the standard contractor work rules and non-compliance charges. However, owners acting as their own contractor with unpaid help, are not required to adhere to the published contractor work hour times when the work performed is indoors and does not produce loud noise.

Owners commencing work without submitting, or their contractor submitting, the above form, or undertaking projects requiring approval without DRB authorization, are in violation of Seacrest Covenants, in non-compliance with the Design Code, and may be assessed penalties such as loss of use of recreational facilities or as otherwise allowed under the SBII Homeowners Association Declaration of Covenants and Bylaws or listed in this document.

1.3 PROJECT CLASSIFICATION

All Seacrest Beach II projects that are under the DRB's purview are classified into one of the four following categories:

- New Construction Projects
- Major Remodeling and Repair Projects
- Minor Residential Repair and Improvement Projects
- Degraded Maintenance/Upkeep at existing properties

Maintenance and upkeep of existing properties are part of the Community Rules as approved by the Board of Directors. The DRB's purview in this area is limited to the maintenance/upkeep rules while the Board of Directors retains the management and enforcement of all community rules. For completion, all of the approved Community Rules and fines for violations are included in Section 8 of this document.

Various forms mentioned in this document are used throughout the design review process. Currently used forms are available from the Seacrest Beach II Association Manager (phone: 850-502-5659 x300). The forms, copies of the design codes, and approved contractor/architect/designer lists as well as other useful Seacrest Beach II drawings and documents can be found on the Seacrest Beach website at <http://seacrestbeachcommunity.com>.

1.4 BASIS OF DESIGN REVIEW BOARD'S DECISIONS

Applications shall be approved or denied based upon compliance with the provisions of the Design Code, the quality of workmanship and materials, and harmony of design with surrounding structures. The Design Review Board may also consider other factors, including purely aesthetic considerations, which in the sole opinion of the Design Review Board will affect the desirability or suitability of the construction. The Design Review Board may grant variances from the Design Code based on existing topographical or landscape conditions, demonstrated hardships, or architectural merit. The DRB does not have authority to grant any variance involving a recorded easement on property or to

a requirement specified in the County-approved Seacrest Beach Master Plan or Planned Urban Development (PUD). The DRB also does not have authority to allow any combining of lots.

Applications shall be reviewed for compliance with the current version of the Design Code as of the date on which the complete application is received. Final Design approvals expire twelve (12) months from the date of approval. Applicants may be required to resubmit for design approval, should their original approval expire, and resubmission approval would be based on the Design Code in effect at the time of resubmission. Approval of a project does not constitute that the DRB warrants construction means, methods or quality, nor the conformance to zoning, building or other regulatory codes affecting building construction in Walton County and the State of Florida

The DRB reviews and approves the external size, appearance, and design; placement of structures and accessories on the lot; parking requirements based on the number of bedrooms; interior function and layout; and landscaping. The DRB review must specifically consider the harmony of the design with surrounding structures as well as purely aesthetic considerations that will affect the desirability or suitability of the construction.

Walton County reviews and approves the construction in accordance with their current building codes (typically the State of Florida Building Codes).

1.5 APPEAL OF DRB DECISIONS

A property owner can revise and resubmit disapproved portions of their submitted application for DRB review or they may appeal any decision of the Design Review Board to the Seacrest Beach Board of Directors within fourteen (14) days of being notified of DRB disapproval. This appeal must be in writing and submitted to the Seacrest Beach Board of Directors at the following address:

Seacrest Beach II Owners Association, Inc.
1 Seacrest Beach Blvd N
Seacrest Beach, FL 32461
Tel: 850-502-5659 x300. Fax: 850-270-6576

A majority vote of the Board of Directors is required to overturn a Design Review Board decision.

1.6 PROJECT CONCEPT PROPOSAL “OPINION” VOTES

The Design Review Board strongly encourages an initial meeting with the property owner, contractor, architect, and landscape designer to review and answer any questions about the Design Code and its requirements. However, it is recognized that the development of the required complete application package of detailed conceptual drawings for approval can be an expensive and time-consuming endeavor. This can be a significant problem when there are properties that may be unique in size, shape, topography, or when the owner is planning something that they believe has architectural merit but also might be considered out of the normal as compared to existing Seacrest Beach II homes. In such cases, owners may submit for review a simple concept proposal package that includes information about the number of bedrooms and bathrooms, four (4) elevation drawings, and a site plan for the DRB to understand what is being proposed. APPENDIX (1) provides a minimum acceptable sample of such a simple concept proposal package. If the proposal submittal is regarding something inside the structure, a plan sketch must be provided to assist the DRB understand the request. These drawings can be hand drawn so long as there is a scale involved.

There is a fee of \$200 for this “opinion” vote request by an owner due at the time the simple concept proposal package is submitted for review. The DRB “opinion” votes are non-binding, and only taken into consideration for a period of six (6) months after the initial opinion vote. Their purpose is to let the owner know whether the Design Review Board on this date with these members in attendance would have voted to approve the construction and/or grant a variance had the owner actually submitted the required detailed conceptual construction package that fully reflected this simple concept proposal submittal. The vote is non-binding since the design code might be revised before the complete conceptual package is actually submitted for review and/or a different group of DRB members at that time could reach a different decision. However, this optional submittal is offered so that an owner can have a better understanding of the likelihood that what they are proposing would be approved and/or variance granted.

1.7 DRB MEETINGS

Formal meetings of the Design Review Board will be held periodically as needed with the agenda and meeting notice posted on the official website’s calendar at <http://seacrestbeachcommunity.com>, at least two days in advance of the meeting whenever possible. With the concurrence of the chairman, any member or the Association Manager may add additional items to the agenda at the meeting. Any Seacrest Beach II property owner or representative(s) may attend the meeting in person. Attendance by teleconference is limited to the DRB members, board of directors, and those persons with a request for project approval or issue on the agenda where they are unable to attend in person. The DRB may only meet in closed “executive session” when working with the association attorney on legal matters requiring confidentiality.

Minutes of formal meetings shall be taken and approved after review to include the date/time of the meeting; attendees; voting decisions; reports of non-compliances with the design code discussed at the meeting along with any associated charges; and, any other information that members believe valuable for future reference. In order to be responsive in a timely matter to property owners’ requests, the chairman may schedule informal meetings by telephone or email without formal notice, typically to review and approve non-complex requests or resolve simple issues. Variances to the design code may not be granted at an informal meeting. Any votes taken at an informal meeting must be documented in writing or by email and the results must be recorded in the minutes of the next scheduled formal meeting and include the date and the results of the voting.

2.0 PROCESSES AND APPROVALS

2.1 PROCEDURE & RESPONSIBILITIES

- (A) The Design Review Board will apply the Seacrest Beach II Design Code to each project and judge the degree of harmony of design with surrounding structures.
- (B) The DRB will verify that the architect has designed the house to fit the lot with the required setbacks.
- (C) The DRB or site manager will make inspections during the building, remodeling, and home improvement processes to ensure the SCB II Design Code and compliance policies are being followed.
- (D) The DRB will be available to property owners, contractors, architects and landscape architects to share information and answer questions to help with the Design Code interpretation.
- (E) It is the DRB’s and site manager’s responsibility to enforce the regulations and confirm that violations have been corrected.
- (F) The DRB shall verify the required fees and deposits are collected.

- (G) Plans that are presented to the DRB will be interpreted under the current Design Code of the application submittal date.
- (H) All plans will be presented to the SCB II consulting architect for architectural and Design Code compliance review.
- (I) Final design approvals expire twelve (12) months from the date of approval if construction does not begin within that time period. Note; the clearing of the land alone does not constitute the beginning of construction.
- (J) The DRB is responsible for submitting corrections and revisions of the Design Code, as needed, to the Board of Directors (BOD) for approval.
- (K) Approval of a project does not constitute that the DRB warrants construction means, methods or quality, nor conformance with zoning, building or other regulatory codes affecting building construction in Walton County and the State of Florida. Any part of a DRB approval that directly or indirectly violates the rights granted under an existing recorded easement is invalid.

2.2 SUBMITTAL OF NEW CONSTRUCTION PLANS

- (A) New Construction Plans and application forms are to be submitted to the SCB II Association Management Office. Required deposits and fees must be paid and all documents must be completed and provided to the DRB before the design review process will begin.
- (B) Plans and application forms must be provided to the DRB at least fourteen (14) days prior to the next meeting date to be considered at that meeting. (DRB meeting dates are entered on the SCB II Association's official website at <http://seacrestbeachcommunity.com> under the Association calendar).
- (C) A written response will be provided with an explanation of the reason(s) for approval or denial within 45 days after the meeting.
- (E) Final design approvals expire twelve (12) months after the date of the approval. The compliance deposit, less any assessed fines or additionally assessed fees, will be returned to the applicant upon request after expiration.

2.3 CHANGES TO DRB APPROVED PLANS

- (A) All construction changes affecting the exterior, interior layout, or interior room function must be approved by the DRB before being built.
- (B) A Change Request Form and drawings depicting the changes must be submitted by the owner/contractor for approval by the DRB.
- (C) A change review fee of \$250 is required per submission for change requests involving modifications requiring architectural review after DRB final plan approval. A change review fee of \$100 is required for each submission not requiring architectural review if more than three (3) separate changes have been requested after final plan approval.
- (D) Change requests will be reviewed and a written approval or denial (with reasons for denial) will be issued within 30 days or receipt by the DRB.
- (E) Any exterior or site changes (including parking) required by Walton County must be submitted, with specific details, to the DRB within five (5) days of receipt of change required by Walton County.

2.4 CONSTRUCTION PROJECT ABANDONMENT

- (A) If construction, remodeling or repair has not commenced within one (1) year of the DRB approval date, the project will be considered to have been abandoned and will have to be

resubmitted for DRB approval. A resubmitted application for abandonment will be treated as a new application subject to the current Design Code and all fees effective at the time of resubmission to the DRB.

- (B) Construction, remodeling or repair project abandonment will result in forfeiture of all previous fees and deposits.
- (C) Lots that have been cleared and the project discontinued must be cleared of all building materials, equipment, and debris. Pine straw mulch must be spread on the street sides a minimum of six (6) feet deep. Construction that has been partially completed must be secured from a safety perspective and to prevent vandalism. The Association will take action for safety and appearance reasons if the property owner fails to do so. All expenses to take such action will be assessed against the property owner.

2.5 APPROVAL ADMINISTRATION

All approval-related materials including design review applications and various forms are available from and must be submitted through the Seacrest Beach II Association Manager at the following address:

Seacrest Beach II Owners Association, Inc.
1 Seacrest Beach Blvd N
Seacrest Beach, FL 32413
Tel: 850-502-5659 Fax: 850-270-6576

2.6 ACCEPTED CONTRACTORS AND ARCHITECTS/DESIGNERS

- (A) All contractors must have a current valid Florida license and are subject to acceptance by the DRB.
- (B) Florida Licensed Contractors and Architects will be reviewed and accepted on a case-by-case basis with each project application.
- (C) Contractors may be required to provide client references and demonstrate experience with building projects that match the complexity and scope of the work to be performed.
- (D) Contractors that apply for and receive DRB approval for addition to the accepted contractors list shall serve in a probationary capacity for a minimum of two (2) years. During probation, the Contractor may only receive acceptance to build and complete one project at a time.
- (E) At the end of two (2) years, the DRB may grant full acceptance status, extend probation for an additional DRB specified term, or terminate the contractor's accepted builder status based on the contractor's demonstrated ability to comply with the Design Code and DRB instructions.
- (F) Companies with an accepted contractor that discontinues serving as the direct project supervisor, or in which the accepted contractor discontinues employment with the company, shall be required to submit a new application for licensed contractor approval in accordance with the terms of Subsection D.

2.7 COMPLIANCE

- (A) Property owners, Contractors, Subcontractors, Architects, and Designers must adhere to the Seacrest Beach II Design Code.
- (B) Failure to comply with the Design Code can result in non-compliance charges, stop work orders, and revocation of building privileges, or a change in contractor status from fully accepted to probationary, or to not accepted.

- (C) Building projects will be subject to the current Design Code at the time the application packet and applicable fees and deposits are submitted.

2.8 VARIANCES

- (A) Variances not involving easements, on-site parking, or Master Plan (PUD) requirements may be granted at the Design Review Board's sole discretion based on architectural merit, existing site conditions, and benefit(s) to the community.
- (B) The granting of a variance in one situation does not guarantee the granting of the same variance in another, even identical, situation in the future.
- (C) The Design Review Board will study a variance and issue a written approval or denial within thirty (30) days of the request.
- (D) Any variances involving on-site parking, easements or Master Plan (PUD) requirements must be approved by the Seacrest Beach II Board of Directors. It is the contractor/property owner's responsibility to research and understand any easements affecting their property. If the DRB inadvertently approves a submittal that interferes with an easement, the original approval is voided, and the property owner must remove any structure or work that interferes with the purpose of the easement.
- (E) When possible and practical, any nearby properties that the DRB believes would be adversely impacted by the granting of a variance, will be contacted for input regarding the variance being requested prior to final review and approval.

2.9 POLICY FOR REMOVAL OF CONTRACTORS AND SUBCONTRACTORS

- (A) A contractor's work privileges shall be revoked if the contractor does not possess a valid Florida License, pulls permits under another person's name when representing to be a contractor, or if it is found the contractor has been convicted of a felony crime in the United States within the past ten (10) years.
- (B) A contractor shall be placed on notice that his/her work privileges will be revoked if the contractor incurs three (3) or more violations of the Seacrest Design Code for any individual project in a twelve (12) month period. Failure to pay fines or resolve violations as directed by the DRB may also result in termination of the contractor's permission to work in Seacrest Beach II.
- (C) Notwithstanding the above policy, the DRB, at its discretion, may revoke a contractor's or subcontractor's work privileges anytime it deems appropriate. Subcontractors with revoked work privileges shall be listed and reported to authorized contractors as not being approved for use in Seacrest Beach. The use of a listed subcontractor with revoked work privileges is a violation of the Design Code punishable as provided in Section 4.7.

3.0 PROJECT DESIGN REVIEWS & FEES

3.1 NEW CONSTRUCTION PROJECT DESIGN REVIEWS AND FEES

- (A) A Project Review Fee of \$1,000 (non-refundable) for the DRB to conduct one full project review and up to three (3) design review meetings per project. The \$1,000 must be submitted with the Design Review Application. If, in the opinion of the DRB, a submitted design displays an unreasonable lack of understanding or effort to adhere to the

requirements of the Seacrest Beach II Design Code, an additional review fee of \$500 will be assessed for a second review before resubmission of the package. An additional review fee of \$100 per document may be charged to separately review each additional document that should have been included in the original package, but was omitted (e.g. landscape plans, surveys etc.).

- (B) A Compliance Deposit of \$10,000 must be paid by the licensed contractor for each project. The Compliance Deposit will be refunded upon satisfactory completion and resolution of the DRB final inspection showing the project is in compliance with the design code and approved plans; when all interior work has been completed; and after all contractor non-compliance charges have been paid. The Contractor must request refund of Compliance Deposit within 90 days of final approval by DRB. The actual amount of deposit refunded will be determined by non-compliance charges and any other fees/damages that are outstanding. Unless otherwise requested and approved, the Construction Deposit will be refunded to the Contractor whose name and address is on the original Compliance Deposit check. New Construction Projects are subject to the provisions in Section 2.4 and must be completed and receive DRB final inspection acceptance within 18 months of construction work start and the property must fully comply with all Community Rule and Design Code requirements by this date. Failure to comply with this requirement will result in forfeiture of the full amount of the compliance deposit and any other action as deemed appropriate by the Association in accordance with its governing documents.
- (C) A non-refundable Site Management Fee of \$2,000 must also be submitted with the Design Review Application. An additional fee of \$250 may be charged for added inspections and/or site cleanup if the DRB determines items/issues are not being managed by the builder to the DRB's satisfaction. In the event an owner decides to build a main house initially and a carriage house later, the DRB may reduce the fees required for the carriage house by up to 50%.
- (D) A written description, with supporting documentation such as photos, listing all existing pre-construction damage to adjacent/nearby sidewalks, streets, paver parking, streetlamps, common area vegetation, etc., is strongly recommended so the owner/contractor will not be held responsible to repair this pre-existing damage at construction completion. If this documentation is not provided with the submittal prior to the commencement of construction, the contractor will be presumed to have caused any damage(s) identified and held responsible for their repair prior to Final Inspection approval by the DRB.
- (E) The Design Review Application for New Construction must include:
 - a. One (1) hardcopy set of 1/4" scale Architectural, Landscape, Survey and Site Plans with final revisions are required to be submitted prior to the DRB meeting.
 - b. One (1) electronic PDF of the 1/4" scale Architectural, Landscape, Survey and Site Plan.
 - c. All current required Design Review Application Forms.
 - d. One (1) hard copy sets and one electronic PDF of a certified topographic survey showing existing grades at one-foot contours for lots that have more than a 12" change in grade across the lot, and a certified boundary survey.
 - e. The Site Plan must contain:
 - Scale and north arrow.
 - Building/outbuildings/structures, footprint and placement.
 - Design Code and actual setbacks.
 - All easements affecting the property.

- Improvements within the road right of way adjoining the lot.
 - Driveways, parking areas, walks, garden walls and fencing.
 - Porches, patios, pools and spas, etc.
 - Design Code storm water retention structure(s), dimensions and volume.
 - Conceptual massing of existing landscape.
 - The location of common area parking, sidewalks and trees bordering the lot.
 - Mechanical and garbage fencing or enclosures.
 - Building dumpster and port-o-let locations.
- f. Floor and Electrical Plans at 1/4" scale, labeled and dimensioned showing all rooms and interior room functions.
- g. All elevations at 1/4" scale and dimensioned showing:
- Porches and balconies
 - Doors, windows, other openings.
 - Architectural details, fencing, and enclosures.
 - Heights of each floor and roofs.
- h. Design Variance Request Form (if applicable).
- i. A Landscape Plan that must include:
- Existing trees that have been tagged that are to remain.
 - Proposed new trees and shrubs as required in the Design Code
 - Plant identification by botanical and common name, size and quantity
 - Irrigation well location, if any.
- (F) The DRB will respond to each complete Design Review Application submittal within 45 days of receipt.
- (G) A member appeal of a DRB decision must be submitted in writing to the Board of Directors within 14 days.
- (H) Plans must comply with the Design Code that is current on the date of submittal.
- (I) Roof plan for all structures with dimension and pitches (1/4" scale).

3.2 MAJOR REMODEL AND REPAIR DESIGN REVIEWS AND FEES

- (A) A project is classified as a major remodeling or repair project if:
- a. The footprint of the main structure or outbuilding is changed, or major exterior remodeling or repair over major portions or multiple areas of the structure such as siding replacement or replacement of multiple structural elements are made.
 - b. Additions or modifications that change the existing locations or dimensions of swimming pools, spas, driveways, parking areas or other detached structures/facilities.
 - c. There is a painting project involving multiple areas or faces of the house or carriage house.
 - d. The DRB, at its sole discretion, may either reclassify a project that technically falls under the above descriptions as a Minor Residential Improvement or Repair Project or lower the Major Remodel or Repair Project fees/deposits, as it deems appropriate, when the project changes are not significant and review costs are low or negligible.

- e. For emergency repairs as provided in Section 1.2, the DRB application and fees required in this Section must be submitted within 5 days of the start of work.
- (B) A Project Review Fee of \$500 (non-refundable) is assessed for one full remodel project review and up to two design review meetings per project. The fee must be paid at the time the Major Remodeling package is submitted for approval. No Project Review Fee is required for exterior painting and major repair projects where no changes are made to the structure's exterior appearance or interior layout.
- (C) A Compliance Deposit of \$2,500 (refundable) is to be paid by the owner or contractor for major repair or remodel projects. If at completion of project there are no non-compliance charges or violations, the fee can be refunded upon final inspection by the DRB. The owner or contractor must request refund within 90 days after completion of project or the deposit will be forfeited and retained by the Association.
- (D) A Site Management Fee of \$500 (non-refundable) must be paid at the time of package submittal. No Site Management Fee is required for exterior painting.
- (E) The Design Review Application for Major Remodeling and Repair must include, where applicable:
 - a. One set of 1/4" scale Architectural, Landscape, Survey and Site Plans.
 - b. One electronic PDF of the 1/4" scale Architectural, Landscape, Survey and Site Plan.
 - c. All current required Design Review Application Forms.
 - d. The Site Plan must contain:
 - Scale and North arrow.
 - Buildings, outbuildings, structures, footprint and placement.
 - Design Code and actual setbacks.
 - All easements affecting the property.
 - Driveways, parking areas, walks, garden walls and fencing.
 - Porches, patios, pools and spas, etc.
 - Mechanical and garbage fencing or enclosures.
 - Building dumpster and port-o-let locations.
 - e. Floor Plans at 1/4" scale, labeled and dimensioned showing all room and interior room function modifications, if any.
 - f. All elevations at 1/4" scale and dimensioned showing:
 - Porches and balconies
 - Doors, windows and other openings.
 - Architectural details, fencing, and enclosures.
 - Heights of each floor and roof(s).
- (G) The DRB will provide an Approval or Denial with requirements needed to bring into compliance within 45 days.
- (H) The DRB may require as built and other documents at project completion depending upon the nature of the project.
- (I) A member appeal of a DRB decision must be submitted in writing to the Board of Directors within 14 days of notification of the DRB disapproval decision.
- (J) Major Remodel and Repair Projects are subject to the provisions in Section 2.4, must be completed and receive DRB final inspection acceptance within 6 months of construction work start, and the property must fully comply with all Community Rule and Design Code requirements by this date. Failure to comply with this requirement will result in forfeiture of

the full amount of the compliance deposit and any other action as deemed appropriate by the Association in accordance with its governing documents.

3.3 MINOR RESIDENTIAL IMPROVEMENT AND REPAIR PROJECT REVIEWS AND FEES

- (A) A Compliance Deposit of \$200 (refundable if completed as approved) and a Project Review Fee of \$50. The deposit and/or review fee may be reduced or waived at the sole discretion of the DRB for very simple projects that do not require professional independent review. For emergency repairs as provided in Section 1.2, the DRB application and fees required in this Section must be submitted with 5 days of the start of work.
- (B) Minor Residential Improvements may include any changes that affect the appearance of the exterior of the house such as:
 - Bicycle and gear storage additions as provided in Section 5.12, and improvements that do not change the footprint of buildings.
 - Outside painting for doors and other limited trim and accent areas and walls/fence installation. No Project Review Fee is required for exterior painting.
 - Significant landscape or drainage changes.
 - Parking or driveway surfacing changes.
 - Additions or changes impacting adjoining properties.
- (C) A Minor Residential Improvement or Repair submittal package must include, as applicable:
 - a. A written description of the proposed project which includes sufficient detail to determine compliance with the Design Code.
 - b. Drawings, where applicable, to identify the location of proposed improvements on the site and adherence to existing setback and design requirements (hand-drawn permissible if scaled).
 - c. Color samples and application form with a description of their location and placement.
 - d. Any other information to fully describe the proposed project.
 - e. Compliance fee, if not waived, and a signed Compliance Agreement.
- (D) An approval or denial will be issued within 21 days. Minor Improvement or Repair Projects are subject to the provisions in Section 2.4, must be completed within 60 days of work start, and the property must fully comply with all Community Rule and Design Code requirements by this date. Failure to comply with this requirement will result in forfeiture of the full amount of the compliance deposit, if any, and any other action as deemed appropriate by the Association in accordance with its governing documents.

4.0 CONSTRUCTION

4.1 ACCEPTED CONSTRUCTION CONTRACTORS

- (A) Accepted contractors must:
 - 1. Execute a Contractor's Construction Agreement to follow the Design Code and Community Rules.
 - 2. Provide a current of State of Florida contractor's license.
 - 3. Provide proof of bodily injury and property damage insurance with a minimum limit of \$500,000 with a general aggregate of at least \$1,000,000.
 - 4. Provide proof of Workmen's Compensation Insurance as required by law.
 - 5. Provide at least three most recent client references and provide project portfolio examples demonstrating experience with building projects that match the complexity and scope of the work to be performed.

4.2 OWNER AND CONTRACTOR RESPONSIBILITIES

- (A) The Owner and Contractor are both responsible for complying with the SCB II Design Code and job site regulations and must sign a statement they have read and understand the Design Code.
- (B) The licensed contractor listed on the project application must directly supervise all phases of construction and must be regularly present at the job site during construction to assure all approved plan and Design Code requirements are met. The Design Code can be viewed at <http://seacrestbeachcommunity.com>, or a copy can be obtained at the SCB II Association Office.
- (C) The Owner and Contractor are responsible for researching and complying with any easements that affect the property.
- (D) Contractors who violate the construction agreement may forfeit the Compliance Deposit and may be prohibited from working within SCB II.
- (E) Failure of the Contractor to abide by the Design Code and/or Contractor's Construction Agreement, or failure to require compliance by employees or subcontractors, or the lapse of any of the insurance requirements may result in suspension of building privileges within Seacrest Beach II and will be subject to non-compliance charges.
- (F) Prior to Final Inspection Acceptance, the Contractor/Owner are responsible to repair/replace any damage to roads, sidewalks, common areas, streetlights, and/or parking areas adjacent to the property unless such damage was documented as pre-existing conditions in the construction submittal package. Any gravel, asphalt, concrete, pavers, or landscaping disturbed by underground utility installations for the property must be cleaned up and restored to their original condition.
- (G) After project approval by the DRB and before commencing any clearing or construction, the builder must meet in person with the Site Manager to review the contractor rules, verify the rules form has been signed, and provide the Site Manager with contact information such as email addresses and phone numbers where they can be reached.
- (H) A sand or boundary fence must be installed along rear and side property lines that adjoin other lots or common areas before foundation work begins. Boundary fences must be made of 4"x4" pressure treated posts at least 8' long with tensioned rope running between them. The posts must be set in the ground down at least 3 feet. Silt fences may also be required where lot slopes may result in soil erosion.

- (I) Generator use must be discontinued, and temporary power established at each job site within seven (7) days of the start of construction. A valve controlled potable water supply must be available at each job site within seven (7) days of the start of construction.
- (J) Authorized construction and contractor work hours are Monday through Friday, 7AM to 6PM, and Saturday 8AM to 4PM. Construction and contractor work on Sunday, Christmas Eve and Christmas Day, Thanksgiving Day and the day after, New Year's Eve and New Year's Day, the Fourth of July, Memorial Day, and Labor Day is prohibited. Additional days may be added on a single event basis if deemed appropriate by the DRB.

4.3 CONSTRUCTION COMMENCEMENT PROCEDURE

- (A) The homeowner receives written approval for construction and landscape plans from the DRB.
- (B) The contractor must obtain a valid Walton County Building permit when required by the County for construction projects approved by the DRB, and the permit shall be posted on the job site before the start of any land clearing or construction.
- (C) Dumpsters and port-o-lets must be placed in accordance with the DRB approved site plan on or before the start of framing or wall installation.

4.4 INSPECTIONS AND SURVEYS

- (A) Lot owner/Contractor must provide lot survey with plans.
- (B) A foundation survey must be provided to the DRB for verification of compliance with the approved plans and Design Code setbacks upon completion of the foundation. No vertical structural elements may be added until the DRB reviews and provides written confirmation the survey has been accepted.
- (C) Upon completion of exterior framing, sheathing and roof decking with rough-in window and door openings, the builder must request and receive written DRB acceptance of plan compliance. The exterior siding, trim, doors and windows may not be installed until this written acceptance has been issued by the DRB.
- (D) Upon completion of interior framing, rough-in electrical and plumbing, window and door installation, roofing, and exterior wall trim and siding, the builder must request and receive written DRB acceptance of plan compliance. The interior insulation and dry wall may not be installed until this written acceptance has been issued by the DRB.
- (E) The Site Manager inspects compliance with approved Change Orders.
- (F) The Contractor must provide a final Site Survey, if deemed necessary by the DRB for final inspection approval, when the house is completed.
- (G) The DRB and Site Manager have the right to make periodic inspections of the property during construction and have broad discretionary powers regarding the correction of any non-complying construction. To enter a home with a Certificate of Occupancy that has been occupied, the DRB/site manager must have the owner's consent and may only conduct the inspection if accompanied by the owner or owner's representative.

4.5 OCCUPANCY

- (A) Upon completion of entire project, the Contractor will notify the DRB to schedule a final inspection.
- (B) The DRB will give final approval or specify items required for final approval.

- (C) When DRB Final Approval has been obtained, the house may be occupied overnight.
- (D) Failure of the Contractor to obtain DRB Final Approval before occupancy will result in a fine and/or suspension of SCB II building privileges as provided herein.

4.6 REGULATORY APPROVALS

Each lot owner and contractor bears the responsibility to comply with all Federal, State and local laws and regulations relating to the use and improvements of the lot and associated structures.

4.7 CONTRACTOR RULE VIOLATIONS AND NON-COMPLIANCE PENALTIES

The following is a Schedule of non-compliance penalties for initial violations of Design Code Rules (Each subsequent offense will be assessed at double the amount listed):

RULE VIOLATION	PENALTY PER INCIDENT
Jobsite-debris on adjacent property, common area, easement, sidewalk or street	\$200
No Dumpster cover when workers not present	\$100
Dumpster missing or not on building lot or located in site manager approved area	\$200
Construction equipment or materials on adjacent property, common area, easement, sidewalk or street	\$500
Parking Violations by contractor or subcontractor	\$100
No port-a-john (only required for new construction)	\$100
Unauthorized sign	\$50
Unauthorized burning	\$1000
Unauthorized clearing of lot or building without DRB approval	\$2000
Unauthorized removal/destruction of trees/vegetation in common areas or adjoining property; or, in the 20' scenic 30A buffer easement of any property that abuts CR30A	\$2000 plus total replacement of vegetation
General nuisance/misconduct/noise	\$200
Un-authorized exterior finishes (e.g., paint stain, roofing materials or design)	\$500 Up to complete forfeiture of compliance deposit
Boundary, and/or silt fence missing or damaged (only for new construction or major modifications requiring one)	\$250
Unauthorized Dumping	\$1000
Exterior Spray Painting	\$2000
Concrete washout on common area or other private property	\$500

Change request not submitted and approved by the DRB prior to construction modification	\$500-\$5000
Unauthorized use of water or electricity from adjoining property without permission.	\$1000
Hazardous operation of a motor vehicle	\$200
Working outside of established SCB II construction hours	\$250
Failure to remedy damage to sidewalks, streets, common areas and other private property as directed by the DRB.	\$500-\$10,000
Licensed contractor failure to directly supervise project or be regularly present at job site.	\$1000
Failure to prepare for Hurricane or Tropical Storm	\$500-\$10,000
Occupying house overnight without DRB Final Inspection Approval	\$1000 per day
Failure to cease work upon receipt of a Stop Work Order	\$1000 per day
Contractor subcontractor accepting/receiving equipment, materials, or supplied delivered on site delivered on a tractor trailer (semi)	\$250
Failure to resolve all final inspection open items within 30 days of occupancy unless DRB has approved additional time to resolve	\$2000-\$10,000
Failure of the builder to meet with the Site Manager regarding Contractor Rules prior to clearing and/or construction	\$250
Failure to stop generator use or provide potable water on the job Site within 7 days of the start of construction	\$250
Use of a listed subcontractor with revoked work privileges	\$1000
Failure to comply with the storm water requirements in Sections 6.6 and 6.7	\$1000-\$10,000
Construction change made without DRB approval and not corrected at the time of DRB Final Inspection	\$500-\$10,000
Violation of other Design Code provision not listed herein	\$100-\$10,000
Failure to comply with foundation survey, framing, and door, window and trim inspection written approval requirements	\$2000

1. The contractor will be notified of non-compliance penalties upon completion and acceptance of Final Inspection by the DRB.
2. At its sole discretion, the DRB may assess a lower charge or give a warning in lieu of a Non-Compliance charge for a first incident or exceptional circumstances.
3. The General Contractor is responsible for all actions and damage caused by his/her sub-contractors.
4. The site manager has discretion to issue a "warning" in lieu of charging for a first offense or where more appropriate in unusual situations with extenuating circumstances. Charges less than \$1,000 regarding contractor violations require the concurrence of the DRB chairman or Vice Chairman (if Chairman is unavailable). Contractor charges exceeding a cumulative amount of \$1,000 or more for one property require a majority vote of the DRB.
5. Non-compliance charges must be paid immediately if required by the DRB or will be deducted from the Non-Compliance Deposit when it is refunded. If immediate payment is required from Non-Compliance Deposit, the Contractor must restore the Non-Compliance Deposit amount to its

original required level within fifteen (15) business days. Failure to pay the non-compliance charge will result in interest charges of 18% per year on the amount owed and/or may cause a Stop Work Order to be issued and removal as an approved contractor.

6. For rule violations in the above table with a listed penalty range, the DRB will consider the contractor's compliance history, the gravity of the violation and potential for harm from the violation in determining the penalty assessed. In addition to the penalties listed above, the DRB may revoke the licensed contractor's building privileges based on consideration of these criteria.

4.8 HURRICANE AND TROPICAL STORM PREPAREDNESS

The following must be implemented 48 hours before any tropical storm or hurricane is projected to impact the area by the National Weather Service.

1. STRAP TOGETHER LOOSE LUMBER.
2. DISASSEMBLE AND SECURE ALL SCAFFOLDING
3. TAKE DOWN ALL LADDERS AND SECURE ALL EQUIPMENT AND BUILDING MATERIALS.
4. CLEAN UP ALL DEBRIS AND SCRAP MATERIALS AND PLACE IN DUMPSTERS.
5. HAVE DUMPSTERS EMPTIED (IF THEY CAN NOT BE EMPTIED, THEY MUST BE SECURLY COVERED).
6. SECURE ALL ROOFING MATERIALS.
7. TAKE DOWN ALL GREEN FENCING AND SECURE FENCE.
8. LOWER ALL CRANES ON PROPERTY.
9. REMOVE ALL TRAILERS OR EQUIPMENT.
10. STRAP ALL PORT-A-POTTIES TO A TREE, LIGHT POLE, OR PUT AT LEAST 200 POUNDS OF WEIGHT IN BOTTOM.
11. CLOSE AND SECURE HOUSE DOORS AND WINDOWS.
12. ANY ITEMS THAT WOULD BE A DANGER IN THE WIND MUST BE REMOVED.
13. FAILURE TO SECURE A JOB SITE MAY RESULT IN A FINE AND CHARGE IN ADDITION TO THE TOTAL AMOUNT TO REPAIR ANY DAMAGE CAUSED.

5.0 SETBACKS AND BUILDING REQUIREMENTS

5.1 SETBACKS

Residential setbacks are listed in the following table:

SETBACK TABLE

Block	Front	Side	Rear
A	5	5	5
B	5	5	5
C	5	5	0 (J)
D	5	5	5

E	3	5	5
F	5	5	0 (J)
G	5	5	5
H	5	5	5
I (1-6)	5	5	5
I (7-30)	5	5	25 (B)
J (1-6)	5	5	5
J (7-21)	5	5	25 (B)
K (1-5)	5	5	5
K (6-29)	5/25 (C)	5	5
L (1-5)	5	5	5
L (6-9)	5/25 (C)	5	5
M (1-6)	5	5	5
M (7-29)	5	5	25 (B)
N (1-6)	5	5	5
N (7-27)	5	5	25 (B)
O (1-4)	11	5 South; 3 North	5 (E)
O (5-11)	11	5 South; 3 North	25 (F)
P (1-4)	11	5 South; 3 North	5 (E)
P (5-11)	11	5 South; 3 North	25 (F)
Q (Lots 1-7)	10	5	30
Q (Lots 8-14)	5	5	30
Q (Lot 15)	20	5 West; 10 East	30
Q (Lots 16-17)	20	0 West; 10 East (I)	30
Q (Lots 18-29)	20	5	30
Q (Lots 30-33)	10	5	30
R (Lots 1-6)	20	5	5
R (Lots 7&8)	5	5	5
S (Lot 1)	20	5 West; 10 East	30
S (Lots 2-9)	20	0 West; 10 East (I)	30
S (Lots 10-12)	5	5	5
S (Lots 13&14)	5	5	30
S (Lots 15-25)	10	5	30
T	5	5	25 (B)

U	5/25 (C)	5	5
V	5	5	5
W	5	5	5
X	5	5	25 (B)
Y	5/25 (C)	5	5
Phase 6A (Lots 1 - 12)	5	5	5/20 (D)
Phase 6A (Lots 13 - 15)	5/25 (C)	5	0 (J)
Phase 8 (Lot 1)	21.18	5	10
Phase 8 (Lot 2)	30/50 (G)	5	10
Phase 8 (Lot 3)	5	5	10
Phase 8 (Lot 4)	30/50 (G)	5	10
Phase 8 (Lots 5 - 6)	25	5	5
Phase 8 (Lot 7)	25	5 West; 7.5 East	5
Phase 8 (Lot 8)	25	5 West; 7.5 East	5
Phase 8 (Lots 9 – 10)	25	7.5 West; 5 East	5
Phase 8 (Lots 11 - 16)	20	5	30
Phase 9 (Lot 1-3)	20	5	5
Phase 9 (Lots 4-6)	25	5	5
Phase 9 (Lots 7-9)	20	5	30

Setback Table Notes:

- (A) Allowable encroachments beyond the setback lines but not beyond the property lines are as follows:
- Maximum roof overhang of 3.0 feet
 - Maximum of 3.0 feet for steps, stoops, open decks, (maximum of 200 square feet), and related structures. Maximum of 4.0 feet for walkways, patios, shower enclosures and HVAC units. The DRB, at its discretion, may allow greater encroachments on lot sides that border Association common areas.
 - Maximum of 3.0 feet for cantilevered balconies facing the street and other common areas.
 - Maximum of 3.0 feet for garden structures approved by the DRB (carports or parking structures are not considered garden structures).
 - Maximum of 2.0 feet for cantilevered fireplaces.
 - On all lots facing directly on 30A, all structures, including buildings, signs, lighting, parking areas and impervious surfaces shall be setback at least 20 feet from property line adjacent to the road right of way. The vegetation in this 20 foot buffer landscape easement shall consist of: native scrub vegetation, or landscaping in accordance with Section 5.02.03(C) of the 1996 Walton County Unified Land Development Code, or a combination of the preceding alternatives that are consistent with the aesthetic and design intent of the scenic corridor standards

- (B) These lots require rear parking off an alley. If a lot has sufficient space to build a two-car garage plus the number of additional on-site parking spaces needed, the setback may be reduced to 5 feet.
- (C) These lots allow for front yard parking. The front setback is 25 feet from the property line. Parking on the side of the house is 5 feet from property line.
- (D) These lots require rear parking with a 20-foot setback from property line and a 2-foot area for vegetation planting between the parking and house.
- (E) The setback shown is from the property line. There is a 20-foot parking easement between the street and the lot. The total setback is 25 feet from the edge of the street.
- (F) The setback shown is from the edge of the street, and the setback would be 14 feet from the property line.
- (G) These lots allow for front yard parking.
- (H) The following states which way the house fronts:
 - a. Blocks: E 1-18, I 7-16, X 2-10, J 7-11, M 7-13, N 7-15, T 9-22, Phase 6A 5-12 shall front the adjoining common areas.
 - b. Blocks O and P shall front toward the pool.
 - c. Blocks C, E, F, I, J, M, N, Q, R, S, T, X, Phase 6A Lots have vehicular access from an alley.
 - d. Blocks Q 15-29, S-1-9, Phase 8 Lots 11-16, Phase 9 Lots 7-9 house fronts shall face Highway 30A.
 - e. Phase 9 Lots 4-6 shall face toward their parking area.
 - f. The fronts of all other houses shall face the adjoining main street
- (I) In order to provide sufficient space for side roof overhangs since they cannot encroach over the property line, the 10' east side setback may be reduced to as low as 7' provided that the total of the two side setbacks for the lot are a minimum of 10'.
- (J) Roof overhangs cannot cross the property line.

5.2 STRUCTURES

Only the following structures that comply with this Design Code and have been accepted by the DRB may be constructed on a Lot:

- (A) Main single-family residential house with no more than one interior full kitchen and one interior accessory bar. A full kitchen is defined as an area with built-in appliances and vent hood, other than a microwave oven, intended for cooking food. Accessory bar is defined as an appliance area not defined as a full kitchen. Installed electrical, gas and plumbing service shall be consistent with approved plan elements for one full kitchen and one accessory bar, if any. Each main single-family house must contain a full kitchen, living area, and at least two bedrooms and two full bathrooms.
- (B) A single outbuilding which is fully detached and separated from the main house other than by a common deck, stairwell, or landing (only one of the following outbuildings is allowed):
 - a. Outbuilding for a garage (Section 5.10)
 - b. Outbuilding for carriage house with or without a garage (maximum of 800 square feet of air-conditioned space, excluding any garages).
- (C) Carport - Open-framed outbuilding with roof to park a car (Section 5.11).
- (D) Pools and spas with associated mechanical installation (Section 6.15).
- (E) Patios and open decks (Section 5.9).
- (F) Garden Structures (Section 5.12).

- (G) No prefabricated walls, pools, trailers, or other structures may be placed on any lot. Pre-engineered floor and trusses are allowed. Modular or Factory-Built homes are not allowed.
- (H) Items (B) through (F) above, and any other lot changes or improvements, are only permissible incidental to the construction of a main single-family residential house as described in subsection 5.2(A) ("Main Single-Family Residential House") above and may only be initiated during or after construction of a DRB approved and Design Code compliant main single-family residential house.

5.3 HOUSE LEVELS

- (A) The main residence shall not exceed three (3) floors above street level.
- (B) A third level is limited to a maximum finished and conditioned enclosed area of 600 interior square feet. (This is defined as the interior surface of all exterior walls including stairs). Any other enclosed areas beyond the allowed 600 square feet shall be constructed in ways to preclude the additional space from being converted to finished, conditioned space in the future that would exceed the 600 square feet maximum.
- (C) Outbuildings cannot exceed two (2) levels with a maximum 800 interior square feet of air-conditioned space (excluding garages).

5.4 HEIGHT

- (A) Roof peaks may be a maximum of 40 feet in height above existing grade at the front of the house.
- (B) Chimneys, roof finials and other approved projections beyond the roof may not extend more than 42 feet above grade at the front of the home.
- (C) Outbuildings may be a maximum of 28 feet in height above grade.

5.5 FIRST FLOOR ELEVATION

- (A) First floor front elevation for the main residence may be a minimum of 18 inches and a maximum of 36 inches above the average grade. On lots that slope downward where the average grade would be significantly below the front property line, the front floor elevation should be at least at street level or as much as 12 inches above.
- (B) Exterior wall finishes must extend to existing grade unless an alternative skirting design such as horizontally spaced boards are approved and extend to existing grade. All skirting must compliment the house.
- (C) No lattice skirting will be allowed.

5.6 ROOFS, DECK MEMBRANES AND FLASHING

- (A) Unpainted mill finish Galvalume® or aluminum metal roofs are required.
- (B) When a "liquid-when-applied" membrane is used as a waterproof barrier over finished space (including garages), it must come with a minimum ten-year warranty against leaking. Because this type of waterproofing method on flat roof areas and below decking over finished areas has had a high failure rate throughout our community over the last few years, its use is discouraged. Other methods such as EPDM rubber as the waterproof membrane is much less likely to fail when properly installed. Any other equivalent waterproofing methods may be described and

submitted for DRB consideration and approval as a waterproof membrane over finished space.

- (C) Up to a maximum of two-thirds of a roof may be flat as the second-floor roof of a three-story home or the first-floor roof of a two-story home, subject to DRB approval of railings, parapet walls and other details
- (D) Roof material, pitch, and details must be approved by the DRB
- (E) All exterior flashing must be coated aluminum or Galvalume®

5.7 EXTERIOR WALL MATERIALS

- (A) Permissible materials include cement fiber siding, wood, stucco over wood, stucco clad masonry, and other materials authorized by the DRB.
- (B) Materials are to be installed and painted per the manufacturer's recommendations.

5.8 STAIRS

- (A) Entry steps must be to the first floor of main house.
- (B) Entry steps will be allowed to the second floor of guesthouses.
- (C) Steps should match the style and materials of the house.
- (D) Steps can be painted, stained or left natural.
- (E) Step boards and stair railings shall be fastened together with stainless steel nails or screws.

5.9 PORCHES

- (A) Porches are required on the front of the first floor of the main residence (the front of a house is defined in the Notes to the setback table of section 5.1).
- (B) Porches must be a minimum of 6 feet in depth and two-thirds the width of the front of the house.
- (C) Porch materials must match or compliment the style of the house. Decking must be pressure treated wood, specialty rot resistant wood species or composite "rot free" deck. Decking must be fastened with stainless steel nails or screws and painted or stained.
- (D) Screened Porches:
 - a. Only second and third floor porches, and first floor porches not facing a street may be screened. Screening material must be fiberglass construction and charcoal in color.
 - b. Screened porches must have railings as required by Section 5.19 and must be shown in the drawings submitted to the DRB.
 - c. Frame members for screened porches must be designed as integral elements of the style of the house. Aluminum or Vinyl posts are prohibited except for channels attached to wood to secure the screening material. Framing must be painted or stained to complement the house and constructed with stainless steel screws or nails.
 - d. Open areas of screening without framing should not exceed forty square feet unless otherwise recommended by the manufacturer.
- (E) Outdoor kitchens, televisions, grills and fireplaces may not be located on first or second floor porches facing a street.

5.10 GARAGES

- (A) Garage doors are required and must be set back at least 15 feet from the front of the house. Exceptions to this setback may be permitted at the DRB's discretion for lots with special conditions such as alleys, common parking facilities, and lot depth limitations.
- (B) Maximum of two (2) garage doors not exceeding 9 feet wide by 9 feet in height may face any street.

5.11 CARPORTS & ARBORS USED FOR VEHICLE PARKING

- (A) Carports and vehicle arbors are defined as any structure under which a vehicle can be parked.
- (B) Carports and arbors may have a maximum opening of 20 feet wide and 20 feet deep.
- (C) Column dimension minimum of 8.5 inches. Columns cannot extend into setback
- (D) Carports and arbors may be built:
 - a. 5 feet from side setback and 20 feet from front/rear setbacks. Exceptions to these setbacks may be permitted at the DRB's discretion for lots with special conditions such as alleys, common parking facilities, and lot depth limitations.
 - b. 2 feet from side of house for vegetation
 - c. 3 feet from front or rear of house for vegetation
 - d. Maximum roof overhang of 3 feet in setback.
 - e. Not on or over an easement except that up to a 3' roof overhang may be permitted on the owner's property.
 - f. Attached carports must be a minimum of 9 feet wide (excluding column width) by 20 feet in length and count as one parking space. Unobstructed carports with an opening of 18 feet or more and a depth of 20 feet may count as two spaces.

5.12 BICYCLE/BEACH GEAR STORAGE

- (A) Each newly constructed home built without a garage shall have a minimum 24 square feet (at least 6' in height) of externally accessible storage for bicycles and beach gear.
- (B) The required storage may be contained within the home footprint provided access is off a first floor porch/landing or near ground level.
- (C) The required storage may be attached to the home near ground level or built as a standalone structure. The sides and roof of the attached storage must match the home siding and roof; and, be painted with the same colors. Louver or shutter style doors shall be used unless other adequate ventilation methods are provided.
- (D) For existing homes only, the structure may encroach into the required setbacks a maximum of 3 feet where allowed by the DRB. For new construction, the structure must lie within the same setback as the main house. Roof peaks may not exceed a height of 12 feet above existing grade unless otherwise approved by the DRB. Storage structures positioned beyond setback lines shall not impede scenic views from nearby lots and common areas. The design/colors of the structure must match or compliment the house as judged by the DRB.
- (E) The storage requirement may be fulfilled when allowed by the DRB through the enclosing of part of a first floor porch with shutters and shutter/louver door(s).

5.13 GARDEN STRUCTURES

- (A) Garden structures are defined in this code as trellises, arbors, pavilions and pergolas not used for parking and limited to one story.
- (B) Garden structures may encroach into the required setbacks a maximum of 3 feet when allowed by the DRB.
- (C) Garden structure roof peaks may not exceed a height of 12 feet above existing grade unless otherwise approved by the DRB.
- (D) Garden structures positioned beyond setback lines shall not impede scenic views from nearby lots and common areas.

5.14 EXTERIOR DOORS

- (A) Doors must be of wood, vinyl clad wood, molded fiberglass, or aluminum clad wood and must meet Florida Building Codes. Any glass in the door must meet minimum current Florida Building Code hurricane "impact" requirements that apply to coastal construction in Seacrest Beach.
- (B) Doors must be painted or stained unless the manufacturer has provided a finish coat.
- (C) Door heights must be proportional to adjacent windows and the ceiling heights of porches and/or rooms of the building.
- (D) Divided lights in doors must have panes that are taller than wide or at a minimum square
- (E) Doors facing any street must be swing operation only.
- (F) Sliding doors units are discouraged but may be used in areas not facing any street.

5.15 WINDOWS

- (A) Only high quality, energy efficient windows are permitted subject to DRB approval of submitted window and door specifications. Window glass must meet minimum current Florida Building Code hurricane "impact" requirements that apply to coastal construction in Seacrest Beach.
- (B) Windows must have strong vertical proportions and must be present on each full floor side facing a street, alley or common area.
- (C) Transoms must be proportional to windows and doors.
- (D) Small windows (2 feet x 2 feet or less) may be square.
- (E) Divided light windows must have panes that are taller than wide or at a minimum square.
- (F) Mullion divided (Combination) windows is prohibited.
- (G) Multiple windows are permitted provided they are separated by no less than 4 ½ inch rough opening to rough opening
- (H) Light tint on windows is permitted. Dark tint or reflective tints are prohibited.
- (I) Horizontally proportioned windows will only be allowed on sides of the house not facing streets or common areas.
- (J) Faux covered and uncovered decorative windows are prohibited.

5.16 SHUTTERS

- (A) Shutter material must be painted wood, fiberglass, metal or heavy grade solid vinyl. All shutters must be approved by the DRB
- (B) Shutters must be fully functional and sized to cover window openings.
- (C) Hurricane shutters must be removable or Bahamas type shutters.

- (D) Roll down hurricane shutters are prohibited unless built into the roof soffit.
- (E) Hurricane shutters and other window/door covers must be removed or opened within 14 days of a storm passing.

5.17 AWNINGS

- (A) Awnings may not be visible from the street.
- (B) Awnings must be approved by the DRB.

5.18 FASCIA & RAFTER TAILS

- (A) Fascia must be wood, cement fiberboard, or equivalent material.
- (B) Exposed rafter tails are required using 2x6 or larger pressure treated lumber.

5.19 COLUMNS

- (A) Columns must be a minimum width of 8.0 inches on the first floor and a minimum of 7.0 inches on additional floors. Smaller width columns may be approved if, in the opinion of the DRB, they better compliment the architectural merit, appearance, and design of overall of the structure
- (B) Must be detailed with trim at top and bottom.

5.20 RAILINGS

- (A) Railings shall be approved based upon architectural merit.
- (B) Railings must be smooth painted wood or painted metal or painted composite "rot free" imitation wood.
- (C) Railings shall be assembled and fastened with stainless steel nails or screws.

5.21 EXTERIOR TRIM

- (A) Exterior trim includes all exterior finishes other than siding, doors and windows.
- (B) Metal and vinyl trim are prohibited. Composite, cement fiberboard, or exterior grade pressure treated wood trim are required.
- (C) Exterior trim must be fastened with stainless steel nails or screws.

5.22 COLORS AND SHEEN

- (A) The DRB may provide color example guidelines or prescribe the use of a color palate that provides a selection of approved color combinations that must be used for paint color change requests and new construction. The use of bright or dark color shades for the exterior siding and trim is prohibited. Different complementary pale or light colors or pale or light shades of the same color are required and their use on different house levels is acceptable. All houses must use at least three different colors. Doors must contrast with the house body color. Trim must also contrast with house body color, except with white homes. The use of complimentary brighter or darker colors as an accent on doors, shutters and rafter tails will be considered by the DRB on a case-by-case basis. Selected colors must differ from those used on nearby houses.
- (B) At least one color choice must be presented at the time of Plan Review to the DRB.
- (C) Color placement must be shown on elevation house drawings.
- (D) Submitted colors are subject to the approval of the DRB at its sole discretion.

- (E) All exterior components of the house, including wooden decks, must be painted or stained to complement the structure. The sheen on the body of the house must be flat or satin.
- (F) Mechanical, trash, air conditioning enclosures and outside shower enclosures must be painted or stained to complement the trim.

5.23 PAINTING

- (A) No external spray painting is allowed.
- (B) All paint spills on walkways, streets, and other common areas must be cleaned up immediately or a non-compliance charge will be assessed against the Contractor.
- (C) The contractor is responsible to ensure any paint marks and flags on common areas or other owners' properties to mark "Dig Safe" lanes for installation of the home's utility underground pipes, conduits, or cables are cleaned and/or removed by the building contractor within a reasonable time and in all cases prior to the Final DRB Inspection.

5.24 AESTHETIC STANDARDS

Structures and other improvements placed on Lots must meet the following aesthetic standards:

- a. Contribute to an attractive, cohesive streetscape.
- b. Avoid negative impact on neighboring properties.
- c. Present attractive building facades with proportioned structures and architectural elements.
- d. Must not be identical or mostly similar to other structures in the same vicinity.
- e. Must be in harmony with nearby existing homes.

6.0 HOME SITES

6.1 SUBDIVIDING & MINIMUM HOUSE SIZES

- (A) Lots may not be subdivided or separated into smaller Lots, nor shall any portion of a Lot be conveyed separately. Multifamily Lots may not be subdivided or separated into smaller lots.
- (B) Lots may not be combined without the approval of the board of directors.
- (C) When the specific size, shape or location of a lot will allow the building of a house without causing other design code requirements to not be met (such as porch sizes, setbacks, onsite parking etc.), the following minimum size houses (finished, conditioned space excluding outbuildings) must be met:
 - One (1) story - 1600 sq. ft
 - Two (2) story - 1900 sq. ft.
 - Three (3) story - 2200 sq. ft.
- (D) In Blocks C and F, all houses must be two stories and at least 1,100 sq. ft.
- (E) Phase 8 Lots 11-16 and Phase 9 Lots 7-9 must be two stories.
- (F) DRB approval is required when the size, location, or shape of the lot makes the minimum sizes provided in 6.1(C) impractical or impossible.

- (G) Houses may not contain more than a maximum of 5 bedrooms (including rooms with closets and full bathrooms that may function as a bedroom), and one interior full kitchen and one interior accessory bar.
- (H) Stand-alone carriage houses may only be built during or after construction of the main house. When built together, neither structure may be occupied until both are complete.

6.2 PARKING SPACE REQUIREMENTS

- (A) On-site parking spaces are required for each lot as follows:
 - 0-4 Bedrooms and less than 1900 sq. ft. conditioned area – 2 parking spaces
 - 0-4 Bedrooms and 1900 sq. ft. or more conditioned area – 3 parking spaces
 - 5 Bedrooms and less than 3000 sq. ft. conditioned area – 3 parking spaces
 - 5 Bedrooms and 3000 sq. ft. or more conditioned area – 4 parking spaces
- (B) Providing onsite parking shall not be done in a way that eliminates more on-street public parking spaces than the number of onsite parking spaces created.
- (C) One-car garages do not count towards any on-site parking spaces; two car garages count as one on-site space.
- (D) Carports may count as one or two on-site spaces depending upon size of parking space(s) within the carport.
- (E) Two living areas on the same floor with a full bath shall count as an additional bedroom.
- (F) Bunkrooms count as bedrooms.
- (G) Both stacked and tandem parking are acceptable.
- (H) Parallel parking along alley streets are at the discretion of the DRB.
- (I) See Section 5.1 “SETBACK TABLE” for setbacks.
- (J) See Section 6.3 “PARKING TABLE” for approved areas for parking.

6.3 PARKING TABLE

Block	Front Yard	Side Yard	Rear Yard	Garages/ Carports	Provided by Developer
A	No	Yes	Yes	Yes	No
B	No	Yes	Yes	Yes	No
C	No	No	No	No	Yes
D	No	Yes	Yes	Yes	No
E	No	No	Yes	Yes	No
F	No	No	No	No	Yes
G	No	Yes	Yes	Yes	No
H	No	Yes	Yes	Yes	No
I	No	Yes	Yes	Yes	No
J	No	Yes	Yes	Yes	No
K (1-5)	No	Yes	Yes	Yes	No
K (6-29)	Yes	Yes	Yes	Yes	No

L (1-5)	No	Yes	Yes	Yes	No
L (6-9)	Yes	Yes	Yes	Yes	No
M	No	Yes	Yes	Yes	No
N	No	Yes	Yes	Yes	No
O	No	No	Yes	Yes	No
P	No	No	Yes	Yes	No
Q	No	No	Yes	Yes	Yes
R (1-6)	Yes	No	No	No	No
R (7 & 8)	No	Yes	No	Yes	No
S (1-11)	No	No	Yes	Yes	Yes
S (12)	No	Yes	Yes	Yes	No
S (13-25)	No	No	Yes	Yes	Yes
T	No	Yes	Yes	Yes	No
U	Yes	Yes	Yes	Yes	No
V	No	Yes	Yes	Yes	No
W	No	Yes	Yes	Yes	No
X	No	Yes	Yes	Yes	No
Y	Yes	Yes	Yes	Yes	No
Phase 6A (Lots1-12)	No	Yes	Yes	Yes	No
Phase 6A (Lots13-15)	Yes	Yes	No	Yes	No
Phase 8 (Lots 1&3)	Yes	No	No	No	Yes
Phase 8 (Lots 2&4)	Yes	No	No	Yes	No
Phase 8 (Lots 5-16)	No	No	Yes	Yes	Yes
Phase 9 (Lots 1-3)	Yes	Yes	No	Yes	No
Phase 9 (Lots 4-6)	Yes	No	Yes	No	Yes
Phase 9 (Lots 7-9)	No	No	Yes	No	Yes

6.4 DRIVEWAYS & PARKING

- (A) Driveways and walkways must be made of pervious pavers approved by the DRB.
- (B) Single driveway cuts on the side of the house (for tandem parking) may be 12 feet wide maximum; 9 feet wide minimum from the front property line to the front façade of the house; must be at least 3 feet from the side property line; and, at least 1 foot 6 inches from side of the house for vegetation. Credit for driveway on-site parking is calculated as follows:
- 2 Parking spaces = 9 to 12 feet wide x 40 feet deep with 5-foot setback in rear
 - 3 Parking spaces = 9 to 12 feet wide x 60 feet deep with 5-foot setback in rear

- 4 Parking spaces = 9 to 12 feet wide x 80 feet deep with 5-foot setback in rear
 - 5 Parking spaces = 9 to 12 feet wide x 100 feet deep with 5-foot setback in rear
- (C) Front yard parking will be limited to a maximum of three spaces. Front yard parking driveway cuts and off alley driveway cuts may exceed 12 feet wide. Front yard parking as provided in the Parking Table notes must have the following dimensions:
- 2 Parking spaces: 18 feet wide x 20 feet deep with 3-foot setback on each side
 - 3 Parking spaces: 27 feet wide x 20 feet deep with 3-foot setback on each side (lot must be 33 feet or wider).
- (D) Front and rear yard parking must allow at least 3 feet on each side and at least 2 feet between the driveway and house for vegetation except where steps are located. Steps may not be so wide as to preclude all vegetation between front parking and house
- (E) The required depth of a driveway or front/rear/side parking spaces can be calculated from the edge of a sidewalk where they exist or from the edge of the road where sidewalks do not exist.
- (F) Driveways may not prevent nor block the use of rights of way, common areas or the purpose for which any easements exists. The common area between a sidewalk and the property line of a lot on a street is not considered as encroaching if used as part of the driveway. Similarly, the common area between an alley's concrete edge and the parallel property line may be used as part of the driveway.
- (G) Only one driveway cut will be allowed per lot where side yard parking is approved.
- (H) At its sole discretion, the DRB may approve parallel parking on alley streets. Minimum required size is 8' x 20'. Width shall be measured from the edge of the road and allow at least 1 ½' from the parking space to the house for landscape vegetation.
- (I) When a driveway is off a gravel public parking area between palm trees and the driveway is an area where there is a problem with parked cars blocking owners' driveways (such as near the pool), the owner may request permission to place pavers in the public parking area in a width no greater than the driveway width (any flaring at the end of the driveway does not count towards width). The pavers must be bound on each side by a 12" concrete strip similar to what is typically found between the palm trees and adjacent public parking bays. If the placement of pavers would result in only a narrow strip of gravel bay between the pavers and a palm tree concrete strip, the DRB may direct that the pavers be extended to the palm tree concrete strip even though this may cause the pavers to be wider than the driveway. The pavers used in the public parking bay must match the driveway's pavers in shape and color. Pavers installed by owners in common areas, even with DRB permission, may be removed at any time by the association in the future for any reason without compensation.
- (J) No ropes, chains, wire, traffic cones or any other object may be used to block a driveway.

6.5 IMPERVIOUS AREA

Impervious area as a percentage of total Lot area shall not exceed the following ratios:

- 60% of Lots with an area of 4000 square feet or greater.
- 70% of Lots with an area between 3000 square feet and 3999 square feet.
- 80% of Lots with an area less than 3000 square feet.

All enclosed or covered first floor spaces, parking areas, patios, pools, pool decks, walkways and similar hard surfaces, not including first floor wooden or composite uncovered porches and decks, shall be included as impervious areas in the calculation of the impervious surface ratio. New construction and change requests for existing houses where impervious surface changes are made must provide documentation of compliance with this Section.

6.6 STORM WATER RETENTION

- (A) Storm water retention areas shall be provided for each lot as shown on Storm Water Retention table in Section 6.7.
- (B) The DRB, at its sole discretion, may approve alternative drainage plans and may require additional fees for a civil engineer to review the proposed drainage plan and modify Seacrest Beach Storm Water Management Plan where necessary.
- (C) All construction projects shall include one of the following in the DRB project application:
- a. A certified statement from a qualified architect or engineer that the proposed foundation, fill addition or grading changes will not alter the movement of storm water from the site to adjoining properties or common areas, and that only the storm water retention areas required in Section 6.7 are necessary; or
 - b. A storm water management plan prepared by a qualified architect or engineer that includes the design features, specifications and structures necessary to prevent the movement of water from the site to adjoining properties and common areas resulting from the addition of the foundation, fill soil or grading of the site.

A change request with documentation meeting the requirements of this Section must be submitted to and approved by the DRB after the start of construction if it is determined foundation, grading or fill changes will be needed. The accepted contractor is responsible for assuring all storm water management features and structures are built in accordance with the architect or engineer's approved plans submitted under this section.

6.7 STORM WATER RETENTION TABLE

BLOCK	LOT #	VOLUME	BLOCK	LOT #	VOLUME	BLOCK	LOT #	VOLUME
A	1-15	106	N	7-10	192	S	25	243
B	1-16	125		11	220	T	1-7	192
C	1-10	149		12-14	192		8	231
D	1-6	120		15	219		9	243
E	1-18	160		16	233		10-22	214
F	1-10	149		17-21	192		23-29	192
G	1-16	125		22-24	199	U	1-24	0 (VNB)

H	1-15	106		25-27	197	V	1-4	186
I	1-6	106	O	1-4	169	W	1-4	229
	7-16	209		5	408		5	194
	17-24	185		6	215		6	214
	25-27	197		7-10	193		7	216
	28-30	218		11	148		8	214
J	1-6	106	P	1-4	169		9	194
	7	183		5	492	X	1	201
	8	221		6-10	193		2	203
	9-12	220		11	214		3	230
	13	194	Q	1-5	169		4	270
	14	234		6	140		5-6	220
	15	192		7	159		7	206
	16-18	187		8-9	161		8-15	183
	19-21	205		10	272		16	216
K	1-5	120		11-14	161		17	243
	6-26	268		15	198		18	216
	27	217		16-28	181	Y	1	220
	28	229		29	198		2	201
	29	161		30	226		3	235
L	1-5	120		31-33	159		4	201
	6-8	232	R	1	310		5-14	192
	9	270		2-4	189		15	220
M	1-6	106		5-6	223	Phase 6A	1-2	176
	7-13	192		7-8	232		3	153
	14	215	S	1	198		4	197
	15	238		2-9	181		5-9	164
	16	230		10	214		10	227
	17-19	192		11	240		11-14	164
	20	220		12	220		15	199
	21-23	199		13	201	Phase 8	1-16	209
	24-26	197		14	121	Phase 9	1-9	200
N	1-6	106		15-24	160			

6.8 SOIL & FILL MATERIAL

Outdoor fill material must be clean white or light quartz sand with little or no clay or silt. Clay and silt soils and sand mixtures are prohibited except under stem wall or monolithic concrete foundations. Limestone and/or dolomite may only be used under approved paver walkways and driveways.

6.9 GARDEN, COURTYARD AND POOL WALLS

- (A) Garden, courtyard and pool walls of masonry with stucco finish are allowed along the lot property lines of adjoining streets and alleyways. Walls with a combination of painted

- aluminum picket may substitute for solid walls. These walls must be a minimum of 2'-6" in height and a maximum of 4' in height.
- (B) Side yard and rear yard walls are allowed to form private interior courtyards but are not required. These walls must be a minimum of 4' in height and a maximum of 7' in height and be located at least 1' inside the property line.
 - (C) Masonry walls shall be coped either with formed stucco or tile copings.
 - (D) Stucco piers within the walls are optional. The maximum spacing allowed between piers is 8'.
 - (E) Use of ceremonial archways over pedestrian entries through garden walls is allowed. The height and size of ceremonial archways may be approved by the DRB at its sole discretion.
 - (F) Pool walls must be at least 4' in height above pool grade.
 - (G) All walls must be finished with a DRB approved color that complements the house.

6.10 FENCES

- (A) With DRB approval, fences may be substituted for walls only along side and rear yard property lines not adjoining a street
- (B) Fences in side yards must be set back 10 feet from front of the house.
- (C) Fence height cannot be more than 7' in side and rear yards and cannot exceed 4' on alleyways. Fences in side yards must be located at least 1' inside the property line unless a variance for a common shared fence has been accepted by the DRB based on joint application by both property owners.
- (D) Fences must be made of wood or metal designed and painted a DRB approved color to complement the house. Wooden fences must be built using stainless steel screws or nails, and 6X6 capped or beveled posts with 2x6 slats positioned horizontally and spaced between 1/2" to 1 1/2" apart. Other wood fence designs, or metal fences and other materials, such as man-made composites, may be approved on a case-by-case basis, as determined by the DRB.

6.11 GATES

- (A) Gates must be made of wood or metal. Other materials, such as man-made composites, may be approved on a case-by-case basis, as determined by the DRB.
- (B) Gates must be designed and painted a DRB approved color to complement the house.
- (C) Narrow trellises installed above and as part of a gate structure do not have the setback restriction of other trellises and may be located just inside the property boundary and in line with the fence.

6.12 MECHANICAL & ELECTRICAL EQUIPMENT

- (A) Exterior mechanical equipment such as air conditioner condensing units or pool equipment should be placed inside or rear yards completely screened from view from any street and/or common area walking/bicycling path. If the side opposite the house cannot be seen from nearby streets or walking path due to location or landscaping, that side is not required. If none of the equipment can readily be seen from nearby streets or walking paths, the architect/builder may request approval to not include any screening for such equipment.
- (B) The enclosure shall be made of wood (solid or picket) and painted or stained to complement the house. A combination of wood with stucco clad concrete block that matches the home may also be approved.

- (C) Equipment and enclosures shall be no closer than one foot from a property line and shall be properly ventilated. Electrical meters and equipment shall be located so they are least visible, particularly from the front of the property.
- (D) Enclosures must be a minimum of 36 inches height to a maximum of inches 48 inches in height.

6.13 GARBAGE CONTAINERS

- (A) Two or more heavy duty garbage containers, minimum 64 gallons in volume, with hinged lids, two wheels with a common axle, and which are designed for commercial lift truck use, are required. Each house must have enough containers to accommodate all household trash produced on the property, and all containers must be in good operating condition.
- (B) Garbage containers must be kept in a side or rear yard and must not be generally visible from any street or common area.
- (C) The Board of Directors may refuse trash pickup by association personnel if garbage containers do not meet the above specifications or may purchase replacement containers meeting the minimum design or accommodation requirements of this Section and assess the member for its costs when deemed necessary.

6.14 GARBAGE ENCLOSURES

- (A) Enclosures must be large enough to hold the number of containers the residence needs to contain all household trash produced on property
- (B) Enclosures must be well ventilated and must not negatively impact adjoining properties.
- (C) Enclosures must be constructed to hold containers as follows:
 - a. Be enclosed on all four sides (one side can be the house). If the side opposite the house is definitely not visible from nearby streets or walking paths, that side is not required. The widest part of the enclosure area should be parallel (not perpendicular) to the house unless 3 ft. or more remains between the property line and the enclosure.
 - b. Minimum of 44 inches in height.
 - c. Interior dimension minimum of 72 wide and 36 inches in depth to accommodate the required minimum of 2 garbage containers.
 - d. Must be at least 1 foot from the property line.
 - e. Must be shown on the final plan.
 - f. Be a wood board fence with ventilation.
 - g. Have a street facing hinged gate.
 - h. Painted or stained to complement the house.
 - i. Enclosures must be located and built to allow reasonably convenient transfer of containers to the curb by association personnel for trash pickup. The Board of Directors reserves the right to refuse trash pickup by association personnel if there is not a reasonable or convenient access of the garbage cans from the enclosures to the street.

6.15 POOLS & SPAS

- (A) All swimming pool and spa additions must be submitted to the DRB for approval. Applications must include: a revised impervious surface calculation and certification in accordance with Sections 6.5 and 6.6; a description of materials, material colors and dimensions for the spa or pool, spa or pool deck, mechanical equipment, lighting, fences, walls and any other added features; elevation of the spa or pool deck above average existing

grade; fence design and color; a landscaping plan; and a dimensioned site plan providing the location and dimensions of the pool and other added features in relation to existing structures and setbacks.

- (B) A copy of the County permit must be provided to the Site Manager.
- (C) Pools and Spas cannot encroach into the setback and decks must be made of suitable wooden deck boards, pavers or patio stone. Solid pour concrete decks are prohibited.
- (D) Pool and Spa decks cannot extend beyond enclosure fences or walls and must be located in the side or rear not facing a street. Side yard fences must be located at least 1' inside the property line.
- (E) Pools and Spas must be enclosed by a wall or fence at least 4' in height. Pool and spa mechanical equipment not located inside the pool fence must be located in an enclosure on the side or rear of property at least 1' inside the property line and painted a color that compliments the pool fence or wall and house.

6.16 PLAY EQUIPMENT

- (A) Play equipment must be kept neat and orderly without significant visible corrosion/rust.
- (B) Play equipment cannot encroach into the setback on side or rear.
- (C) Play equipment may not be located in front or side yard facing a street on a corner lot.
- (D) A permanently installed basketball goal may be permitted by the DRB in rear yards if not visible from any street or common area walking/bicycle path.

6.17 ANTENNAS & SATELLITE DISHES

- (A) Antennas and satellite dishes are prohibited in all common areas and the common property of multi-family dwellings. They must be installed according to County regulations in a safe location on the owner's property; be at least 2' inside the property line; and be no higher than the lower roofline of the top floor of the main house.
- (B) To the extent possible, antennas shall be located to minimize their visibility from the street and adjoining properties. It should be noted that satellite dish installers generally try to place the dish where it is easiest to install, not where it is least visible. A dish requires a totally clear view of the sky in the direction of the satellites (usually towards the Southwest).
- (C) The following antennas are allowed:
 - A satellite dish antenna that is one meter or less in diameter used to receive commercially available direct broadcast satellite service,
 - Wireless cable, telephone service or internet access.
 - A commercially available antenna for receiving local television broadcast signals.
- (D) External antennas designed to receive amateur ("HAM") radio, Citizens Band ("CB") radio, and Digital Audio Radio Services ("DARS") signals are specifically prohibited.

6.18 SOLAR PANELS

Solar energy panels may not face any street and must be pre-approved by the DRB.

6.19 EXTERIOR LIGHTING

- (A) Exterior lighting may not intrude into adjacent property or be a nuisance to neighbors. The use of directional lighting is required in areas where structural elements do not shield the light from shining on adjoining properties.
- (B) Prohibited exterior lights are:
 - a. High output security lights (either pole or house mounted).
 - b. Floodlights and high-pressure sodium light bulbs.

6.20 HOUSE NUMBERS

- (A) House numbers should be placed on the house where they are easily visible, normally near the main entry.
- (B) Maximum height for numbers is six (6) inches and minimum is three (3) inches.
- (C) House numbers may alternately be placed on garden walls or archways.
- (D) House numbers can be of metal or wood (no stick-on numbers).

6.21 MAILBOXES

- (A) Mailboxes are provided at the main entrance postal building. Mailbox keys are available at the Association Manager's office. Property owners are responsible for the expense of making additional or replacement keys for their mailboxes.
- (B) Owners may not erect a mailbox on their home or anywhere on a lot.

6.22 UTILITIES

All utilities must be buried below grade and concealed from view.

6.23 BUILT-IN OUTDOOR GRILLS AND FIREPLACES

- (A) Built-in outdoor grills must be installed with fire protection in accordance with the grill manufacturer's installation instructions and specifications. These instructions and specifications must be provided to the DRB prior to installation in new construction or when added to an existing house.
- (B) Built-in outdoor grills may not be located on first or second floor porches facing a street and shall not be in areas where they are generally visible from the street front side of the house.
- (C) Only built-in outdoor grills or fireplaces that burn propane or natural gas may be installed.

6.24 SIGNS

- (A) All property owners must comply with the latest approved version of the Seacrest Beach II Design code sign rule sections (rather than what were the sign rules at the time of their construction application submittal).
- (B) During construction, remodeling, or renovation, a "Plan/permit" sign box must be erected on each building site if required by County regulations. This can be in addition to the one regulation Seacrest Beach II sign that is allowed.
- (C) One small security sign indicating that the property is being protected by a certain security firm, and/or one small No Parking Sign, may be placed on a property in addition to the one regulation sized Seacrest Beach II sign that is allowed so long as the sign is less than 12 inches square

- (D) One non-offensive, aesthetically compatible house name sign such as “Little Lily Pad” with lettering 8 inches or less may be attached directly to the house. Total sign size may not exceed 400 square inches. All existing signs must conform with this total size limitation on or before December 31, 2018.
- (E) If required by state or county statutes, a temporary “pesticide” application safety sign may be installed for the required time period. Such signs shall be removed as soon as allowed by the applicable laws.
- (F) Only one regulation Seacrest Beach II sign is allowed on each property. All other signs except those listed above are prohibited.
- (G) The specifications for the Seacrest Beach II sign are as follows:
 - a. Size is 10 inches in height by 12 inches in width
 - b. Must have routed radius returns, be 13mm thick, and one sided.
 - c. Placement must be a maximum of 3 feet from ground mounted on a 2 inch by 2 inch square post painted white
 - d. The only approved colors are white for the background and Sherwood Green (Pantone Matching System #3455) for the lettering and outside border.
 - e. No Logos, additional signs or information boxes are allowed on any sign or post.
 - f. Corrugated material (Colorpast) is prohibited in SCB II.
 - g. Signs must be maintained in good condition and not obscured by landscape plantings.
- (H) Houses under construction may use the one Seacrest Beach II sign to include the contractor’s name and license number and/or “for sale” contact information.
- (I) Vacant lots may use the one Seacrest Beach II sign as a “for sale” sign with contact information
- (J) Completed Houses may use the one Seacrest Beach II as a “for sale” and/or “for rent” sign with contact information.
- (K) U.S. and other flags and flagpoles specifically allowed under Florida Statute 720 (Homeowners Associations) are authorized for use at Seacrest Beach II. No other signs, flags, banners, or boards of a temporary or permanent nature not specifically authorized under this Section may be placed, posted or erected on the property or placed in the interior of a structure that may be visible in any manner from the street. Also, signs which are not in reasonable repair, for example broken, damaged or faded signs with unapproved color, logos or signs that lie abandoned at the site, shall be considered non-approved. If there is a situation other than specified in this code, a special appeal/submission may be made to the DRB.
- (L) Sign placement:
 - a. For Sale” or “For Rent” signs must be a minimum of 2 feet from sidewalks or from the road’s edge in alleys.
 - b. Appropriate landscaping that will not quickly obscure the sign may be placed around signposts, but no embellishments such as gravel or masonry encircling the posts are allowed.
 - c. Signs or any sales information placed in windows or on doors are prohibited.
 - d. When “plan/permit” sign boxes are required, the Seacrest Beach II sign may be attached to the same post not higher than 3’ off the ground.
 - e. Rental or sale signs must be attached to a 2” x 2” post painted white with a height of 3’ to the top of the sign.

- (M) Sign Removal:
- a. Rental signs must be removed when rental agency agreement has expired.
 - b. Sale signs must be removed when sales listing has expired and/or house or lot sold.
 - c. Contractor signs must be removed at time of final survey. The Seacrest Beach II Owners Association through their management shall have the discretionary power and absolute authority to remove and retain without notice, any and all signage that is prohibited, faded, damaged or otherwise non-presentable or inappropriate, non-conforming to the sign specifications, or not approved by the Design Review Board. All such signs shall be brought back to the HOA, placed in storage, marked with the date, and will be held no longer than one (1) month.

7.0 LANDSCAPING

7.1 GENERAL

- (A) The design must consist of a variety of perennial evergreen signature trees, shrubs and pine straw. The use of cold tolerant native vegetation and/or hardy plant species well suited for coastal well-drained sandy soils in Walton County is required.
- (B) Any existing vegetation where possible must be preserved.
- (C) The Landscape plan must comply with the following provisions:
 - a. Landscape requirements in Section 7.4.
 - b. Preservation of existing trees 3 inches caliper or larger where possible.
 - c. Use of turf grass is prohibited except in rear yards not adjoining a street.
 - d. Pine straw mulch must be used as soil cover.
- (D) Driveways cannot be used as patios.
- (E) Garden art and pottery are to be used as accent pieces only. Large, or offensive or suggestive items are prohibited.

7.2 LANDSCAPING PLAN

- (A) A landscape plan must be submitted by an approved landscape architect or designer and presented with the house plans for approval by the DRB.
- (B) The plan must show placement of trees and shrubs.
- (C) The plan must list the names and size of plants and trees.
- (D) Natural vegetation cannot be listed as plants.
- (E) Sides of houses facing a street must have trees and shrubs as required in Section 7.4. For example, a corner house must have landscaping on all sides facing a street or alley.
- (F) Houses facing common areas must replace vegetation that has been removed or damaged during construction to be consistent with the vegetation in the adjoining common areas.

7.3 IRRIGATION

- (A) Automatic irrigation systems are required to enhance and maintain existing vegetation and to establish newly planted vegetation on all developed lots.
- (B) Water conserving design and installation techniques, such as low trajectory sprinkler heads, low gallon nozzles and drip type applications, are highly encouraged.
- (C) Nozzle layout is to be installed to minimize the wetting and staining of walls and paving surfaces as well as spraying adjoining property. Wind drift should be accounted for where possible.
- (D) Drip irrigation is encouraged wherever possible to minimize staining.
- (E) Individual pump and shallow well systems are encouraged as the irrigation water source on each lot. Use of potable drinking water for irrigation system is not recommended.
- (F) All water distribution components shall be concealed. Spray heads shall be pop-up types mounted below grade. Bubbler heads and emitters shall be covered with pine straw mulch.
- (G) All Irrigation components such as solenoid valves pipe, fittings, filters and pressure regulators must be below grade, screened through shrubs, or otherwise concealed such as being covered with pine straw mulch.
- (H) All timers, starters, pressure tanks, and pumps must be screened from view.

7.4 LANDSCAPE REQUIREMENTS

- (A) No vegetation may be cleared or disturbed in any common area. No vegetation may be cleared in any scenic 30A buffer easement that exists in the first 20 feet of all Seacrest Beach II properties adjacent to the County Road 30A right of way.
- (B) The minimum quantity of plants and trees listed as below are to be placed in the yard on each front, street and alley side of the house. Tree height may be varied (12 to 20 ft.) and the use of short palms and other native perennial evergreen shrubs is encouraged (Saw Palmetto, Scrub Palmetto, and Cabbage Palm are some native Walton County species that may be especially good choices). At its discretion, the DRB may require additional landscaping based on the lot size/shape and footprint of the house.
 - a. Lots 40 to 50 feet wide:
 - Minimum of four perennial evergreen trees, 3-inch caliper in width (as measured 3' above grade) and minimum of 12 feet in height on the front and each side of a house that faces a street or alley.
 - Minimum of six 5 gallon or larger perennial evergreen shrubs.
 - Minimum of six 1 gallon or larger perennial evergreen plants.
 - b. Lots 30 to 39 feet wide:
 - Minimum of four perennial evergreen trees, 3-inch caliper in width (as measured 3' above grade) and minimum of 12 feet in height on the front and each side of a house that faces a street or alley.
 - Minimum of four 5 gallon or larger perennial evergreen shrubs.
 - Minimum of four 1 gallon or larger perennial evergreen plants.
 - c. Blocks "C" and "F" that are 30 feet wide by 45 feet deep
 - Minimum of two perennial evergreen trees, 3-inch caliper in width (as measured 3' above grade) and minimum of 12 feet in height on the front and each side of a house that faces a street or alley.
 - Minimum of four 5 gallon or larger perennial evergreen shrubs.
 - Minimum of four 1 gallon or larger perennial evergreen plants.

- d. Odd shaped lots require similar plantings and approval of landscape plans are at the discretion of the DRB.
- (E) Plantings on the sides of a house where they are not visible from the street, alley, or common area walking/bicycle path are at the discretion of the homeowner
- (F) The planting of new evergreen perennials on each lot is at the discretion of each lot owner and landscape designer.
- (G) The planting of annuals and other plant types on each lot in addition to the minimum required plants in Subsection (B) is at the discretion of each lot owner and landscape designer.
- (H) The placement or use of non-native, noxious, invasive plants is prohibited (FL.62C-52.001). For the purposes of this section, this means those plants listed in Section 369.25(2), F.S., and the memorandum of agreement with the Division of State Lands and Rule 62C-20, F.A.C., and the "prohibited" species listed in the Institute of Food and Agriculture Science-Univ. of FL (IFAS) invasive plant list, the Florida Exotic Pest Plant Council list of applicable plant communities located within Walton County list.
- (I) Plant species that are perennial evergreens, freeze tolerant and well suited for growth under North Florida coastal conditions must be used to meet the minimum landscape requirements of Subsection (B).
- (J) All plant species shall meet or exceed Florida Plant Grade No.1, no exceptions.
- (K) For purposes of this Section, 1 gallon size plants must have an installed minimum height of 12 inches, and a minimum canopy diameter at the widest point of 8 inches; and 5 gallon size plants must have an installed minimum height of 24 inches, and a minimum canopy diameter at the widest point of 16 inches.

8.0 COMMUNITY RULES AND PENALTIES

The purpose of these rules is to establish requirements for the maintenance and care of existing properties in Seacrest Beach II and to establish uniform disciplinary standards for failure to maintain properties in accordance with these requirements and for frequent types of violations addressed in the Deed Restrictions. This policy is not intended to be a complete list of all possible violations. For more complete information refer to the DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE SEACREST BEACH II OWNERS ASSOCIATION, INC. AND THE CURRENT SEACREST BEACH II DESIGN CODE.

8.1 OUTDOOR MAINTENANCE/UPKEEP:

Yards, trees and other plants must be maintained on a basis frequent enough to assure an overall well-kept appearance that is consistent with the individual property's approved landscape plan. Properties must be kept neat and well maintained at all times. This shall include, but not be limited to:

- 8.1.1 Pine Straw: Fresh pine straw must be added to all plant beds and open lot areas on developed properties every spring and fall. It must be uniformly applied to provide full cover such that surface soil and irrigation lines are not visible. Edges along hard surfaces must be neat and uniform. Plant bed and ground covers other than pine straw are prohibited.
- 8.1.2 Edging and Trimming: No runners shall show on paved surfaces, including sidewalks, driveways and curbs. Trim palms, trees and shrubs for uniform appearance, to eliminate overgrowth, and to remove dead growth. Remove branches extending into parking areas, sidewalks, walkways and trash storage/access areas.
- 8.1.3 Weed Control: Weeds must be removed from or chemically treated according to label

instructions in plant beds, walkways, driveways and related exterior areas to maintain a clean and neat appearance. Eliminate invasive weeds, including torpedo grass, so they do not spread to adjoining properties.

- 8.1.4 Yard Debris: Palm tree, yard debris and plant trimmings must be placed neatly at the street curb for Waste Management to remove. Disposal on other properties is prohibited.
- 8.1.5 Removal of Dead Plant Growth. Dead growth on trees and other landscape plants must be removed and disposed of in a timely manner.
- 8.1.6 Care of Visible Areas: Lot areas visible from the street and common areas must be picked up and clear. Bicycles, toys, and miscellaneous items in open view must be stored neatly at the side or rear when not in use and not located in common and parking areas. Towels, clothing and related items may not be hung outside in areas clearly visible from the street or the Lagoon Pool. Driveways and parking areas must be kept clear of bicycle racks and other objects that Interfere with parking space use by vehicles.
- 8.1.7 Watering, Irrigation and Fertilization: Water and fertilizer must be used in sufficient amounts to maintain and support healthy plant growth and appearance. Poor plant growth and other deficiencies must be addressed where needed. Irrigation systems must be maintained in working order, be properly programmed, and all lines and emitters maintained and used as needed to support healthy plant growth.
- 8.1.8 Landscaping: Landscape plants that are dead, missing, in poor condition, or damaged must be removed or replaced. Minimum landscape plant types, numbers, sizes and heights listed in Design Code Section 7 must be maintained.
- 8.1.9 Deferred Maintenance and Painting: All properties must be maintained in a manner consistent with approved plans and design colors. Structures with visible cracked, peeling, stained or faded paint must be properly prepped and repainted in accordance with the current design code. For purposes of this subsection, faded paint consists of clearly apparent variations in hue or color on different wall sections painted the same original color such that the hue or color appearance is not uniform. Structures with spilt caulk or exterior fastener rust through in multiple areas must be prepped, re-caulked and repainted to assure a clean and uniform appearance. Color changes must be approved by the DRB prior to the start of painting. Structures discolored by dirt, algae or mold growth must be washed as needed to maintain a fresh and clean appearance. Damaged or broken fences, exterior structural features and driveways/parking areas must be replaced or repaired in accordance with the Design Code. Parking areas must be free of dirt, debris and weeds.
- 8.2.0 Outdoor Portable Grills: The use of portable metal and ceramic charcoal grills is prohibited. Fixed charcoal and portable gas and electric grills must be located on the side or rear of property over a fireproof surface such as stone, cement fiberboard, gravel or concrete. Grills must not be located on common areas, sidewalks, or parking spaces.
- 8.2.1 Outdoor fires are prohibited except where a propane or natural gas appliance designed for outdoor use is installed and located on the side or rear of property not visible from the street in a fixed location over a fireproof surface.

8.2 CONSTRUCTION, REPAIR AND RENOVATION AT EXISTING HOMES:

All new construction, repairs or modifications must comply with the Seacrest Beach II Design Code.

8.3 ANIMALS:

All pets must be leashed and under the handler's control when outside. Dogs, cats and other pets may not be allowed to cause a nuisance (aggression, barking or other loud noises) or to foul another owner's property. The pet's owner/handler must immediately remove and dispose of pet feces left on other

properties or common areas. Pets may only be left unattended outdoors during daylight hours if they are located on the owner's property in an enclosed area and do not create a nuisance. All pets must be housed indoors at night.

8.4 PARKING PASSES AND PROHIBITED VEHICLES:

Boats and trailers not located within a closed garage are prohibited. Renter, owner and guest vehicles over 24 feet in length are also prohibited. Special permission, limited to forty-eight (48) hours, may be obtained from the Association Office for owners that are moving. Effective March 1, 2017, all renter and guest vehicles must have and clearly display a parking pass issued by the Seacrest Beach Owners Association (SBOA). Renters and owner guests must check-in with SBOA Security upon arrival to obtain a valid parking pass. Owners and guests may be required to present valid identification to obtain parking passes. Renters may be required to present their executed rental contract at check-in and the number of parking passes issued may be limited to the vehicles used by occupants listed in the contract, and the passes will expire on check-out day. Upon application to the SBOA, long term parking passes will be issued for each eligible owner and owner immediate family member at least annually. Unmarked cleaning, construction and related service vehicles shall have and display passes with expiration dates determined by the SBOA. Clearly marked delivery, service, utility, government, and related commercial vehicles are exempt from the parking pass requirement provided they are not parked overnight. All non-exempt vehicles without a current valid parking pass may be towed at the owner's expense and a \$100 daily fine may be assessed against the property owner.

8.5 COMMERCIAL VEHICLES & VEHICLE REQUIREMENTS:

- 8.5.1 Semi-Tractor Trailers are not allowed in the community. Owners must not approve nor accept delivery of any item delivered by such vehicles.
- 8.5.2 Golf carts, low-speed vehicles (LSVs), Mokes, all-terrain vehicles (ATVs), go-carts, motor scooters or similar motorized vehicles are prohibited within Seacrest Beach. Notwithstanding the foregoing prohibition, golf carts and LSVs may be operated within Seacrest Beach by: a) Owners and b) association staff, as necessary, in the performance of their duties and responsibilities. All persons operating motorized vehicles must have a valid driver's license.
- 8.5.3 Speeding and reckless driving are strictly prohibited. The maximum allowable speed is 15 mph. Vehicles must always yield to pedestrians.
- 8.5.4 It is illegal to park in reserved spaces, on private property, fire lanes, or any location that blocks driveways, streets, or entrances to pools, jogging paths, or otherwise occupies an area that is not a designated parking space.

8.6 GARBAGE CONTAINERS:

Two or more heavy-duty garbage containers, minimum 64 gallons in volume, with hinged lids, two wheels with a common axle, and which are designed for commercial lift truck use, are required. Each house must have enough containers to accommodate all household trash produced on the property, and all containers must be in good operating condition. Garbage containers must be kept in a side or rear yard and must not be generally visible from any street or common area. The Board of Directors may refuse trash pickup by association personnel if garbage containers do not meet the above specifications or may purchase replacement containers meeting the minimum design or accommodation requirements of this Section and assess the member for its costs when deemed necessary.

8.7 COMMON AND PRESERVATION AREAS:

All common and preservation areas specified by plat or the Seacrest Beach II Master Plan are governed by the Seacrest Beach II Owners Association and any modification, clearing or construction therein without the Association's written consent is prohibited. Members with preservation or common areas on or adjoining their property that wish to add an access pathway, or that otherwise wish to perform cleanup, vegetation trimming, or other work, must apply to and receive written permit approval from the Association before any work is performed. The permit application may be denied at the sole discretion of the Board of Directors and must contain all information necessary to determine the scope and impact of any work to be performed. Accepted permits may require all work be performed by a contractor under the direction and control of the Association with the owner's reimbursement to the Association for all direct and indirect expenses.

8.8 OTHER PROHIBITED ACTS:

- 8.8.1 Use of fireworks: Only devices approved and listed by the State Fire Marshal which emit a shower of sparks upon burning, do not contain any explosive compounds, do not detonate or explode, are handheld or ground based, cannot propel themselves through the air, and contain not more than 100 grams of the chemical compound that produces sparks upon burning are allowed. Any device that is not included in the list of approved items is prohibited.
- 8.8.2 Littering or breaking glass on common areas or on member properties.
- 8.8.3 Excessive noise or violation of the Walton County Noise Ordinance between 10pm and 7am. In addition, nothing shall be done, installed or maintained on any part of a lot which emits foul or obnoxious odors outside the lot, or creates noises or sound of a continuous duration which disturbs the peace, quiet and repose of any other person of reasonable and ordinary sensibilities. No noxious, illegal, or offensive language or activity shall be carried on upon any portion of the community which, in the Association's reasonable determination, tends to cause embarrassment, discomfort, annoyance, or nuisance to others. This paragraph shall not apply to outdoor events or any planned assemblage of members, tenants, renters or guests that have been approved by the Association.
- 8.8.4 Trespassing on private property.
- 8.8.5 All signs must comply with the sign policy contained in the Design Code.
- 8.8.6 Violation of State or Federal Law, Local Ordinance, or curfew adopted by the Board of Directors.
- 8.8.7 Failure, after warning notice, to comply with verbal or written instructions issued by the Association or its authorized agents, regarding compliance with the Design Code, Lagoon Pool or Community Rules.

8.9 HOMEOWNER FINES AND PENALTIES:

The Board of Directors is given express power in the Association's Declarations and Bylaws to adopt and publish rules and regulations to enforce the protective covenants. In order to enforce these rules, the HOA Board has also adopted a fine policy to address repeat violations. The fines collected will be added to the SCB II HOA account and used to offset the cost of management and enforcement of the neighborhood rules. The Property Manager, with assistance of security and the site manager, will provide uniform enforcement and tracking of homeowner violations. The Manager will provide regular updates to the HOA Board on homeowner communications and status of violation notices. Notices of violations will be mailed and will include the date, type and number of the violation. Residents may report violations in writing. The recipient of a "concerned neighbor" violation will not know the source of the complaint; however anonymous reports will not be addressed.

- 8.9.1 A warning will be issued to the owner the first time the violation is reported. The owner will have:
 - a. No less than fourteen (14) days from the date the warning is given to cure a violation of Subsections 8.1.0 – 8.1.5, and 8.1.7 – 8.1.9, and Section 8.6.
 - b. Twenty-four (24) hours to cure a violation of Section 8.2.
 - c. Twelve (12) hours to cure a violation of Subsection 8.1.6 and Section 8.4 and 8.5.
 - d. All other Sections must be immediately cured after warning is given.
- 8.9.2 The 2nd violation of a similar kind or non-cured violation will result in a \$50 fine and/or towing of vehicle where applicable.
- 8.9.3 Each subsequent similar or non-cured violation will result in \$100 fine and/or towing of vehicle where applicable.
- 8.9.4 Once the violation is cured by the owner, any subsequent violations of the same nature will be considered a new, separate and distinct violation subject to this Policy, the Association's governing documents and Florida Law.
- 8.9.5 If a fine is assessed, the responsible property owner will be given a fourteen (14) day notice and opportunity to request a hearing before the fine becomes due and payable to the Association.
- 8.9.6 Failure to pay fines, assessments or dues more than ninety (90) days past due may result in the suspension of community privileges, including denial of beach access use, tram service, trash pull service, Design Review Board service and Lagoon Pool use for a member, and the member's tenants, guests, or invitees. The Association may also suspend, for a reasonable period of time, community privileges for a member, and the member's tenants, guests, or invitees, for failure to comply with any provision of the declarations, association bylaws, or rules of the Association. The suspension of community privileges as provided in this paragraph may be applied by the Board of Directors to all properties owned by the member. If a violation remains uncorrected after notice and the correction deadline expires, the Association may enter upon the property to cure the violation and issue an assessment to the owner for its expenses.
- 8.9.7 If deemed necessary, suspected violations of local ordinance, or State or Federal Law, may be referred to the appropriate law enforcement agency for investigation and response.
- 8.9.8 SUMMARY: The goal of adopting this policy for property care and violation notification is to make the homeowners aware of ongoing problems that affect their neighbors and the overall quality of the neighborhood. The violation process includes notification, time to take corrective actions, and fair enforcement by an objective third party. This policy is intended to provide an incentive to homeowners to address ongoing problems that exist without correction. Refusal to take corrective actions when notified must be followed up with penalties that contribute to the process of improvement for our neighborhood. (This policy was originally adopted by the Seacrest Beach II Board of Directors on June 16, 2011).

9.0 LAGOON POOL RULES AND PENALTIES

9.1 LAGOON POOL ELIGIBILITY AND WRIST BAND REQUIREMENTS:

- 9.1.1 All Members of the Association (or their designated guests, invitees or tenants) are entitled to use the Lagoon Pool Facility. This privilege may be suspended by the Board of Directors for all properties owned by the member when one or more member owned property is in violation of any provision of the declarations, association bylaws, or rules of the Association, or is delinquent in dues, fine or assessment payments, for a period in excess of ninety (90) days.

- 9.1.2 Persons 11 years of age or older that use the Lagoon Pool facility must possess and wear a valid wristband issued by the Seacrest Beach Owners Association (SBOA). Valid wristbands shall expire at intervals designated by the SBOA for owners, renters and owner guests. Upon application to the SBOA, long term wristbands may be issued to each eligible full-time resident member 11 years of age or older at least once per year. Renters, owners with unimproved lots or properties that are rented, and owner guests must check-in with SBOA Security upon arrival to obtain valid wristbands. Owners and guests may be required to present valid identification to obtain wristbands. Renters may be required to present their executed rental contract at check-in and the number of wristbands issued will be limited to the number of occupants stated in the contract less the number of persons under the age of 11. Only those persons 11 years of age or older with a valid wristband shall be entitled to use the Lagoon Pool, Beach Trams and other community amenities. The cost to replace a lost or stolen wristband is \$20. Lost or stolen wristbands may be cancelled and no longer valid and accepted for use. The wristbands are not transferable and may be suspended and confiscated by the Association for violation(s) of Association Rules, or as a result of improper conduct with respect to use of the pool as referenced in Section 9.2 below.

9.2 RULES GOVERNING USE OF THE LAGOON POOL:

- 9.2.1 The Association is represented by employees of the Lagoon Pool who have been granted the authority to enforce the pool rules listed below. The Pool Manager, Association Manager and Security have the authority to direct anyone to leave the pool area for infractions of the rules or when safety is threatened. The manager may prohibit entry to anyone for up to one (1) week for each violation.
- 9.2.2 All persons using the pool do so at their own risk and agree to abide by the rules for use of the facility. The Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage to personal property. Members and renters are responsible for the actions of their children and guests.
- 9.2.3 Children 12 years old or younger must be accompanied by a responsible person at least eighteen (18) years of age or older while in the pool area.
- 9.2.4 No person shall enter the pool facility unless the pool is open. Unauthorized persons found inside the pool enclosure when it is closed may have their privileges suspended or revoked and may be prosecuted for trespassing.
- 9.2.5 All bathers must shower before entering the pool. (Parents are encouraged to instruct their children in this regard).
- 9.2.6 Persons suffering from contagious infections (flu, cold, lesions, open sores, etc.) or a gastrointestinal illness are prohibited from entering the pool.
- 9.2.7 Smoking in the pool facility is prohibited.
- 9.2.8 Food and beverages may not be carried in the pool or along the pool walls. Breakable objects, such as glass containers, are not permitted inside the facility. All refuse must be placed in containers provided for disposal.
- 9.2.9 Intoxicated persons are not allowed in the facility at any time. The Pool Manager, Association Manager and security employees have complete discretion in making this determination.
- 9.2.10 Swimmers must wear proper bathing attire. No cut-offs, dungarees or similar attire are permitted.
- 9.2.11 No play equipment or wheeled vehicles (except wheelchairs, strollers, etc.) are permitted in the pool or on the pool deck.

- 9.2.12 No pets (except seeing eye or certified assistance dogs) are permitted in the pool area.
- 9.2.13 Flotation devices including tubes greater than 42" in diameter and rafts larger than 30"x 80" are prohibited. Throwing balls and other objects is prohibited in the pool and on the pool deck. Only life jackets approved by the U.S. Coast Guard may be worn in the pool.
- 9.2.14 Running, pushing, wrestling, dunking, standing or sitting on another's shoulders is prohibited. No screaming, profanity, or other boisterous behavior will be permitted in the facility.
- 9.2.15 Swimmers shall remain clear of the ladders except when entering or exiting the pool. Swimmers must also stay off the pool edges at spillway areas and the wall around the circular pool sprinkler.
- 9.2.16 Children with diapers are required to wear swim diapers or their equivalent while in the pool. Swim diapers are provided for in the bath houses. All persons and infants with gastrointestinal illnesses or disorders that may give rise to fecal contamination shall remain out of the pool.
- 9.2.17 The pool may be closed at the discretion of the pool manager on duty in case of thunder, lightning, other adverse weather, operational breakdown, or contamination by a foreign substance.
- 9.2.18 The use of radios, televisions or similar audio devices is permitted only when used with headphones so that the devices cannot be heard by others.

APPENDIX 1: SAMPLE OF CONCEPT PROPOSAL DRAWINGS

APPENDIX (1)
Sample Concept Proposal Drawings





