

PARADISE GROVE

DESIGN CODE

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1. BUILDINGS

1.1 Structures. Only the following structures may be constructed on a Lot: (a) the main residence, (b) a single one-story outbuilding no greater than 120 square feet, for storage (c) arbors, trellises, and pergolas. Said structures must consist of well-proportioned structures and architectural elements. The architectural nature of all structures shall be Florida Cottage. The outbuilding must maintain consistency with the architectural elements with the main residence.

1.2 Setbacks. Buildings setbacks are shown on the Plat. Cantilevered decks and roof overhangs which are at least eight (8) feet above ground level may extend a maximum of twenty-four (24) inches into the setback. Also permitted within the setbacks are steps, covered stoops, air conditioning equipment including compressors, garden walls, garden structures, fences and freestanding arbors, trellises, pergolas and bay and box windows up to 24" and the afore referenced outbuilding. The setbacks shown are minimum setbacks subject to final approval from Bay County. On-site parking and preservation may be required in addition to the setbacks shown. All corner lots with opposite side walls which face a road shall be detailed with aesthetics as a main corner and shall have ample windows, shutters, potential porches, etc.

1.3 Levels. The main residence shall not exceed three (3) levels.

1.4 Heights. Roof peaks shall not exceed fifty (50) feet above existing grade. Chimneys, roof finials, spires and other approved projections beyond the roof shall not extend more than fifty (50) feet above grade.

1.5 Form. Basic box, rectangular forms without significant architectural details resulting in visually stagnant building masses aligned along the street are not acceptable. Design features such as offset wall planes, multiple levels, varied story heights, multiple roof projections, varied roof heights, dormers, multiple porches and balconies should be incorporated into the design of each house.

1.6 Articulation. The detailing of architectural elements and articulation of surface color, texture and pattern are important aspects of the vibrant, well-proportioned architecture envisioned for Paradise Grove. Elements such as water tables at the foundation line, cornice detailing at the roofline, exterior molding, window boxes and imaginative railing patterns are encouraged.

1.7 First Floor Elevation. The first floor elevation for main residences shall be a minimum of eighteen (18) inches and a maximum of thirty-six (36) inches above the average grade at the front of the structure. Pile supported raised wood floors with crawl spaces are required. Crawl space skirting design such as horizontal 2x boards, with a minimum 2-inch slat, must extend to existing grade unless the DRB approves an alternative crawl space skirting design. With authorization from the DRB, certain utilitarian functions such as storage areas, elevators, mechanical areas, laundry rooms and washrooms may be exempt from the minimum first floor elevation requirement.

1.8 Roofs. Roofing materials must be approved by the DRB at its sole discretion. Tin, Galvalume or like materials are required. Asphalt shingles, fiberglass shingles and composition shingles are prohibited. Principal roof pitches shall be a minimum of 5 in 12 and a maximum of 10 in 12. Ancillary roofs shall have a pitch no less than 3 in 12. Flat roofs are permitted subject to DRB approval of railings, parapet walls and other details. Alternative roof pitches may be approved by the DRB at its sole discretion based upon architectural merit.

1.9 Exterior Wall Materials. Permissible exterior building materials include horizontal or vertical board and batten wood siding and Hardi plank/fiber-cement board. Shingles made of wood or Hardi plant/fiber-cement may be used as accent materials. All exterior trim must be in 2X wood boards. Alternative exterior wall materials may be approved by the DRB at its sole discretion based upon architectural merit. Exterior wall materials and detailing must be installed onsite and approved by the DRB at its sole discretion.

1.10 Porches. Unless a variance is specifically approved by the DRB at its sole discretion based upon architectural merit, front porches and/or side porches are required on the first floor of all houses. Front porches shall be a minimum of six (6) feet deep and ten (10) feet wide and side porches shall be a minimum

of six (6) feet deep and ten (10) feet wide. Screened porches are allowed and should match the materials and style of the house. Screening material must be fiberglass construction and charcoal in color. Screened porches must have railings and must be shown in the drawings submitted to the DRB. Frame members for screened porches shall be designed as integral elements of the style of the house. Aluminum or vinyl screen posts are prohibited. Aluminum or vinyl screen channels along wood framing are allowed. Framing members above porches for roof or porch above must be painted.

1.11 Garages. Garages are not allowed unless specifically approved by the DRB and then shall only be approved due to architectural merit, however arbors, trellises, and pergolas forming a passageway of columns supporting a roof of trelliswork on which climbing plants are trained to grow are highly recommended and may be required by the DRB at the DRB discretion. Any garages which may be approved by the DRB shall require high quality garage doors which shall appear to be of wood construction and shall be accented by high quality light fixtures, architectural accents and additional design features so as to enhance the overall structure. Additionally, certain attached or detached carports as represented in pictures provided by the developer shall be allowed if specifically approved by the DRB.

1.12 Windows. Unless specifically approved by the DRB, only wood windows, vinyl-clad wood windows, aluminum-clad wood windows and high-quality aluminum windows that are setback from the face of the wall or trimmed out in 2X wood boards are allowed. Windows must have vertical proportions. Transoms are allowed to meet the proportional requirement. Window tops shall align with exterior door tops or the tops of transom windows above exterior doors. Small windows (2 feet x 2 feet, or less) may be square. Divided light windows must have vertically proportioned or square panes. Window muntins shall be true-divided or applied. Applied muntins shall be to both sides of glass. Mullion divided (Combination) windows are prohibited. Multiple windows shall be permitted provided they are separated by no less than 4-1/2" rough opening to rough opening. Light tint on windows is satisfactory. Dark tint or reflective tints are prohibited.

1.13 Exterior Doors. Exterior doors shall be made of wood, vinyl clad wood or molded fiberglass. All exterior doors including transom windows above the exterior doors, if any, shall be a minimum of 8 feet high. Divided lights in doors must have vertically proportioned or square panes. Doors muntins shall be true-divided or applied. Applied muntins shall be fastened to both sides of glass. Steel doors and sliding doors are prohibited.

1.14 Shutters. Shutters shall be made of painted wood or high-quality aluminum or fiberglass. Shutters shall be sized to cover window openings. All shutters must be approved by the DRB at its sole discretion.

1.15 Awnings. Awnings are prohibited.

1.16 Fascias and Soffits. Fascias and soffits shall be made of smooth wood.

1.17 Columns. The DRB at its sole discretion must approve the spacing, dimensions, materials and detailing for all columns.

1.18 Railings. Railings shall be approved based upon architectural merit and typically shall be smooth painted wood or painted metal.

1.19 Trim. Metal and vinyl trim are prohibited.

1.20 Colors. Complimentary multiple-color combinations are encouraged. Submitted colors are subject to the approval of the DRB at its sole discretion.

1.21 Aesthetic Standards. Structures and other improvements placed on the Lots shall meet the following aesthetic standards as determined by the DRB at its sole discretion:

- (a) contribute to an attractive, cohesive streetscape, yet strive to blend with the native environment;
- (b) avoid negative impacts on neighboring properties;
- (c) present attractive building facades; and
- (d) consist of well proportioned structures and architectural elements;
- (e) maintain consistency with the main residence; and
- (f) avoid substantially duplicating previously approved structures.

1.22 Environmental Design. Conservation and environmental design measures including materials and techniques related to the following topics are strongly encouraged: sun shading, insulation, natural ventilation, indoor/outdoor rooms, recycling, low-flow plumbing fixtures, greywater systems, cisterns, energy efficient appliances, indoor air quality and recycled materials.

2. HOMESITES

2.1 Subdivision. Lots may not be subdivided or separated into smaller Lots, nor shall any portion of a Lot be conveyed separately. Lots may not be combined unless approved by the DRB at its sole discretion.

2.2 Parking. A minimum of two and a maximum of four on-site parking spaces shall be provided for each primary residence. Stacked and/or tandem parking for cars is acceptable. The parking area shall be along the side of the home unless otherwise specifically approved by the DRB at its sole discretion. If the parking area is approved for the front of the home by the DRB, then a minimum of two (2) foot landscape area shall be provided between the driveway/parking area and the house. No parking is permitted on or along the road right-of-way. Arbors, trellises, and pergolas forming a passageway of columns supporting a roof of trelliswork on which climbing plants are trained to grow are highly recommended for all parking areas.

2.3 Driveways. Driveways which shall also serve as parking areas shall be a minimum of nine (9) feet wide, shall be constructed of material acceptable to the DRB and shall be situated at least three (3) feet from the side lot line. The portion of the driveway within the right-of-way shall not exceed twelve (12) feet in width except for 5-foot turning radii at the street. The driveway/parking area shall be along the side of the home unless otherwise specifically approved by the DRB at its sole discretion. If the driveway/parking area is approved for the front of the home by the DRB, then a minimum of two (2) foot landscape area shall be provided between the driveway/parking area and the house. Driveways materials shall be crushed limestone fines, pebbles, interlocking brick or stone pavers or high quality stamped concrete. The portion of the driveway in the common area and road right-of-way must be constructed of similar material as that of the driveway and in a manner providing for stability so as to allow the stormwater retention areas to freely flow and operate in the manner for which they are engineered, as well as creating an attractive, cohesive driveway and streetscape.

2.4 Stormwater Retention. Stormwater retention areas shall be provided for each lot as shown within the Paradise Grove Stormwater Management Plan. At its sole discretion, the DRB may approve alternative drainage plans and may require additional fees for a civil engineer to review the proposed drainage plan and possibly modify the Paradise Grove Stormwater Management Plan.

2.5 Antennae and Satellite Dishes. All antennae and satellite dishes must be approved by the DRB. Satellite dishes shall be less than 24" in diameter and shall be positioned to minimize the visual impact to nearby properties.

2.6 Solar Panels. Solar energy panels must be approved by the DRB. The panels shall not face any street and shall be positioned to minimize the visual impact to nearby properties.

2.7 Exterior Lighting. Exterior lighting shall not be intrusive to adjacent properties or common areas. Landscape accent lighting shall use low voltage, direct task fixtures and shall be located as close to grade as practical. All wiring must be placed underground. All exterior lighting must be approved by the Design Review Board. Exterior Lighting shall be subject to the following restrictions:

2.7.1 All proposed fixtures, within a lot, shall be appropriately shielded, louvered and/or recessed.

2.7.2 Fixtures, other than streetlights, shall be low-mounted through the use of bollards, ground level fixtures, or low wall mounts.

2.7.3 High intensity lighting, if any, shall be limited to roadway streetlights. The number of high intensity lamps shall be kept to a minimum.

2.7.4 Only low intensity lighting shall be utilized in parking areas and on any exterior lighting located on houses constructed on the Lots.

2.8 Mechanical and Electrical Equipment. Exterior mechanical equipment such as air conditioner condensing units shall be placed in side or rear yards completely screened from view from any street or adjoining property. Equipment shall be no closer than 1 foot from a property line and shall be properly ventilated. Electrical meters and equipment shall be located in side yard and shall not be visible from any street.

2.9 Fences. All fences require DRB approval and privacy fences between lots are not allowed unless a variance is obtained from the DRB. Each lot when completing the constructing period shall build a low-lying fence across the front of the lot that shall be standardized in design and construction. Said design and construction and placement shall be as directed by the Developer and over saw by the DRB. While the standardized front fence shall be constructed in front of the lot it shall be placed in the road right-of-way between the edge of the lot and the edge of the pavement as directed by the Developer and shall become part of the common elements of the subdivision. The DRB may adopt more detailed policies regarding fence design.

2.10 House Numbers. House numbers may be placed on the residence near the main entry door or other locations stipulated by the DRB. These numbers shall be aesthetically pleasing and shall not be the "peel and stick" types. The maximum height for numbers is for (4) inches.

2.11 Signs. Signs (permanent or fixed) are not allowed on any property except for 1 sign during the construction period to list the Contractor, Architect, Subcontractor, lender, offered for sale, etc. For details on the allowed signs, please refer to the Developer or Paradise Grove Sign Regulations.

2.12 Garbage Containers. Garbage containers shall be kept in a side yard completely screened and secured from any street or public area, shall be ventilated properly and shall not impact negatively any neighbor. Trash receptacles shall be scavenger-resistant and shall be utilized shall be located no closer than 1 foot from any property line.

2.13 Mail Boxes. Mailboxes will be provided at common postal locations. Owners may not erect a mailbox on a Lot.

2.14 Utilities. All utilities shall be placed below grade and concealed from view.

3. LANDSCAPE

All landscaping and landscape maintenance within Paradise Grove including individual Lots shall conform to the provisions of the Paradise Grove Landscape Plan, which may be amended periodically by the DRB. The intent is to preserve as much of the native vegetation as possible and supplement said vegetation with plant species consistent with that installed and cultivated by the Developer.

4. APPROVALS

4.1 Approval Administration

All approval-related materials including design review applications shall be submitted to an email address or web site specified by the DRB in a digital format acceptable to the DRB. In addition, unless otherwise agreed upon by DRB, all approval-related materials including design review applications shall be submitted to an address specified by the DRB.

4.2 Approved Architects and Designers

Design submittals required under this Design Code must be prepared by an approved architect or approved designer. In order to become an approved architect or approved designer, the person or company seeking approval must submit a portfolio. Please contact the developer or association manager for details of the portfolio submission. Site specific approvals as well as approvals pending submission of portfolio may be given at the sole discretion of the DRB.

4.3 Compliance

The Design Review Board (DRB) will make decisions regarding approvals and denials based upon compliance with this Design Code. The DRB members will endeavor to make fair and just decisions on all projects, but will have the authority to deny plans based on their opinions as they relate to the interpretation of the Design Code the developer shall provide clarification of the intent of any section herein. Approval of a project does not constitute that the Board warrants construction means, methods or quality, nor the conformance to zoning, building or other regulatory codes affecting building construction in Bay County and the State of Florida.

Applications shall be reviewed for compliance with the Paradise Grove Design Code version, which is current as of the application submittal date. Final design approvals shall expire 12 months from the date of the approved project design. If construction has not commenced within one year of the approval date, the lot owner must resubmit for design approval. Resubmission applications for expired approvals must conform to the Paradise Grove Design Code version, which is current as of the resubmission date.

4.4 Variances

Variances to this Design Code may be granted at the DRB's or Developer's sole discretion for architectural merit, existing site conditions or demonstrated hardship.

4.5 Design Review Fees

The DRB will conduct 1 full project review, which includes up to 3 design review meetings per project for the review fee of \$650.00. For each additional meeting, the Owner shall submit an additional \$250.00. The review fee must be submitted with the conceptual design review package.

4.6 Changes to Approved Plans

A Change Form and drawings depicting the changes must be submitted by Owner and approved by the DRB for any exterior or site changes that are to be made to an approved plan during the construction process, no matter what the reason for changes.

4.7 Conceptual Review Process

The applicant shall submit with the Conceptual Design package a Conceptual Design Review Application, including an initial signed statement that the Owner and its architect or designer fully understand the Design Code, and that the submittal package meets those requirements. If the submitter knows of any exceptions or non-compliance items, they must fill out and submit a Conceptual Design Variance Form with the package.

The Conceptual Design Review package shall include a \$650.00 review fee and 4 complete sets of the following:

- (a) Conceptual Design Review Application Form
- (b) Certified topographic and boundary survey showing existing grades at one foot contours and existing vegetation with all trees species 4 inches or greater in caliper measured 12 inches above grade.
- (c) Site Plan at a minimum 1/16" scale to a maximum of 1/8" scale. The following must be on the site plan:
 - Scale and north arrow
 - Building/outbuilding/structures footprint and placement
 - Required setbacks
 - Improvements within the road right-of-way adjoining the lot
 - Driveways, parking areas, walks, garden walls and fencing
 - Porches, patios, pools and/or spas etc.

- Storm water retention areas
 - Conceptual massing of existing and proposed landscape
- (d) Floor Plans at 1/8" scale or 1/4" scale
- (e) All elevations (same scale as floor plan) showing:
- Porches and balconies
 - Doors, windows, other openings
 - Heights of each floor and overall height of main and highest roof
 - Roof pitches indicated
- (f) Conceptual Design Variance Request Form (if any)

The DRB shall have up to 3 weeks for Conceptual Design Review. The DRB will either issue an approval, an approval with comments, or a denial for the application. The DRB shall provide approvals or denials (with comments) on a Conceptual Design Compliance Form. For approved projects, the form shall bear a DRB authorized signature. A formal appeal of a decision must be submitted in writing to the DRB.

4.8 Final Review Process

Within 6 months of Conceptual Design approval, the Owner shall submit Final Design documents. The applicant shall submit with the Final Design package a copy, with approval signature(s), of the Conceptual Design Compliance Form, and a Final Design Review Application. A second signed statement that the Owner and its architect or designer complied with the Design Code, and that the submittal meets those requirements shall also be included in the package. If the submitter knows of any exceptions or non-compliance items, they must fill out and submit a Final Design Variance Form with the package. If the Final Design is not submitted within 6 months after Conceptual Design approval, the applicant must go through the Conceptual Review Process again under the then current Design Code provisions.

The Final Design Review package shall include 4 complete sets of the following:

- (a) Final Design Review Application Form showing DRB's approval
- (b) Final Design Variance Request Form (if any)
- (c) Site plan at a minimum 1/16" scale to a maximum of 1/8" scale. The following must be on the site plan:
- Scale and north arrow
 - Building / outbuilding / structures footprint and placement
 - Required setbacks
 - Actual setbacks
 - Storm water retention areas
 - Driveways, parking areas, walks, garden walls and fencing
 - Porches, patios, decks, etc.
 - Spas
 - Mechanical and garbage screening
 - Dimensions to all structures
 - Finish floor elevations
 - Roof overhangs
 - Habitat Preservation Area
- (d) Floor plans at 1/8" scale or 1/4" scale for all structures (dimensional and labeled)
- (e) Roof plan for all structures (same scale as floor plan)
- (f) All elevations showing:

- Porches and balconies
 - Doors, windows, other openings
 - All exterior materials
 - Heights of each floor and overall height of main and highest roof
 - Roof pitches indicated
 - Color samples of all exterior colors and their location shown on the exterior elevations
- (g) Construction details including wall sections
- (h) Details as required showing design intent on specialty features
- (i) Landscape plan indicating:
- Existing trees and understory vegetation to remain
 - Proposed new trees and understory vegetation
 - Plant identification by botanical and common name, size and quantity
 - Notes for implementation, soil amendments, finishes and industry plant grades
 - Notes for irrigation methods, water source and coverage
- (j) Calculations per review applications

The DRB shall have up to 3 weeks for the Final Design Review. The DRB shall provide approvals or denials (with comments) on a Final Design Compliance Form. For approved projects, the form shall bear a DRB authorized signature. If necessary, a third review meeting shall be conducted upon submittal of a Revised Final Design package. This review meeting shall only be conducted if revisions are required to the Final Design submittal. A formal appeal of a decision must be submitted in writing to the DRB.

5. CONSTRUCTION

5.1 Approved Construction Contractors. Only construction contractors who are currently approved by the Design Review Board or Developer shall be allowed to build within Paradise Grove. Contractors seeking approval must complete a Contractor Application, provide a portfolio, agree to the Construction Rules and Regulations and post all required contractor deposits. System built components are not allowed unless specifically approved by the DRB at its sole discretion. Contractors using system built components must provide the DRB with specifications of all components, detailed information regarding the manufacturer and a portfolio regarding the same.

5.2 Owner/Contractor Responsibilities. The owner and contractor shall be responsible for complying with all of the rules and regulations of Paradise Grove. A copy of these rules and regulations will be provided to the owner along with the review application form. The design review board shall have the right to change these rules and regulations from time to time at the DRB's discretion. The contractor will be required to sign a construction agreement which specifies construction period rules and may be required to post a deposit as required therein before commencing work. Contractors who violate the construction agreement may forfeit the deposit and may be prohibited from working within Paradise Grove.

5.3 Construction Commencement. The owner may commence construction upon receipt of a building permit from the County, provided that the DRB has granted formal written approval to commence construction. The owner must submit a construction commencement date and a construction completion date to the DRB. Requirements for this scheduling may be obtained from the DRB. Construction commencement must begin on or before 36 months from the date of transfer of a Lot from the Developer to an unrelated third party Owner. Said construction must be completed no later than 12 months from the said commencement. Lot(s) retained by the Developer or the Developer's Members shall not have a construction commencement requirement until said Lot(s) have been transferred as proscribed above.

5.4 Inspections. The owner shall provide the DRB with a foundation survey upon completion of the foundation. The DRB shall have the right to make periodic inspections of the property during the construction phase and shall have broad discretionary powers regarding the correction of any non-complying

construction. The contractor shall notify the DRB when the project is complete including all landscaping. The DRB shall inspect the project for final approval and upon approval will issue a certificate of final approval to the property owner.

5.5 Occupancy. All work must be completed and a certificate of occupancy obtained from Bay County prior to any occupancy of the residence.

5.6 As-Built Documents. Upon completion of construction, the property owner shall submit to the DRB a complete set of as-built documents for all improvements to the Lots.

5.7 Regulatory Approvals. Each lot owner bears the responsibility to conform with all federal, state, county and local codes, ordinances and regulations relating to the use and improvement of Lots and associated structures.

5.8 Vegetation Preservation

The contractor shall erect and maintain screening acceptable to the DRB to protect the existing vegetation. No vegetation shall be removed unless required as part of the approved construction and depicted on the site plan. The DRB at its sole discretion may penalize any Owner on whose Lot the existing vegetation is disturbed in violation of approved plans. The penalties may include significant fines and extensive landscape restoration expenses. The DRB at its sole discretion may prohibit a Contractor who fails to protect the existing vegetation from building in Paradise Grove.

6. DRB ILLUSTRATIONS

The DRB shall have multiple floor plans and illustrations so as to aid Owners in complying with the intent and provisions of this Design Code. Where possible it is required of the Owner to incorporate variations of said floor plans and illustrations into their application and construction.

IN WITNESS WHEREOF the Developer/Declarant, J.H. Ventures, LLC, a Florida limited liability company, has caused this Design Code to be executed by its Manager this ____ day of _____, 2005.

Signed, sealed and delivered
In the presence of:

(Type/print Name of Witness)

J.H. Ventures, LLC, a Florida limited liability company

By: _____
Name: Franklin H. Watson
Its: Manager

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