# Marsh Island Club

# Design Criteria & Guidelines

# MARSH ISLAND CLUB DESIGN CRITERIA & GUIDELINES

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# I. INTRODUCTION

#### Overview

This Guideline presents the architectural, engineering, landscaping and construction standards for building a residence on Marsh Island. These standards establish the overall design concept and serve as reasonable parameters for design and construction professionals in creating exceptional individual homes. Marsh Island will be a small community, and these standards are intended to respect the natural character of the island and produce a harmonious environment for the mutual benefit of all residents. Owners and their design professionals should carefully review all materials in this Guideline and consult with the Architectural Review Committee before starting design.

### 1A. ARCHITECTURAL VISION

- Marsh Island encourages the design of houses and out-buildings suitable for sub-tropical living, drawing from a broad range of vernacular treatments of classical traditions. Specific provisions for the building envelopes encourage Owners to build houses that are well-ventilated in temperate seasons. The standards also encourage, but do not mandate, the construction of a separate guesthouse / garage at the road, with entry gardens and auto courts that suppress the negative visual effect of cars and garages.
- Those portions of individual Lots that are most public will receive simple and modest treatment of building surfaces, including use of materials, massing and detailing. Ornamentation will derive chiefly from the elements of individual assemblies such as eaves and covered porches. Windows and doors will be configured in a manner consistent with a tradition of bearing masonry walls that distinguishes the Caribbean.
  - More exacting review standards will be applied to areas in public view, especially at the waterfront. Water frontage will be treated with the control appropriate to creating a coherent public space. Issues affecting privacy or other forms of intrusion, even if they occur within a property, will similarly be regarded as public issues and will be subject to stricter review.

### **1B. OWNER COMPLIANCE**

**1B-1** Each Owner is required to comply with the standards set forth in this Guideline, although exceptions shall be made if any local building laws, codes or ordinances are more restrictive than what is set forth herein. The contents of this Guideline may be revised or updated at the discretion of the Developer or Board of Directors without prior notice.

IB-2 All Owners are urged to contact the Architectural Review Committee (ARC) early in the design process to set up a preliminary meeting. This meeting will acquaint Owners with the overall design intent and answer any questions before design concepts are developed.

## 1C. REVIEW AND MONITORING

1C-1 The Architectural Review Committee will carefully review and monitor compliance with this Guideline. Since not every issue can be anticipated, the ARC will have the latitude to render specific determinations based on the broad goals outlined herein.

The review process and approval procedure is explained in Section 7 of this Guideline.

### 1D. DEFINITIONS

1D-1 Accessory Structure

A roofed structure such as a cabana, gazebo, guesthouse or garage, which extends vertically above finished grade, and is detached from the main residence.

1D-2 Association

The Marsh Island Homeowner's Association, Inc.

1D-3 Board of Directors

The Board of Directors of the Association.

1D-4 Building

Any structure built for the support, shelter or enclosure of persons, or property of any kind, which has enclosing walls for fifty percent (50%) of its perimeter. The term "Building" shall be as if followed by the word "or part thereof".

1D-5 Common Areas

An inclusive term referring to all areas other than Lot areas.

1D-6 Developer

The Developer is MARSH ISLAND DEVELOPMENT COMPANY, L.L.C.

1D-7 Enclosed Dwelling Space

The total enclosed heated and air-conditioned area within a Building. It does not include garages, terraces, decks, open porches, verandas and similar areas.

1D-8 FEMA

Federal Emergency Management Agency.

#### 1D-9 Lot

Includes "tract" or "parcel" and means lands having limited fixed boundaries and an assigned number through which it may be identified.

### 1D-10 Lot Type

# Lots are divided into the following Lot Types:

LOTS 1-20 LOTS 21-28	WATERFRONT LOTS MARINA LOTS LAKEFRONT LOTS
LOTS 29-32	LAKEFRONTLOTS

#### 1D-11 Lot Width

The distance between the side Lot lines, measured along the front building setback line when a front yard is required; otherwise, the Lot width shall be the mean horizontal distance of the Lot measured at right angles to the depth.

### 1D-12 Marsh Island (The Community)

Property on Marsh Island, Vero Beach, Florida that has been platted in the public records and subject to the Declaration of Covenants, Conditions, Reservations and Restrictions of the Association.

#### 1D-I 3 Owner

Any person or entity that holds the record title to a Lot.

### 1D-14 Story

That portion of a Building included between the upper surface of the floor or ceiling next above.

# 1D-15 Streetscape Buffer Landscape Zone

The first eight feet of the Lot from the front Lot line.

### 1D-17 Unit

The primary residential Building constructed upon a Lot.

### 1ID-18 Yard (Front)

The full width and/or length of the Lot extending from the nearest point of a building or structure, excluding permitted encroachments, to any front line of the Lot. That part of any Lot line abutting any established or proposed street right-of-way line other than an alley shall be a "front Lot line". On Lots abutting more than one established or proposed street right-of-way line, the "front Lot line" shall be that from which the street address of the Lot is assigned.

1D-19 Yard (Rear)

A yard extending across the rear of a Lot measured between Lot lines and being the minimum horizontal distance between the rear Lot line and the rear of the main building or any projections other than permitted encroachments. On Lots with one front Lot line, the Lot line opposite the front Lot line shall be the rear Lot line. On Lots that abut more than one street, the remaining Lot lines shall be considered side yards.

# 2. BUILDING POLICIES AND GUIDELINES

#### **OVERVIEW**

This section addresses the basic planning and zoning issues affecting the Lots. These provisions are not intended to supersede provisions of Indian River County's Land Development Regulations, except as specifically provided for as variances in the county's approval of the community. All other county restrictions shall apply, and designers and architects are advised to consult the county Land Development Regulations.

#### 2A. VARIANCES

- Marsh Island has obtained specific variances to reduce the side and front setbacks of certain Lots. Chart number I below explains how these variances differ from as-of-right regulations. The purpose of these reduced setbacks is to:
  - A. Provide greater design flexibility.
  - **B.** Limit the Building depth at both the rear setback and at the side wings of the main house along the Waterfront Lots. Marsh Island has sought to limit the allowable depth of a given wing to preserve natural lighting, ventilation, and to encourage interior gardens.

In Lots 1-20, the initial setback of the principal residence is 25 feet from the property line. This area is intended to be the location of "Accessory Structures" as described in 2B below.

## 2B. ACCESSORY STRUCTURES

- Most Waterfront Lots are large enough to accommodate a gazebo, cabana, or guesthouse, and a detached garage, in addition to the main residence. If built, these Accessory Structures must be located within the required setbacks and be compatible with the architectural details of the home. Roofs and exterior walls of these Accessory Structures, for example, must be compatible with the main house in design, detail and color. The rationale for encouraging placement of these Accessory Structures within the first 25' is to create a varied streetscape, an architectural arrival sequence into the residence and interior spaces which buffer the home from the road.
  - 2B-2 Each type of Accessory Structure is required to comply with certain maximum height, roof slopes, materials, elevations and area requirements specified herein. Garages must comply with special requirements for doors, setbacks and exterior lighting. See section 3C.

### 2D. BUILDING HEIGHTS

See Chart 2 for all height and area limitations.

- 2D-1 Maximum heights of building chimneys are in addition to maximum heights allowed. Houses shall have a maximum of two (2) floors.
- 2D-2 Marsh Island will have a minimum finish floor height of 10.50 NGVD. Existing grades are generally between 4.00 and 6.00 NGVD. Lots will be filled by the Developer to approximately 7.00 NGVD, requiring that the Owners build a stem wall foundation system. Garages are exempt from this minimum raised floor requirement.
- 2D-3 The County building height is 35 feet. Consult with County Planning Department for additional information.
- 2D-4 The maximum plate height for any structure within the front 25' shall be 20' 0" measured from finish grade.
- **2D-5** Flat roofed buildings are prohibited, although second floor terraces are permitted.

### **2E. REQUIRED WALLS**

**2E-1** Interior site walls between Lots are intended to provide privacy. It is desirable that screening walls between pools and side property lines, side yards and adjacent properties be created with combinations of evergreen and flowering hedges or similar multi-tiered arrangements of planting materials.

Wall locations are set forth on the Building Location Diagrams (See Exhibit 2.)

### **2F. BUILDING LIMITATIONS**

2F-1 All Marsh Island residences shall have minimum square footages, number of stories and building coverage as listed below. These requirements may be revised on a case by case basis where overall design quality would be compromised by their strict application.

CHART 2—BUILDING LIMITATIONS  MAXIMUM NUMBER OF MAXIMUM						
LOT DESCRIPTION	MINIMUM REQUIRED SQAURE FOOTAGE	NUMBER OF STORIES	BUILDING COVERAGE			
LOTS 1-20 WATERFRONT	4,500 SF	Two*	As approved by ARC			
LOTS 21-28 MARINA	3,000 SF 2,000 SF <sub>1st</sub> Floor	Two*	50 Percent			
LOTS 29-32 LAKEFRONT	3,000 SF	One and a half Maximum*	As approved by ARC			

Rooftop ancillary structures, such as cupolas and widow's walks are not included as a story.

# 3. ARCHITECTURAL STANDARDS

### 3A. DOORS

- Front doors make a strong architectural statement and are subject to extra scrutiny by the ARC. The use of double front entry doors is discouraged. Doors enhanced by sidelights and/or transoms are encouraged. Screen doors used in the front entry shall conform to the character of the door.
- 3A-2 Sliding patio doors may be used when not visible from public areas.
- **3A-3** See section 3C-4 for garage door requirements.

# 3B. DRIVEWAYS / MOTORCOURTS

3B-1 Lots 1-20 and Lots 29- 32: Driveways must be located at least ten (10) feet from the side property lines. One 12' wide curb cut is permitted per lot.

Lots 21-28: Driveways must be located at least two (2) feet from the side property line.

Garage door orientation will be reviewed by the ARC on an individual basis. Garage doors may not face the street except on lots 21 – 24.

- 3B-2 Driveway aprons shall be limited to a maximum radius of 6 feet per side, and no driveway (exclusive of apron turnouts) shall be greater than 12 feet in width.
- 3B-3 Materials that are recommended or discouraged for use in the driveway and or motor court are set forth below:

## RECOMMENDED MATERIALS

Chattahoochee set in concrete samples
Brick
Stone border or curb with gravel
Rock salt finished concrete with brick border

### DISCOURAGED MATERIALS

Textured Asphalt Interlocking Concrete Paver Loose Stone Chattahoochee Set In Epoxy Patterned Stamped Concrete

#### Two examples follow:

- A. Stone payers are used to form the driveway system and extend from the roadway to the first 8-foot setback inside of the property.
- B. Stone payers are used as a border for the motor court, with a gravel infill for the motor court proper.

#### 3C. GARAGES / GUESTHOUSES

- Only one detached structure is recommended on Lots 1-20 and 29-32 in the first 25'. The detached structure can be a garage, guest house, or combination garage / guest house.
- All garages must accommodate no more than three (3) cars. Garages may be detached from the main residence or integrated into the lower level. Garages are not required to be raised above adjacent grade. See Building/Accessory Structures Setbacks and Envelopes (Section 2C). Carports are not permitted.
- The design of the garage must be in harmony with the design of the principal residence with respect to scale, materials, lighting, details, colors, hardware and other visible features. Special attention must be given to the elements of the garage and guesthouse structures that face the public roadway.

It is highly desirable that the garage resemble a small guesthouse and not a garage building. This structure should be designed to reinforce the garden setting of the home and complement the landscaping at the first setback distance.

Garage doors should be solid and be compatible with the exterior wall design and color. Garage doors must incorporate automatic garage door openers. Garages are encouraged to be side loading, except on Lots 21-24. On these Lots (21-24), front-loading doors will be permitted, however, doors are required to be custom designed and integrated into the architecture of the garage structure as an element.

Garage doors must be a minimum of nine feet wide and eight feet tall.

3C-5 If the guesthouse is built on top of a garage to form a two story structure, the entire structure should be developed as one integrated cottage, in similar style and detail as the main house. One of the following ornamental elements will be encouraged to be integrated into the two story structure:

#### A. Terrace Element

A terrace element facing the roadway, or covered balcony of sufficient length to be in harmony with the building elevation will be encouraged. The terrace will be integrated with the lower elevation of the sidewall of the garage with elements such as recesses or other features, to tie the floors together as one building. Balcony projections will be limited to 3'-0" from the face of the wall.

3C-6 Elements of the guesthouse should be consistent with the main house. It is highly desirable to integrate the landscaping walls and a combination of hedges (evergreen and flowering) and fencing into the design of the guesthouse so that glimpses of the motor court and main house are visible, but that a portion of the main residence is screened from the roadway. Fencing within the initial setback distance will be reviewed for conformity to roadway design and color.

#### 3D. GARDEN STRUCTURES

The ARC will review detached garden structures on a case-by-case basis, taking into account the impact of the structure on neighboring residences and views. Structures must be located within the setbacks. Şee Setback Diagrams, Exhibit 1.

#### 3E.GUTTERS/EAVES

- **3E-1** Gutters may be approved as part of the roof fascia and eave system when special attention is given to down spout locations and overall color compatibility.
- **3E-2** All buildings, residences, garages, and guest houses are encouraged to provide one of the following eave conditions as part of the architectural design:
  - A. Open eaves with tails. Rafter tails to be in keeping with the style and character of the house. Rafter tails to be approved by the ARC.

#### **3F. MAILBOXES**

It is the Owner's responsibility to have an approved box installed as per Building Location Diagrams (Exhibit 2). Locations other than those specified will be reviewed by the ARC. There will be one approved mailbox for use by all residents, the designated model to be provided by the ARC.

### **3G. EXTERIOR WALL MATERIALS AND FINISHES**

#### 3G-1 RECOMMENDED MATERIALS

Stucco

Painted Wood Siding

Painted brick

Stone

Coral stone

#### 3G-2 PROHIBITED MATERIALS

Vinyl Siding

Exterior plywood sheathing

Asphalt Siding

Metal Siding

Brick (unpainted)

### 3G-3 MATERIALS NOT RECOMMENDED, BUT OPEN FOR REVIEW

Wood shingle

Painted board and batten

Painted simulated wood (concrete or plastic)

Metal clad windows

#### 3H. EXTERIOR COLORS

- When exterior colors are reviewed, the ARC will take into account the combination and intensity of colors selected, their appropriate use, and the palette of surrounding residences.
- **3H-2** A sample palette of recommended colors is available for review in the sales office.

#### 31. OUTDOOR LIGHTING

Copper, nickel, bronze or painted (maritime coating) metal surfacemounted light fixtures are recommended for covered porches. Ceiling fans located on porches may not have integral light fixtures.

- All landscape lighting seen from the public roadway is to be recessed uplight type, such as Hydrel or equal. Where trees are installed along the roadway, uplight should be provided at tree branching. All light colors to be uniform and included in final plan review. All site lighting to be 3000 degrees Kelvin color temperature.
- Shielding is required when exterior lighting is located within 10' -0" of the adjacent property line, or in conditions where light spill provides unwanted lighting on adjacent property. Shielding elements could be in the form of landscaping, evergreen hedges, light shields, or other elements that effectively focus or shield the unwanted light from the affected areas.
- 3I-4 Landscape lighting must be low voltage. Transformers must be buried or located out of view from the main access road.
- Any post light or cast light fixture to be located within the front setback area must be submitted for ARC approval. Light fixtures must conform to the character of the house.

#### 3J. POOLS / POOL CABANAS

- Pools on Waterfront Lots (1-20) must be located in the rear or side of the residence, and must conform to the setback requirements as indicated (See Exhibit 1). All pools are required to be shielded from adjacent properties at side

  Lot lines with some form of hedge, landscaping or other soft element.

  Screening elements be at least 5'-O" in height, or as approved by the ARC.
- Pools on Marina Lots (21-28) must be located within the interior area as shown on the Building Location Diagrams (See Exhibit 2). To preserve a maritime appearance and in keeping with the overall site development vision, pools may not be located where they are exposed to view from the Marina proper.
- To preserve the scenic quality of the access road system, pools on Lakefront Lots (29-32) must be located adjacent to the lakefront with appropriate screening from other lakefront houses. Screening should include evergreen hedges and other integrated landscaping features that become a part of the overall site landscape. See Building Locations Diagrams (Exhibit 2) for examples.
- Pools must be designed to complement the architectural components of the residence. Pools must be in-ground. Pool coping may not be higher than the finished principal floor elevation of the residence or 5' -0" above grade. Pool enclosures may not be free standing. If insect screening is required, the enclosure must be designed as an integral part of the roof and walls, and

not appear as an added appendage.

Pool cabanas will be permitted if compatible with the architectural elements of the residence, including roof, and must be situated within the pool setbacks. Materials should be in harmony with the overall architectural character of the house and may be of high quality fabric with a corrosive resistant internal steel structure.

# 3K. PORCHES, DECKS, VERANDAS AND BALCONIES

- 3K-1 Raised covered porches are encouraged. Handrails and/or columns form an integral part of the porch concept. The columns should be made of either stone, concrete, fiberglass or wood. Handrails should be made of wood or aluminum and painted. Columns and handrails must be relatively simple and be under- stated rather than ornate.
- See Building Location Diagrams (Exhibit 2) for location of covered porches at each Lot Type. Exact location of covered porches will vary along the Marina Lots 21-28. Special care should be taken to coordinate the entrance to horizontal boat walkways and entrances to Marina Lots from the Marina side. A minimum of 5' -0" from either edge of the Marina platform to the start of the Marina steps is desirable.
- 3K-3 All Lots are encouraged to have a combination of covered porches, balconies and terraces. These harmonious form statements will contribute to an animated skyline of shade and shadow. See Building Location Diagrams Exhibit 2 for locations of balcony elements. Exact locations, style and sizes will comply with minimum requirements stated herein.

### 3K-6 Recommended options

Each primary residence is encouraged to incorporate porch and balcony elements. Two story porches are recommended on the Marina frontage.

#### 3M. ROOFS

- The roofs of all residences within the community, while perhaps different in material and color, shall have a similarity of form to provide for a homogeneous character. Plain roofs have a recommended minimum slope of 6/12. Roofs having integrated forms such as rooftop ancillary structures, dormers or other roof elements have a recommended minimum slope of 4/12.
- 3M-2 Roofing with less than a 6/12 slope is recommended only in connection with 3M-i above as a connection to more dominant themes of the roofing mass. All connecting roofs, i.e.,- garage to main structure or freestanding garage, etc., shall have a roof with material compatible with the main structure.
- 3M-3 Roof overhangs form an integral part of the architectural character of the community and should be maximized wherever possible to provide shelter from both the sub- tropical sun and rain showers. In many cases the roof overhangs may incorporate balconies, decks and screened porches. The contemporary "shed" design is not appropriate. Minimum recommended roof overhangs are three feet. See section 3E on gutters and eaves for rafter articulation recommendations.
- 3M-4 Roof attachments, whether ornamental or functional such as ornamental ridge caps, weather vanes, oversized fireplace flues, etc., are not only permissible, but encouraged to give an additional scale of detail to the dwellings. On Marina Lots 21-28 ornamental weather vanes are strongly encouraged. Weather vanes are to be visible from the Marina side and to be located above the highest roof ridge line within 25 feet from the rear property line. Weather vane designs should be included in the design submission and the vane for each Lot should be unique.
- 3M-5 All roof accessories such as vent stacks and roof vents shall be either painted to match the roof color, or accentuated to form a statement. Wherever possible, vents shall be located away from the entry elevations. Flashing shall be copper or lead coated copper, except in the case of metal roofs where it shall be the same material as the roof. Raw aluminum or galvanized flashing is not allowed.
- 3M-6 Chimneys, along with other projections above roofing surfaces, play a dominant role in defining the building character. Chimney dimensions should be compatible in scale to the structure. All exposed surfaces of chimneys should be masonry or stucco with a preference for covered flue endings. Metal flues must be completely concealed by a masonry chimney cap.

### 3M-7 RECOMMENDED MATERIALS

Standing seam metal (exposed to weather or painted) Cement or clay shingles Sawn wood shingles

## 3M-8 DISCOURAGED MATERIALS

Colored, glazed tile

Barrel tile

### 3M-9 PROHIBITED MATERIALS

Asphalt Shingle

#### 3N. SHUTTERS

- Window shutters are an integral part of the overall Island aesthetic. Wind protection will be required by the Florida Uniform Code taking effect in 2001. All shutters will be required to meet or exceed the Florida Uniform Code unless other devices are designed to accommodate this requirement or the windows and doors are tested and rated for impact loads.
- 3N-2 Louvered shutters are preferred, but bevel board and panel shutters are acceptable. In the bevel board style, the joints between boards and the crosspieces should be understated to avoid a rustic look. A very small "V" groove should be used between boards, and all edges of the cross pieces should be chamfered.
- All shutters shall be operable using traditional hardware, pivots and latches. Louvered shutters can be allowed to tilt from the top or swing open. All shutters must be sized to fit the window, and must be painted wood, or ARC approved materials in harmony with the principal residence. Painted aluminum is acceptable for louvered shutters.

### 30. WALLS / FENCES

- Walls constructed within the building setbacks have no maximum height requirements other than local code. Walls constructed between the front and rear building setback, but within the side building setback have a maximum height of 7'-6" above the crown of the adjacent roadway or as otherwise approved in harmony with the adjacent property design. Hard walls are not encouraged. Landscaped elements, including evergreen hedges, ornamental fencing in concert with landscaping and other layered combinations of fencing and landscaping are preferred methods of providing privacy and screening.
- Walls constructed between the road right-of-way and front building setback shall have a maximum height of 5' -6" above the crown of the adjacent roadway. See Landscape Requirements, section 5, regarding hedges within the initial front setback.

- Walls constructed between the rear property line and rear building setback line shall have a maximum height of 4' -6" at the Marina Lots 21-28. Trellises or other elements allowing views through such walls are not subject to this height restriction. No wall restrictions apply to rear property lines of Lots 1-20. On Lots 29-32, free standing walls around the pool and / or within 15 feet of the lakefront line are prohibited. Privacy screens constructed around pools and other common elements on Lakefront Lots should be comprised of landscaped elements, trellises, pool buildings and other landscape elements.
- Where interior walls are required to screen pools, a minimum height of 5' -0" must be maintained.

#### 3P. WINDOWS

- 3P-1 Divided glass windows are encouraged. Wood frame windows are strongly suggested, as is the use of French doors in combination with windows. Windows are encouraged that will provide natural ventilation throughout the premises.
- 3P-2 Vinyl or aluminum clad wood windows will be permitted, subject to color approval. Aluminum frames will be considered when they closely simulate the character of traditional wood windows.
- 3P-3 Lightly tinted glass is acceptable, but not encouraged. Foil or reflective material is prohibited.
- 3P-4 Allowable window types include double hung, casement, etc. where they meet local wind conditions and casement type. The use of special shapes is discouraged, but will be considered upon the submission of a complete façade design.

# 4. ENGINEERING REQUIREMENTS 4A. FILL REQUIREMENTS FOR ALL LOTS

**4A-1** Fill must be sufficient to conform to the requirement for property Lot grading. Developer will deliver site with rough grading in conformance with approved plat subdivision.

### 4B. FINISHED FLOOR ELEVATIONS

4B-1 Minimum finished first floor elevation on all residences shall be eighteen (18) inches above the crown of the adjacent roadway. Maximum finish floor elevation of Marina residences will be approved by the ARC on an individual basis, generally 1 foot above the base floor elevation as set by FEMA, based on site conditions, adjacent structures and overall design theme.

# 5. LANDSCAPE REQUIREMENTS

#### **OVERVIEW**

Marsh Island is located in the midst of some of the finest native coastal and indigenous upland vegetation habitats remaining on the Florida coastline.

The goal of the ARC is to provide for the sensitive enhancement of this environment by the encouragement of an on-going planting program which adheres to a naturalistic design approach. Although individualism in design philosophy is encouraged, the overall landscape feel of the community is intended to be unified and cohesive.

### 5A. SUBMITTAL REQUIREMENTS

- 5A-1 To insure that the visual appeal of the community is properly preserved and that proposed vegetative improvements are kept consistent for the benefit of all, a comprehensive landscape plan, plant list, and anticipated cost estimate will be required for all residences. The ARC reserves the right to approve or disapprove any such submission, and may at its sole discretion make suggestions or require modifications.
- The final landscape plan shall be prepared by a registered landscape architect, licensed in the state of Florida, and submitted to the ARC within ninety (90) days prior to final dwelling occupancy. Two signed and sealed copies of the landscape submittal shall be delivered to the ARC for review and comment.
- 5A-3 MINIMUM LANDSCAPE BUDGET REQUIREMENTS: The ARC may require a minimum of five (5%) percent (excluding sod and automatic irrigation system) of the total estimated construction cost and Lot value to be applied toward landscaping. Although exterior landscape lighting will be required and decorative earthwork (berming) may be encouraged, expenditures for such items will considered to be in addition to the basic landscape requirements.

### 5B. DESIGN EXPECTATIONS

- The general landscape design theme for Marsh Island is. intended to be lush and tropical, natural and informal, using a rather limited plant palette of mature vegetation to present an established appearance at the time of installation.
- New plantings should generally be massed in clusters and in seemingly random patterns rather than in overly organized linear configurations. Placement of primary trees and palms should be situated to complement rather than decorate the residence.

- 5B-3 Common property lines of adjoining residential sites should be planted in such a manner as to be advantageous to each party. Masses of screen plantings should be allowed to vary along property lines and long uninterrupted hedges and clipped borders should be avoided. Palm clusters and vertical canopy trees should be arranged to amplify similar species on adjacent properties, with the combined visual impact shared by both.
- Whenever possible, flowering trees, shrubs, groundcovers, and blossoming vines should be introduced into the landscaping plan. Seasonal color beds should be unobtrusive during periods of the year when flowers are not present.
- All mechanical equipment, air conditioners, swimming pool and spa equipment shall be completely screened from public view. The use of flowering hedges for this purpose is not allowed and either evergreen hedges, masonry walls, wood or metal louvers shall be employed to provide an opaque screen.

# 5C. STREETSCAPE BUFFER LANDSCAPE REQUIREMENTS

- 5C-1 Traditional street tree plantings, which typically space a limited variety of specie at equal intervals along the right-of-way frontage, should be avoided.
- Plants should be placed as close to the street as practical to create a sense of separation between the road and the main residence while providing visual depth to each site.
- To provide additional canopy vegetation along the common roadway, each residential landscape design must include at least one live oak tree and at least two large caliper specimen trees from the approved list. It is anticipated that the street trees along the lakefront will be extremely limited in variety, forming an overall ring of identical specimen trees punctuated by live oaks. This interplay between oaks and sub-tropical specimen will unify the relationship between sub-tropical and old southern traditional landscaping.
- To amplify the visual impact and provide additional vertical movement to the streetscape buffer planting program, the introduction of decorative grading is encouraged on each home site within the entrance zone.
- A landscape wall shall be located within the front 8'-O" setback area line to a height of between 2'-6" and 4'-0" above grade at the right of way. These walls are intended to blend the roadway into the residential entrance system, creating a sense of landscape harmony and community. Design motifs are to be developed so as to be harmonious with the principal house design. These walls within the initial setback should be an intergral part of the overall landscaping plan. Flowering hedges and vines are desirable to soften the effect of the higher evergreen hedge. It is intended that these

landscaped walls and treatments will contribute to the common design of the roadway system, and extend the lush sub-tropical landscaping into the home sites.

## An example would be as follows:

An evergreen hedge, between 3'-6" and 4'-6" in height would be installed 5'-0" from the front property line and on either side of the motor court entrance. A flowering hedge or planting scheme would be set between the property line and the evergreen hedge. This combination would add richness and color to the roadway, creating a harmonious feeling as one drives around the lakefront. Also, the taller evergreen hedge would create a partial foil to the gardens and trellis occupying the first 25 feet of site frontage.

### **5D. FLOWERING TREE**

Flowering trees are encouraged within the landscaping of each residence, and shall be utilized in such a manner as to provide visual interest and design reinforcement to the primary canopy vegetation located throughout the remainder of the installation.

# **5E. ACCENT TREE AND SPECIMAN SHRUB**

**5E-1** Smaller accent trees, specimen shrubs, and free standing palm elements are encouraged, as may be appropriate, to complement the design intent of each residential landscape plan.

### **5F FLOWERING HEDGE**

- Flowering hedges will generally be used as a means of visual reinforcement and design interest within the landscaping where maximum buffering is of less concern. The use of such hedges shall be limited to full sun exposures and trimmed in such a manner as to promote maximum blooming. At the initial setback, a flowering hedge will be one of the elements that may be used in connection with the evergreen hedge as an initial landscape buffer.
- Flowering hedges shall have an initial established appearance at the time of planting and installed at such a spacing as to become solid within six months after installation.

### **5G. EVERGREEN HEDGE**

Unlike flowering hedges that may be used for accent or design focus, evergreen hedges should be used in a supporting and primary screening role. They should be employed as the understated element of the design, rather than the dominant theme of any installation, and should be used in concert with flowering hedges and plantings.

**5G-2** Evergreen hedges shall have an initial established appearance at the time of planting and should be installed at such a spacing as to become opaque within six months after installation.

## 5H. SHRUB AND GROUNDCOVER

- 5H-1 Foundation shrubs and related groundcover beds will be provided in conjunction with the remainder of each residential landscape installation and should be provided in such a manner as to unify the design.
- 5H-2 In general, larger quantities of a limited palette of shrubs and groundcovers will be considered more desirable than a broad mixture of plants used in limited quantities each. Vegetation shall be installed reasonably close together, according to variety, to form mass bedding areas instead of a series of individual plantings.

### 51. FLOWERING VINE

The introduction and prolific use of flowering vines within each residential landscape program will be considered an asset for the entire community. To promote blooming, care should be made to insure that such vines are placed in sunny exposures.

### 5J. EVERGREEN VINE

5J-1 Non-flowering vines may be used, as may be appropriate, in both a climbing application or as a solid groundcover.

### 5K. SOD AND LAWNS

- 5K-1 Unless specific ARC approval is obtained, all lawn turf grass used throughout the residential portions of the community shall be St. Augustine "Floritam" Stenotaphrum secondatum.
- 5K-2 Unless specific ARC approval is obtained, no more than fifty percent (50%) of any residential site (exclusive of building coverage and related impervious surfaces) may be planted in grass. All lawns shall be installed as solid sod and no seeding or sprigging will be permitted.

# 6. CONSTRUCTION STANDARDS

### 6A. START OF CONSTRUCTION

No Lot grading or placement of portable toilets will be permitted until all required governmental permits are obtained and formal written approval of the ARC has been granted.

### 6B. PORTABLE TOILETS

Prior to commencing work, a portable toilet must be placed on the job site and in a manner that will least disturb other residences and other construction.

### 6C. CONSTRUCTION TRAFFIC

- All construction traffic shall access the community through the designated construction entrance. For security purposes, all contractors must register with the Association a complete list of their sub-contractors and other employees who are permitted entry into the community. A vehicle decal may be issued and, if so, must be displayed. The vehicle decal shall be removed after construction is completed.
- 6C-2 Construction vehicles may not be parked on any street within the community and shall not be parked on any Lots, other than the one under construction, without written permission from the ARC.

### 6D. CONSTRUCTION HOURS

The construction working hours will be from Monday through Saturday, 7:30 a.m. to 6:00 p.m, except on nationally recognized holidays. These hours are subject to rules and regulations as published by the ARC from time to time. Work hours are permitted on Sundays until the first residence on Marsh Island is completed and occupied.

### 6E. SITE CLEAN UP

All construction dumpsters must be covered and emptied on a regular basis. The builder is responsible for trash that blows off the site and shall retrieve such trash immediately. All trash stockpiled for removal shall be located in rear of the residence until removed. There will be no stockpiling or dumping on adjacent Lots or on streets. Trash remaining after the completion of construction will be removed by the Developer and the cost associated with such removal will be billed to the responsible contractor.

### **6F. VEHICLES AND EQUIPMENT**

- No vehicles (trucks, vans, cars, etc.) or construction personnel may remain in the community overnight. Construction equipment may be left on the site while needed, but must not be kept on the street, unless the Association has granted prior permission.
- Job trailers are exempted from restriction 6F-1 above, but must remain on the Lot under construction and not in Common Areas.

#### 6G. PERSONNEL

Only bona fide workers are allowed on the property and such workers are required to exit the property upon completion of their work. Spouses may drive workers to and from the site, but must not remain on the property unless they are actual employees of the subcontractor. For safety reasons, children are not permitted on the job site. Workers are required to wear shirts at all times. No alcoholic beverages are permitted on the property. Contractor personnel will not be permitted to bring pets on property.

### 6H. CONSTRUCTION UTILITIES

**6H-1** Contractors must use only the utilities provided to the Lot on which they are working.

### **6I. CONTRACTOR CONTACT**

6I-1 A 24-hour emergency telephone number must be kept on file at the sales center and access control gatehouse for all contractors working at Marsh Island.

# 7. PROCESSES AND PROCEDURES

# 7A. ARCHITECTURAL REVIEW COMMITTEE / PROCESS

### 7A-1 Purpose

The primary role of the Architectural Review Committee is to foster harmony among neighboring residences and conformance with Marsh Island design objectives. The ARC will endeavor to administer regulations in an objective and impartial manner and will maintain sensitivity to the individual aspects of design. All construction by Owners must be approved by the ARC.

The ARC urges individual Owners to arrange a meeting prior to the initial design submission. During this preliminary meeting, design goals of the ARC and the individual Owner can be discussed. This meeting will allow the Owner and ARC to clearly understand any issues that should be addressed in design submissions as well as any clarifications or questions that may arise.

### Services of the ARC include:

- A. Explanation and interpretation of the Design Criteria & Guidelines.
- **B.** Access to samples, displays and pictorial reviews exhibiting acceptable architectural solutions.
- C. Review of plans and designs for compatibility with the overall architectural vision of the community.

### 7A-2 Enforcement

Should an architectural violation occur, the ARC has the right to injunctive relief to require the Owner to stop, remove and/or alter any improvement in a manner which complies with the standards established by the ARC.

## 7A-3 Limitation of Responsibilities

The ARC does not assume responsibility for the following:

- A. The structural adequacy, capacity or safety features of the proposed improvement or structure.
- B. Soil erosion, non-compactable or unstable soil conditions.
- C. Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances
- D. Performance or quality of work of any contractor.

7A-4 Meetings of the ARC

The ARC will meet as requests are received. Approvals or other responses from the ARC will be made within thirty (30) days of the date the request is received by the ARC. If the ARC does not meet, or fails to respond to a submission made by Owners within thirty (30) days, the submission shall be deemed approved. All incomplete submissions will be returned without being reviewed.

7A-5 Minutes of Meetings

All decisions of the ARC will be recorded in minutes taken at the ARC meetings. Although Owners will not be present at these meetings, recorded minutes of each meeting will be available upon request. The ARC minutes will include the decisions of the ARC and the rationale behind those decisions. Plans and specifications will be retained by the ARC.

- **7A-6** Committee Members
  The ARC shall consist of individuals appointed by the Board of Directors.
- **7A-7** Review Fees
  Review fees will be One Thousand Dollars (US \$1,000) or as amended by the ARC.
- 7A-8 Construction Inspections
  Periodic inspections may be made by the ARC while construction is in progress to determine compliance with the approved architectural and landscape plans and specifications.

7A-9 Design Document Changes
The Owner must notify the ARC prior to making any changes to the approved plans. A letter with applicable support data (as required) must be submitted to the ARC for the file. Any major deviations (as solely determined by the ARC) may require full ARC approval prior to commencement of changes. Upon completion, an as-built set of drawings will be required.

7A-10 Appeal

If an application has been denied, or the approval is subject to conditions which the Owner feels are unacceptable, the Owner may request a hearing before the ARC to justify his/her position. The ARC will review its decision and notify the Owner of its final decision with ten (10) days of the hearing.

**7A-11** Waiver and Additional Requirements
These Design Criteria & Guidelines have been adopted to assist the Owners in connection with the architectural approval process. However, these are merely guidelines, and the ARC may waive any of the requirements set forth herein.

# 7B. ARCHITECTURAL REVIEW PROCEDURES

The following is an outline of the procedures for plan submissions. 7B-1

> For drawing descriptions, please refer to: Architectural Documents (Section 7C).

# **Review the Relevant Documents**

- 1. Lot Purchase Agreement
- 2. These Design Criteria & Guidelines
- 3. The Declaration of Covenants, Conditions, Reservations and Restrictions

#### **Retain Professional Design Consultants** B.

Selection of a Florida registered architect and landscape architect is required. Have your consultant(s) read and acquaint themselves with these Design Criteria & Guidelines.

Discuss your requirements and have the architects produce sketches illustrating the design concept and showing how the residence will be situated on the Lot. These drawings will be used during the initial review.

#### Preliminary Meeting See Section 7A-1. C.

#### **Initial Review** D.

Preliminary plans (four sets) showing critical dimensions consisting of the

following:

- 1. Site Plan indicating the location of all proposed improvements on the Lot.
- 2. Preliminary floor plans signed and sealed by a Florida registered architect.
- 3. Preliminary exterior elevations (all sides) signed and sealed by a Florida registered architect.
- 4. Preliminary building section(s).
- 5. Conceptual landscape plan.

The ARC will review the application and design documents within thirty (30) days and return one set of plans to the Owner with the appropriate comments.

#### E. Major Review

- 1. The Owner must submit the final construction plans (three sets signed and sealed by Florida licensed architects):
  - a. Final floor plans.
  - b. Final exterior elevations: specifications, materials, color chips.
  - c. Roofs: structure, materials, product photos (or samples).
  - d. Fascia and trim: section details, materials, color chips.
  - e. Preliminary Landscape Plan: tree location (size and quality materials), irrigation plan showing location of control values.
  - f. Exterior and garage doors: specifications, materials, product photos, color chips.
  - g. Patios, decks, balconies, verandas, porches: specifications, materials, color chips.
  - h. Fences / walls: design details, materials, colors chips.
  - i. Mechanical equipment: location, screening details
  - j. Exterior lighting details: specifications, product photos.
  - k. Driveways: materials, finish, color chips.
- 2. The ARC will review all design documents and return one set of plans to the Owner within thirty (30) days with approval and / or appropriate comments.

# F. Submission of Plans to Building Department

Following Major Review and approval, the Owner may submit approved plans to the Building Department, or other such agencies having jurisdiction for required permits.

### G. Construction Commencement

Upon receipt of final plan approval and building permits, the Owner may commence construction.

#### H. Final Review

The Owner must submit two sets of the final landscape plans for approval within 90 days prior to final occupancy.

The ARC will review the plans and return one set of plans to the Owner within thirty (30) days with the appropriate comments.

I. SurveylCertificate of Occupancy

Upon completion of construction, the following shall be submitted to the ARC:

- Final survey certified by surveyor. ١.
- As-Built set of drawings. 2.
- Certificate of occupancy from the County. 3.

#### Inspection J.

The ARC will perform periodic reviews to ensure compliance with the guidelines and approved plans as follows:

- Prior to any excavating or filling on a Lot for construction, the l. Owner may be asked to provide a string stakeout of the Lot lines and building lines. The ARC will review the string stakeout for conformity to ARC approved plans and will approve or disapprove the commencement of construction.
- At such time as the Owner has completed all improvements, including landscaping, in accordance with the plans and specifications approved by 2. the ARC, the Owner shall request a final review by the ARC administrator.
- Upon certification by the ARC that all improvements have been satisfactorily completed, including landscaping, in accordance with the approved plans 3. and specifications, the ARC will issue a final approval certificate.

## 7C. ARCHITECTURAL DOCUMENTS

The following is a list of architectural drawings and required information.

#### Site Plan 7C-1

Scale in size appropriate to show detail, but not less than 1 inch = 20 feet. Required information:

- Property lines / setbacks with dimensions. 1.
- Driveways, sidewalks, walkways, fences and walls, access 2. street(s).
- Culverts and swales. 3.
- Drainage plan. 4.
- Paving Plan 5.
- Foundation outline, roof drip line and entry areas. 6.
- Pools, decks, patios 7.
- Existing grade / finished floor elevations 8.
- North arrow 9.
- 10. Mailbox location.

#### **Foundation Plans** 7C-2

Scale in size appropriate to show detail.

#### Floor Plans 7C-3

Scale in size appropriate to show detail.

#### **Roof Plans** 7C-4

Scale in size appropriate to show detail.

#### **Exterior Elevations** 7C-5

Scale in size appropriate to show detail. Required information:

Sides, rear and front elevations.

#### **Building Sections** 7C-6

Scale in size appropriate to show detail.

Required information:

- Detail wall sections. 1.
- Detail roof sections, pitch, type

#### Exterior Colors/FinishesIMaterials 7C-7

Specifications / Material selection details showing all materials to be included. Required information:

- Manufacturers / models (if applicable). 1.
- Product samples / photos 2.
- Color chips, color name, manufacturer, manufacturer's color number (colors must be presented no later than 60 days prior to painting of the house)

#### Landscape Plans 7C-8

Indicate the Lot number, location, and name of client along with the name, address, and phone number of the licensed landscape architect preparing the documents.

Sheet Size 24" x 36" preferred. Scale-Either 1/8" = 1'-U" or 1" = 10,-U". Perimeter Areas Reflect all adjacent site conditions and surrounding roadways, lakes, and pertinent features which may affect the subject property. Hardscape Indicate all proposed vehicular and pedestrian circulation treatments, swimming pool location and configuration, miscellaneous amenity elements, garden features, and permanent site furnishings, which may affect the use of the site.

Utility Elements .Show all air conditioner equipment locations, exposed utility meters, garbage areas, LP gas tank, pool equipment and any service or utility elements which may require landscape treatment or buffer screening.

Decorative Grading Indicate general existing grades and all proposed decorative grading (earth berming) at one foot intervals.

Proposed Vegetation Provide a comprehensive landscape layout for all trees, palms, shrubs, groundcovers, vines, and sod, which are proposed throughout the site. Indicate specific Street Tree Locations.

Plant List Identify all proposed vegetation with a plant list that reflects the scientific and accepted common name, height, spread, caliper, or size at time of installation as well as any necessary remarks which may be required to clearly portray the technical needs for bid pricing, design review, and/or final installation purposes.

#### Final Survey 7C-9

Letter from architect, engineer or surveyor stating that the completed residence is in conformance with the Design Criteria & Guidelines and approved plans or a final survey which contains:

Lot corners

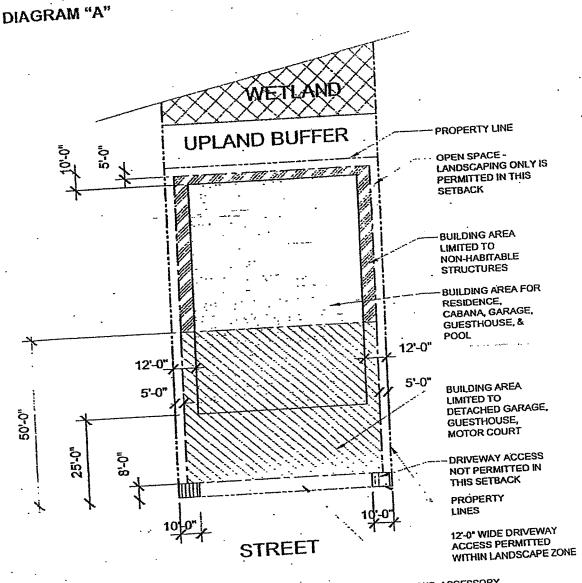
**Dwelling corners** 

Driveways and driveway aprons

Sidewalks and walkways. pools, decks, patios

Fences easements and rights-of-way elevations for finished ground floor, sidewalks, swales and driveway aprons.

# **EXHIBIT 1 - BUILDING SET BACK DIAGRAMS**

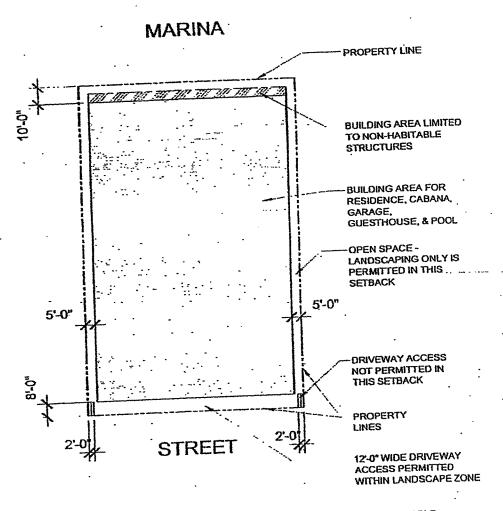


- 5'-0" SETBACK FROM TOP OF BANK OR UPLAND BUFFER FOR POOL DECKS, ACCESSORY NON-HABITABLE STRUCTURES ON ALL LOTS
- FRONT 50'-0" LIMITED TO DETACHED GARAGES AND GUEST HOUSES. IF MAIN HOUSE IS CONSTRUCTED IN FRONT 50", IT WILL ADHERE TO 12-0" SIDE AND 25'-0" FRONT SETBACKS
- 8'-0" FRONT SETBACK APPLIES ONLY TO SIDE AND REAR LOADED GARAGES. FRONT LOAD GARAGES WILL ADHERE TO 25'-0" FRONT SETBACK

WATERFRONT LOTS 1 - 20. SETBACK DIAGRAM A

### **EXHIBIT 1**

## DIAGRAM "B"

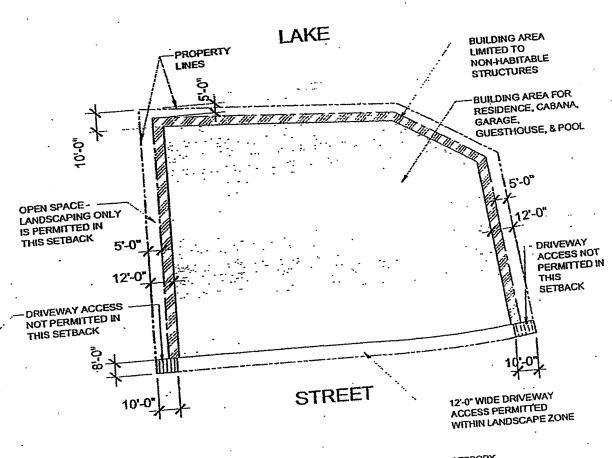


- 1. 5'-0" SETBACK FROM REAR LOT LINE FOR POOL DECKS, ACCESSORY NON-HABITABLE STRUCTURES ON ALL LOTS
- 2. SIDE YARD SETBACK MAY BE ZERO (0) IF ADJACENT STRUCTURE IS LOCATED 10'-0" OR GREATER FROM THE SIDE PROPERTY LINE

MARINA LOTS 21 - 28 SETBACK DIAGRAM B

# EXHIBIT 1

DIAGRAM "C"



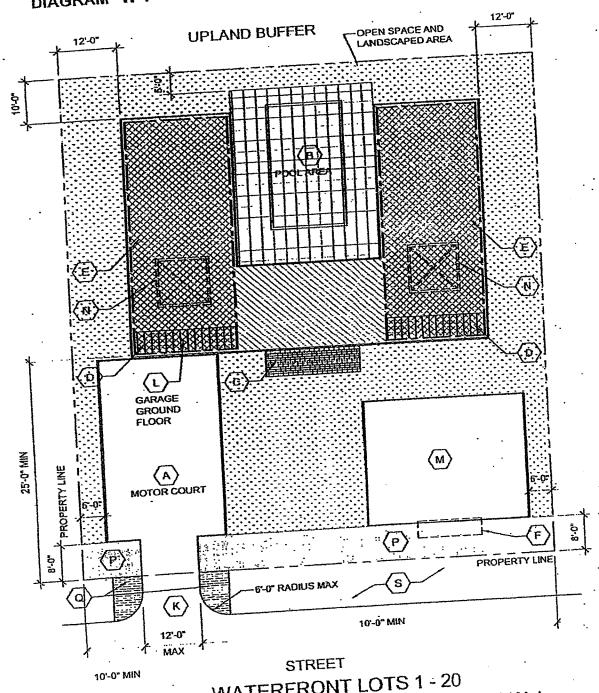
5'-0" SETBACK FROM REAR AND SIDE LOT LINES FOR POOL DECKS, ACCESSORY NON-HABITABLE STRUCTURES ON ALL LOTS

LAKEFRONT LOTS 29 - 32 SETBACK DIAGRAM C

# EXHIBIT 2 - BUILDING LOCATION DIAGRAMS LEGEND

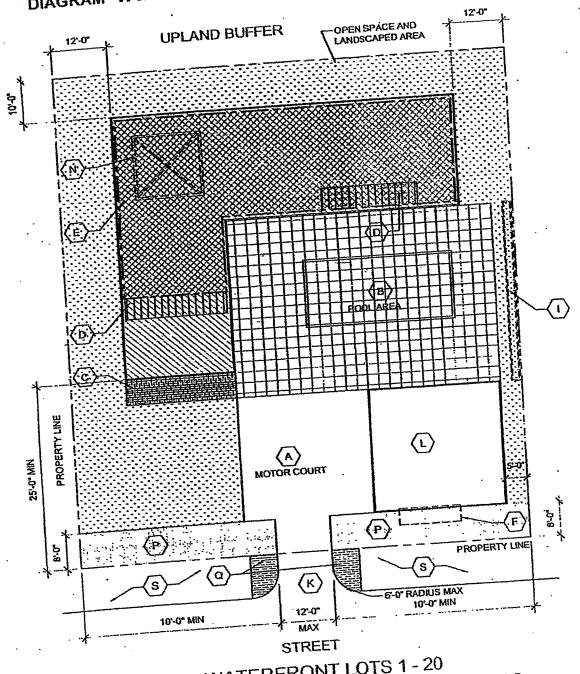
- A. SPECIAL SURFACES APPLY TO THE AREA OF MOTOR COURT THAT IS VISIBLE FROM THE ROADWAY. SEE SECTION 3B.
- B. BUILDING AREA FOR POOLS, DECKS AND PATIOS. A REQUIRED WALL IS SHOWN AT PROPERTY LINE TO SCREEN POOL FROM ADJACENT PROPERTY. ALL POOLS ARE TO BE SCREENED FROM MARINA VIEWS.
- C. RAISED COVERED PORCH ELEMENT, EXACT LOCATION TO BE COORDINATED WITH BUILDING DESIGN AND MARINA PIER STRUCTURE.
- D. AREA OF 2<sup>ND</sup> FLOOR PORCH AND OR TERRACE ELEMENT. ROOF TOP ANCILLARY STRUCTURE SHOULD BE HIGHER THAN THIS LEVEL.
- E. AREA OF REQUIRED SECOND FLOOR AREA IS 80 PERCENT (MAXIMUM) OF LOWER FLOOR SQUARE FOOTAGE.
- F. FRONT VERANDA / BALCONY FEATURE AT SECOND FLOOR.
- G. SETBACK AREA BETWEEN TWO DOUBLE HEIGHT FLOOR FORMS. MAXIMUM AREA ALLOWABLE IS 40 PERCENT.
- H. ACCESS EASEMENT AND BUILDING AREA FOR WALLS, HEDGES, AND LANDSCAPING BETWEEN MARINA AND REAR YARD. COORDINATE LOCATION WITH MARINA STRUCTURE. WALLS TO BE A MAXIMUM HEIGHT AS DESCRIBED IN LANDSCAPING SECTION.
- I. REQUIRED AREA OF POOL SCREENING ELEMENT. SEE SECTION 3J FOR ADDITIONAL INFORMATION.
- J. REQUIRED ENTRANCE MOTOR COURT WALL AND LANDSCAPE. SEE SECTION 30. APPLIES TO MARINA LOTS ONLY.
- K. 12 FOOT WIDE MAXIMUM DRIVEWAY ACCESS. SEE SECTION 3B.
- L. FREE STANDING GARAGE. SEE SECTION 3C.
- M. FREE STANDING GUESTHOUSE. SEE SECTION 3C.
- N. ROOF TOP ANCILLIARY STRUCTURES. SEE SECTION 3L.
- P. STREETSCAPE BUFFER ZONE. SEE SECTION 5C.
- Q. AREA LIMITED TO MAILBOX.
- R. GAZABO, CABANA.
- S. ROAD RIGHT OF WAY AND UTILITY EASEMENT ZONE.

# DIAGRAM "W-1"



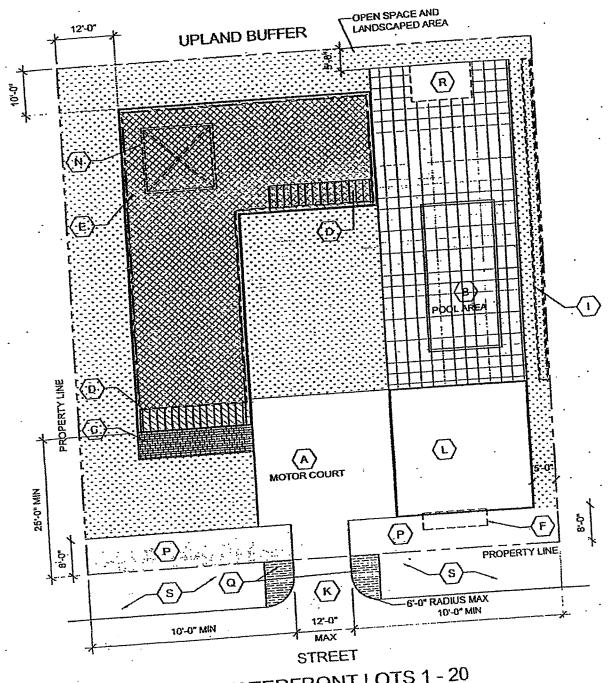
WATERFRONT LOTS 1 - 20 BUILDING LOCATION DIAGRAM W-1

# DIAGRAM "W-2"



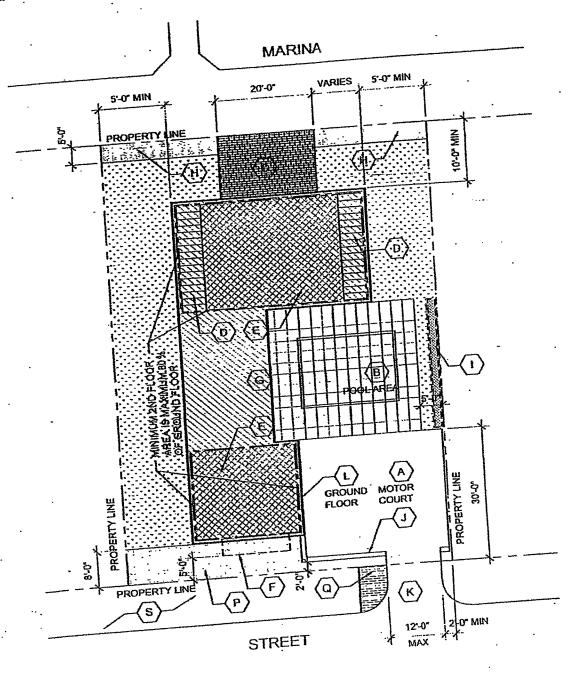
WATERFRONT LOTS 1 - 20 BUILDING LOCATION DIAGRAM W-2

# DIAGRAM "W-3"



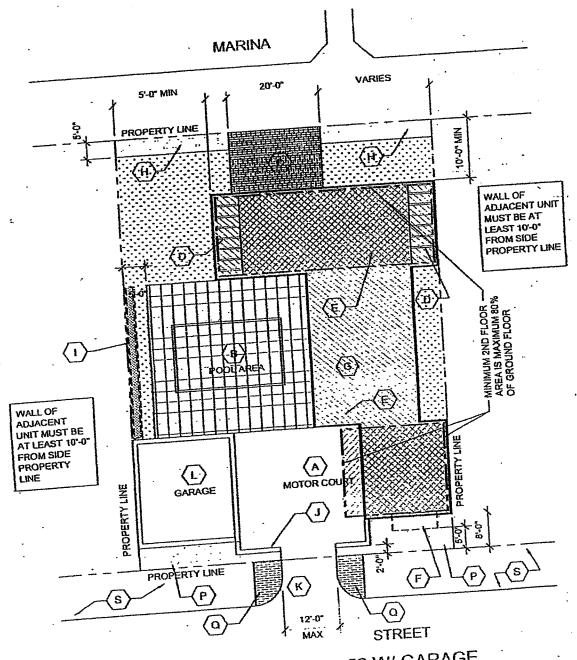
WATERFRONT LOTS 1 - 20 BUILDING LOCATION DIAGRAM W-3

# DIAGRAM "M-1"



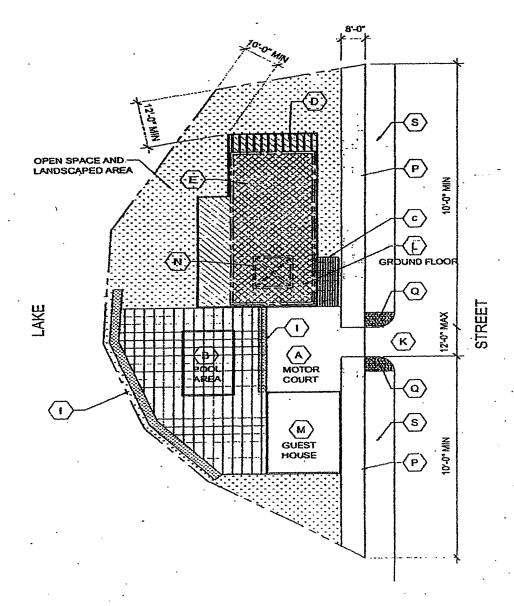
MARINA LOTS 21 - 28 BUILDING LOCATION DIAGRAM M-1

# DIAGRAM "M-3"



MARINA LOTS 21 - 28 W/ GARAGE BUILDING LOCATION DIAGRAM M-3

# DIAGRAM "L-1"



LAKEFRONT LOTS 29-32 BUILDING LOCATION DIAGRAM L-1

#### **2E.** REQUIRED WALLS

Interior site walls between Lots are intended to provide privacy and architectural consistency. It is desirable that interior screening walls between pools and side property lines, side yards and adjacent properties be created with combinations of evergreen and flowering hedges or similar multi-tiered arrangements of planting materials.

Wall locations are set forth on the Building Location Diagrams (See Exhibit 2.)

### 2F. BUILDING LIMITATIONS

All Marsh Island residences shall have minimum square footages, number of stories and building coverage as listed below. These requirements may be revised on a case by case basis where overall design quality would be compromised by their strict application.

CHART 2 – BUILDING LIMITATIONS								
LOT DESCRIPTION	MINIMUM REQUIRED SQAURE FOOTAGE	NUMBER OF STORIES	MAXIMUM BUILDING COVERAGE					
LOTS 1-20 WATERFRONT	4,500 SF	Two*	As approved by ARC					
LOTS 21-28 MARINA	3,000 SF 2,000 SF - 1 <sup>st</sup> Floor	Two*	50 Percent					
LOTS 29-32 LAKEFRONT	3,500 SF	Two Maximum*	As approved by ARC					

Rooftop ancillary structure is not included as a story. This feature should be located as described in section 3L - Rooftop Ancillary Structures.