

# **Paradise Preserve HOA, Inc.**

## **Restrictions**

### **1. Covenants and Restrictions**

a) A Declaration of Covenants and Restrictions recorded in the public records of Duval County provides for the mutual and reciprocal benefit of every Lot owner within Paradise Preserve. Every Owner, by virtue of taking title to a Lot, agrees to all the terms and provisions of the Declaration and shall be entitled to its benefits and subject to its obligations. One of the many provisions of the Declaration is the power of architectural control by the Board of the Owners Association.

### **2. Design Code**

a) The Design Code includes the PUD, the Master Development Plan, the Pattern Book, these Architectural Review Guidelines, and the ARC Application Forms, all as amended from time to time. Additionally the Board may adopt other publications to be part of the Code. The Design Code establishes the neighborhood plan of development through its regulation of land use, architecture, landscaping and environment.

### **3. Architectural Review Committee**

a) The architectural review and control functions of the Association are administered and performed by the Architectural Review Committee (ARC). The Board of Directors of the Association appoints the members of the ARC and sets their review and inspection fees and compliance deposits. The ARC or its agent may, but is not obligated to, inspect the property during construction for compliance with ARC issued approvals.

### **4. Required Approval**

- a) All new construction, site improvements, landscaping and any modification of structures, landscaping and all other parts of the Lot visible from a street, Common Area or other public space must be approved in advance of performance of any work. Once construction begins, all construction must comply with the approved plans and specifications, and any changes to the plans must be reviewed and approved. Review is not required to repaint with originally approved paint and colors, or to replace the roof or other components with duplicates of those originally approved.
- b) Each Owner shall submit completed applications to the ARC and no construction may commence until the ARC has issued written approval to the applicant. Applications will be reviewed based upon compliance with the Design Code. The ARC shall approve or disapprove plans and specifications properly submitted within 30 days of each submission.

### **5. Construction Oversight, Compliance and Compliance Deposits**

a) : Each owner or builder submitting plans and specifications for a proposed improvement shall deposit a sum of money, with the Paradise Preserve Owner's Association ("Association") to guarantee compliance with the approved construction documents (the Compliance Deposit). The amount of the Compliance Deposit shall be set by the ARC. The ARC may grant a waiver or reduction in the amount of the Compliance Deposit, on a case-by-case basis, depending on the number of Deposits the ARC has on-account for the same applicant.

- b) The Compliance Deposit the Compliance Deposit may be retained by the Association, in the event the Owner or Builder fails to comply with the approved documents and fails to correct any non-compliance within 30-days of written notice by the ARC of said non-compliance. The Compliance Deposit may also be used to pay attorney's fees in the event the services of an attorney are required to force compliance. The funds constituting the Compliance Deposit shall be held in the Association's checking account. Interest earned on all Deposits, if any, shall be retained by the Association. See page 14 for fees.
- c) The Compliance Deposit shall not constitute a limit on the owner's or builder's liability but will be applied against the total cost of enforcement of the ARC provisions of the documents. Costs of enforcement include, without limitation, removal or restoration, construction in accordance with the approved plans and specifications, attorney fees and court costs.
- d) The applicant shall make a written request for a final inspection with the ARC. ARC shall conduct the final inspection within 10 calendar days of receipt of a request. ARC shall either issue a notice of non-compliance (with all non-compliant matters noted) or issue a Certificate of Compliance within three business days of the final inspection.
- e) The Design Code has been adopted to assist the applicants in connection with the design review procedure and requirements for construction in Paradise Preserve. ARC has the sole right to waive any of the provisions of the Design Code on the basis of architectural merit or demonstrated hardship.
- f) The primary goal of the ARC is to review applications to determine their compliance with the Design Code. The Paradise Preserve Owners Association, its Board of Directors, and the ARC does not assume responsibility for
1. The structural adequacy, capacity, or safety features of the structure(s) or other site
  2. elements,
  3. Non-compatible or unstable soil conditions, soil erosion, drainage performance, etc.,
  4. Compliance with any or all building codes, safety requirements, and Governmental laws, regulations or ordinances, and
  5. The performance or quality of work of any architect, designer, subcontractor, or contractor.
- g) The ARC may make periodic inspections while construction is in progress to determine compliance with the approved documents. In the event deviations from the approved documents are noted during any such inspections, ARC may, but is not required to, advise the owner of such noted deviation(s). ARC is not empowered to order a cessation of any construction commenced after ARC approval of construction documents.

## ARCHITECTURAL STANDARDS

### 1.

### 2. Authentic Architecture

- a) Paradise Preserve is located in Atlantic Beach, Florida. This region has a long-standing history of varying colonial and traditional influences, which are reflected in its unique architectural styles. These colonial traditional influences are the foundation of the two styles of architecture selected for Paradise Preserve; the "Craftsman Style" and its cousin, the "Florida or Coastal Vernacular." These styles of architecture evolved in direct response to their natural and cultural environment. This design evolution resulted in structures with simple forms and details that are well-proportioned with casual charm.

### 3. Design Philosophy

- a) The Craftsman and Coastal styles have combined over the years to create a wonderful building type or architectural language. The form and ornamentation of buildings is limited to well-crafted elements that are functional and respond to the environment. These elements provide shade from the intense sun, ventilation for natural cooling, and shelter from the rain. Key building elements of the selected architectural styles include:
- b) Porches & balconies, Extended roof overhangs, High ceilings, Shutters and Weather vanes
- c) Construction is typically executed using local craftsmen and materials that are indigenous to the region. Such materials include: Horizontal wood siding, Wood board & batten, Masonry chimneys and foundations, Metal and architectural shingled roofs and Wood windows
4. **Building Components** - The execution of construction details for the building components listed below is critical to insure the character of the Craftsman and Coastal styles. The guidelines included in the Pattern Book elaborate on the construction of the following building components including details and use of materials.
- a) **Foundations** shall be designed to simulate off-grade construction. The foundation shall be a minimum of 1 step to the porch with an additional step to the house. This will create an off grade look. The driveway will be a minimum of 20' to provide ample parking. The garage shall have a setback of 3' from the front of house with a variance only upon board approval.
- b) **Walls** - The primary method of construction is wood-frame. Acceptable siding materials include pressure treated pine, cedar, cypress, and fiber-cement vertical or horizontal siding (smooth faced only). Siding may be lap, board and batten, or shake. Vinyl siding and stucco are not acceptable. Siding choices must be submitted to board for approval.
- c) **Doors, Windows & Shutters** - Front and porch doors shall exceed 7' in height. French doors are encouraged. The use of double front entry doors or doors with side or transom panels is encouraged. Sliding patio doors when not visible from street are acceptable.
- d) **Window shutters** are also encouraged. Shutters shall be wood or wood look-alike; louvered or paneled; and properly proportioned to fit the window. Louvered shutters may tilt from the top or be hinged on the side to swing open. PVC shutters may be used upon board approval.
- e) **Roofing** may be fiberglass shingle, cedar or pressure-treated shake, standing seam metal, corrugated metal, or 5-V crimp metal. Roof colors are limited to natural wood color, mill finish, or shades of gray. Roof color must be submitted to board for approval.
- f) **Roof overhangs** with cornice or rafter details are required. Overhangs should be at a minimum 12" on gable and 16" everywhere else to provide shelter from both the sun and the rain. Minimum and maximum hip and gable roof slopes are 5/12 and 12/12, respectively. Roof slopes less than 5/12 are allowed on breezeways and utility structures such as sheds and garages. Metal accent is required, unless board approval is met.

g) **Accessory Structures towers and cupolas** will be allowed on select structures. The scale and proportion of the tower or cupola should be appropriate for the associated structure. The footprint of a tower shall not exceed 10% of the structure below.

h) **Carriage houses and detached garages** are encouraged and may be connected to the main house with breezeway or porch. Garages must be a minimum of 20 feet behind the front façade of the main house. Gazebos and cabanas are also encouraged.

i) **Details** – All columns shall be square with or without chamfered edges. The minimum nominal dimensions shall be 8" square for first floor porches and 6" square for second story porches. Classical columns are not generally acceptable. *Consideration for the use of classical columns will be on a case-by-case basis.*

j) **Chimney dimensions** shall be compatible in scale with the structure, provided however, the minimum chimney dimension is 30" by 54". All chimneys must be masonry or masonry look-alike. Additional details of these elements and details of other critical elements of architecture are provided in Traditional Construction Patterns, a manual of design and details by Stephen A. Mouzon, published by McGraw-Hill. This publication is adopted as part of the Paradise Preserve Design Code and with the other Code documents will provide the basis of review and approval of all ARC submittals.

## **LANDSCAPE STANDARDS**

### **1. Landscape Philosophy**

*Paradise Preserve* is located adjacent to conservation lands in Florida's Northern Coastal Basin and the saltwater marsh along the Intracoastal Waterway. A compelling attribute of Paradise Preserve is the predominantly undisturbed vegetative cover consisting of indigenous species. The overall landscape theme is designed to reinforce, enhance and celebrate the natural systems by establishing a harmonious and consistent flow of natural and indigenous landscape throughout the community. The plant environment at Paradise Preserve is characterized by pine mesic oak and sand live oak communities. Plants that support this beautiful habitat have evolved over time to withstand the stresses of extreme heat, drought conditions, salt air and lack of nutrients. Existing plants are sensitive to disturbance and re-establishing the native plant cover can be a challenging and slow process. Therefore, in lieu of clearing and replanting, "protection and preservation" is the requirement for home site development. Owners and Design Professionals are provided with these Landscape Standards to ensure that the natural character of Paradise Preserve will be maintained and enhanced as the community matures. The intended result of these Standards is to reinforce the visual fabric that blends the built environment with the site's natural landscape setting.

### **2. Design Professionals**

The ability to integrate building improvements with the natural features of the homesite is essential in preserving and enhancing the natural character of Paradise Preserve. Individual homesites will present a variety of opportunities that must be closely evaluated to determine the best Site Development Plan. Considerations include access, solar orientation, shade patterns, existing vegetation, soils, topography, drainage, utilities, building restriction lines and the relationships of indoor and outdoor use areas that create a functional and aesthetic residential property. Tree surveys, preservation plans and landscape plans are required with each Architectural Review submittal. To assure that the vision of natural character for Paradise Preserve is maintained, Landscape Plans shall be prepared by Landscape Professionals licensed to practice in the State of Florida. All plans submitted shall bear the Signature and Seal of the Design Professional responsible for preparing the plans.

### **3. Florida Friendly Landscaping**

Local governments across the state have begun enforcing strict regulations for landscape water usage. The primary objective of Xeriscape is to create healthy landscapes by selecting plants that are compatible with existing site conditions. Once established, plants that are matched to their site conditions will thrive with little or no irrigation. Requirements for fertilizer and pesticides are reduced and can often be eliminated completely. Owners are strongly encouraged to apply principles of Xeriscape when planning their landscapes, avoiding future consequences as a result of further restrictions on water use.

The St. Johns River Water Management District (SJRWMD) offers a good reference document, *Waterwise Florida Landscapes: Landscaping to Promote Water Conservation Using the Principles of Xeriscape*. <http://sjr.state.fl.us/programs/outreach/pubs/index.html>

### **4. Preservation of Existing Vegetation**

To the greatest extent possible, existing trees and vegetation should be preserved. Preservation of native cover will help minimize the need for new landscape plantings and offset the potential for wind and water erosion during construction. Before Site Planning efforts are initiated, lot owners are required to obtain a tree survey. Tree surveys shall include the names, sizes and location of all existing trees having a DBH of 4" and greater over the entire lot and adjacent undisturbed right-of-way. The limits and character of all understory vegetation should also be included on the survey. The information will allow the lot owner and Design Professional to fully evaluate potential building layouts considering the impacts to existing vegetation. Preservation of both canopy and understory vegetation is required when siting a home. To protect preservation areas, the precise limits of clearing and grubbing must be established and maintained throughout the construction process. Temporary fencing is required to maintain construction activities within designated areas. Preservation plans shall include a site plan that depicts the building footprint, drives, trees to be removed, trees and natural areas to be preserved, and construction material delivery and storage areas.

### **4. Public Areas**

Parks, buffers and open spaces adjacent to home sites shall have landscape and plants that preserve and enhance their existing natural character. The natural landscape of the public areas may be thinned and pruned. All dead and diseased materials, noxious plants and non-native species shall be removed as necessary. All areas where native cover has been lost shall be re-vegetated and maintained with two or more inches of organic mulch. Sod shall be used sparingly and irrigated. Any area inadvertently disturbed by construction shall be returned to its pre-disturbed state.

### **6. Street Frontage / Front Yards**

The developer cleared as little of the street right-of-ways as necessary to construct the roadways and utility infrastructure. All undisturbed portions of the right-of ways shall remain undisturbed with the exception of areas cleared for driveways and walkways. All undisturbed areas shall be thinned and pruned as described above. The semi-public front-yard areas shall be landscaped to preserve and enhance the existing character of the natural environment. Each lot owner will participate in the creation of a unified street landscape that reinforces the community streetscape, which includes a portion of each lot between the front building line and the street. All areas within this zone not covered by walkways or other hardscape improvements shall be landscaped. Where existing trees and understory vegetation have been preserved, adjacent landscaping shall consist of compatible species, similar in character and growth requirements. The front yard planting zone shall be planted with shrubs, ground covers and native grasses and shall include new shade and understory trees when an adequate number of existing trees cannot be preserved. All plant

material shall be selected from the approved Plant Palette. Ground cover and native grass species shall be installed in sizes sufficient to present a mature, grown-in appearance (minimum one-gallon container). Introduced materials shall be a selection placed in a natural, random pattern that mimics nature. The use of turf grasses shall be restricted to not more than 25 percent of the front yard planting zone.

## 7. Private Yard Landscaping

The side yard planting zones are those areas between the front yard and the rear building line and the adjacent lot. The rear yard planting zone is the area between the rear building line and the rear property boundary or perimeter buffer. All areas within these zones not covered by walkways or other hardscape improvements shall be landscaped. The side and rear yard planting zones shall be planted with shrubs, ground covers and native or turf grasses and shall include preserved shade tree and understory trees or planted trees from the approved Plant Palette. Turf grass shall be restricted to not more than 50 percent of the rear yard planting zone and limited to a contiguous area of 500 square feet. A tree protection plan must be submitted to the board for approval.

## 8. Irrigation

Irrigation for landscaping is not required for natural or preserved areas but is required for all sodded areas.

## 9. Plant Palette

*Paradise Preserve* is located within an Uplands Hardwood-Conifer Mixed Forest in Atlantic Beach. The mixed forest allows conditions that support several plant communities to exist within the larger area. Native plants that exist in Paradise Preserve have adapted over time to withstand the extremes of this environment. To maintain the natural character of the habitat, plants selected for use in Paradise Preserve must be compatible, and achieve balance, with the life-sustaining elements that have allowed the existing, native vegetation to thrive. The intent is to maintain this balance as the community develops, relying solely upon native and indigenous species to enhance the community landscape. Landscape plans shall be designed to enhance the native vegetation. "*Native Florida Plants*" has been adopted as part of the Design Code to assist residents and designers in creating a coherent community consisting primarily of native canopy trees, understory shrubbery and ground covers. Landscape materials should be selected that are suitable for the USDA Hardiness Zone 8 and appropriate for their location in terms of soil conditions and exposure to sun and shade. Materials not included in this publication may be submitted to the ARC for approval.

## 10. Minimum Plant Specifications

*Shade Trees:* 30 gallon, 8-10' height, 2-2 1/2"-caliper, 5-6' spread - ***Understory Trees:* 15 gallon, 6-8' height, 1 1/2 -1 3/4"caliper, 2-3' spread**

*Shrubs:* 3 gallon, 15-18" height, 12-15" spread, *Groundcover:* 1 gallon, full, *Native Grasses:* as Available

- a) Container size noted as guide only – height, spread and caliper are minimum standard requirements.
  - 1) Tree species listed as "shade" may also be used to fulfill understory tree requirements
  - 2) Palms may be used to fulfill understory tree requirements, but shall be restricted to side and rear yard planting zones only.

- 3) Sodding and grassing with domestic species (i.e. St. Augustine or Bermuda, etc.) shall be utilized in one contiguous area and shall not exceed 500 square feet and is restricted to not more than 25 percent of the front yard or 50 percent of the rear yard area. Fertilizers are to be used as manufacturer's recommendations.

**SITE IMPROVEMENTS**

**1. Driveways**

- a) All home sites are required to have a driveway that extends from the curb line to the garage. ARC approval of the driveway design and layout and its connection to the street is required prior to construction. Driveways shall be of one consistent material and texture.
- b) Driveway material shall be one of the following:
  - 1) Broom or trowelled edge
  - 2) Colored and textured concrete with board approval.
  - 3) Crushed natural stone or shell of light color. Edges shall be retained in concrete headers of 6" to 8" in width and a minimum 12" in depth. The driveway apron within the street right-of-way shall be solid concrete.
  - 4) Clay unit pavers on compacted base with edges retained by concrete headers of 6" to 8" in width and a minimum 12" in depth.
  - 5) Clay unit pavers on recessed concrete slab.

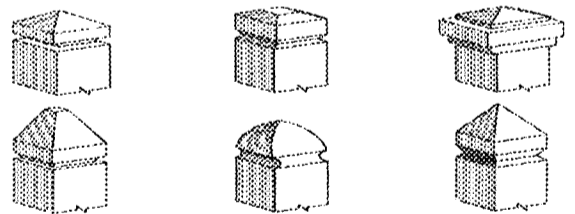
**2. Private Walkways**

- a) A minimum of one walkway for the front entry shall be provided. The walkway shall connect to the public sidewalk, where provided on the site plan. Where there is no public sidewalk it is required that the entry walk connects to the driveway. A walkway apron, a minimum size of 3'-6" x 5', should be provided at the point of connection to the driveway. Walkways shall be a minimum of 2'-6" and no greater than 5' in width. Walkways of varying width are encouraged to create a less structured, more natural setting.
- b) Materials for walkways shall be one of the following:
  - 1) Broom or trowelled edge
  - 2) Colored and textured concrete with ARC approval.
  - 3) Crushed natural stone or shell of light color with edges retained in wood headers or other approved material. Plastic edging is not permitted.
  - 4) Clay unit pavers on compacted base with edges retained.
  - 5) Clay unit pavers on concrete slab.

All unit paver samples shall be submitted to the ARC for approval prior to installation.

**3. Fences and Gateways**

- a) Front yard fences are mandated and shall not exceed 42" in height. All fencing must be reviewed by the board.



#### **4. Exterior Lighting**

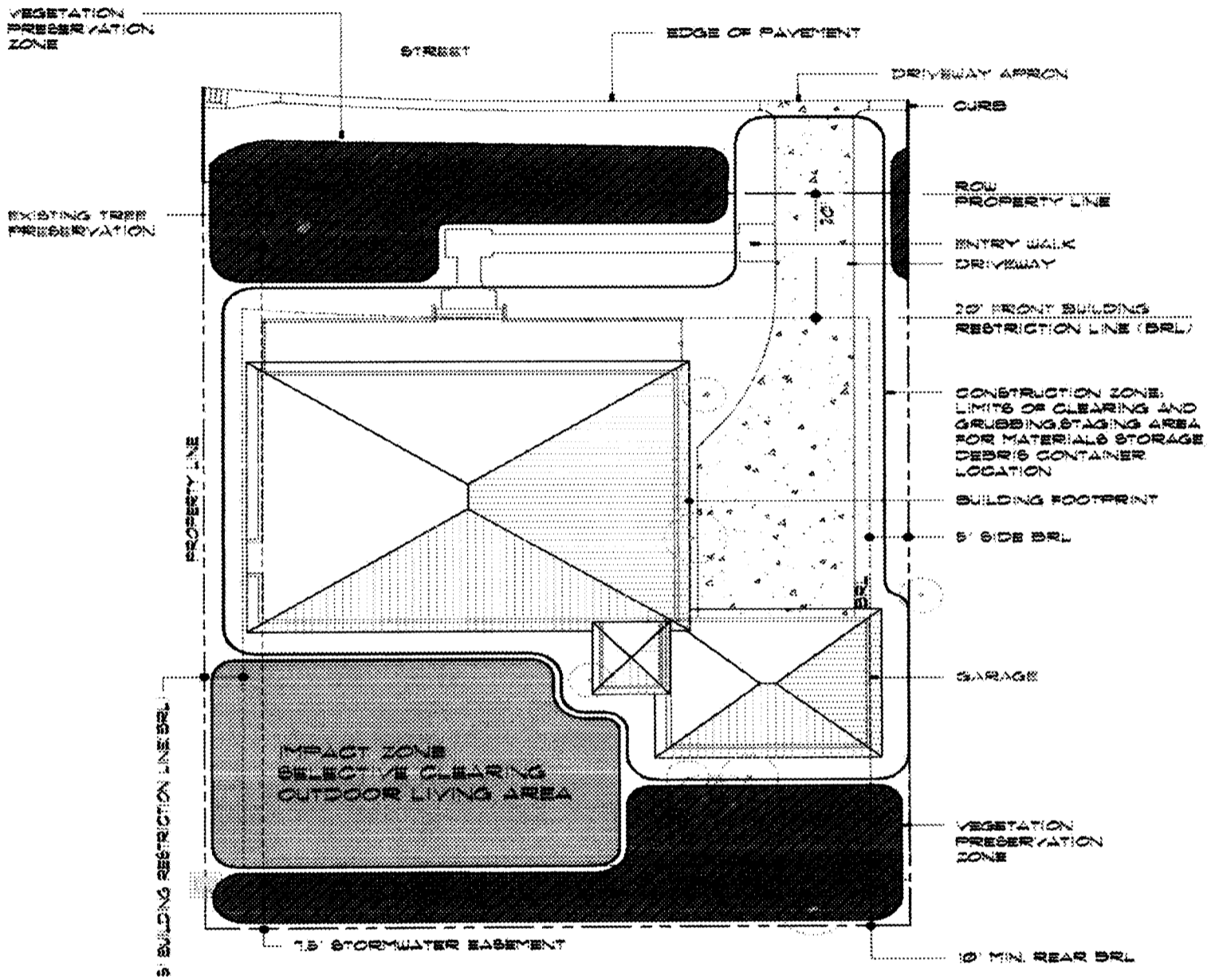
a) Exterior lighting can be beneficial for safety, security and aesthetic applications. However, exterior lighting also contributes to light pollution and is disruptive to natural habitats. Due to these influences, exterior lighting will be limited to the following forms:

1) Wall mounted lamps, Recessed lighting, Down lighting

Up lighting under 50-watt is acceptable for accenting the landscape. Flood-type lighting is not permitted. All lighting shall be carefully selected to complement the architectural styles of buildings and the natural character of the landscape. Lighting shall not be located as to interfere with streetscape or sidewalk mobility or present a nuisance of glare to adjacent properties. The ARC shall approve all post mounted and wall mounted fixtures which will be visible from surrounding properties.

#### **5. Lighting Equipment**

- a) All exterior lighting equipment in exposed locations shall utilize aluminum, stainless steel; copper or bronze metal housing and shields.
- b) External plastic components or plastic lenses are not allowed.
- c) Lighting fixture mounting shall not display flexible or PVC conduit. All wiring must be within the fixture housing and mounting hardware.
- d) Junction boxes shall be dark bronze to black and shall not extend beyond 8" above adjacent finish grade.
- e) Lamping may include incandescent bulbs not exceeding 150-watts where exposed bulbs are not visible to the human eye. 60-watt bulbs maximum where the light source is visible to the eyes.
- f) Lamping choice may also include low-watt (70-150 watt) metal halide lamps that have a CRI (Color Rendering Index) of 96.
- g) Twinkle lights, strip lighting, color changing equipment, and exposed globe fixtures are not allowed.



TYPICAL SITE DEVELOPMENT  
II TYPOLOGY 'C' II

### Construction Standards

The existing native vegetation in Paradise Preserve is very sensitive and unique. The following construction practices shall be followed to protect the native vegetation from damage during construction.

**1. Site Layout**

All homes, driveways, pools, etc. shall be sited to preserve as many existing trees as possible, contribute to the overall streetscape of the community and take advantage of environmental (sun, shade, breeze, etc.) orientations.

**2. Site Approval**

Foundation survey and site layout submitted to board for approval. The designated driveway shall be used for construction material delivery and storage. The site plan shall show the proposed location for the dumpster, toilet and underground utility lines. A foundation survey by a certified land surveyor can be submitted in lieu of Request for Stakeout Review.

**3. Fees**

Payment in the form of a checks only m etc are required for all fees and Deposits made payable to the Paradise Preserve Homeowners Association and remit with the application.

New Home Construction	Review Fee	\$1,500.00	Refundable Deposit	\$1,000.00
Major Renovation (25% of Home)	Review Fee	\$500.00	Refundable Deposit	\$1,000.00
Room Addition / Sun Rooms	Review Fee	\$100.00	Refundable Deposit	\$500.00
Pools & Pool Screen Enclosure	Review Fee	\$100.00	Refundable Deposit	\$500.00
Fencing	Review Fee	\$30.00	Refundable Deposit	\$500.00
Screen Enclosures	Review Fee	\$100.00	Refundable Deposit	\$500.00
Hot Tub, Play Structures and Gas Tanks	Review Fee	\$0	Refundable Deposit	\$0
Flagpoles, Fountains, Mulch, and Solar Panels	Review Fee	\$0	Refundable Deposit	\$0
Landscape Changes	(See ARC Guidelines)			



<i>[Signature]</i>	P Title	1.14.14 Date
Paradise Preserve Homeowners Association, Inc.		
<i>[Signature]</i>	VP Title	1/14/14 Date
Paradise Preserve Homeowners Association, Inc.		

Sworn and subscribed to me  
 This 14 day of January 2014  
*[Signature]*  
 Notary Public  
 State of Florida at Large  
 Sworn and subscribed to me  
 This 14 day of January 2014

