ARCHITECTURAL REVIEW BOARD
GUIDELINES

QUEEN'S HARBOUR
YACHT AND COUNTRY CLUB

2018☆ EDITION

AUGUST 2018

DISCLAIMER: GENERAL CONTRACTORS/OWNERS ARE RESPONSIBLE FOR COMPLYING WITH ALL PERMITS, EASEMENTS AND GOVERNMENTAL BUILDING CODES. ANY APPROVAL BY THE ARCHITECTURAL REVIEW BOARD GOVERNS ONLY AESTHETIC CONSIDERATIONS AND DOES NOT CONSTITUTE A VARIANCE OR RELEASE FROM ANY ESTABLISHED SETBACKS, RESTRICTIONS OR CRITERIA, UNLESS SPECIFICALLY STATED.

ARB Guidelines Effective: August 13, 2018
# ARCHITECTURAL REVIEW BOARD (ARB) GUIDELINES

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X. INDEX
I. INTRODUCTION

A. Foreword

Welcome to Queen’s Harbour Yacht & Country Club, Inc. (“Queen’s Harbour”). The following guidelines describe the standards and processes by which the architectural and environmental beauty of Queen’s Harbour are preserved.

The Architectural Review Board (ARB) is established by the Declaration of Covenants, Conditions, Restrictions and Easements (CCREs) which sets forth community rules for owning and improving property within Queen’s Harbour. The ARB, composed of residents and professional members appointed by the Board of Directors (BOD), is charged with performing the architectural, landscaping, engineering review, and control functions. These functions are summarized in the following excerpt from the CCREs:

“To approve or disapprove any Proposed Improvement… [in Queen’s Harbour].” (5.2) (b) (iii).

These Guidelines cover “proposed improvements” of two broad types: (1) construction of new houses and (2) modifications to existing property.

In its work, the ARB seeks to balance the interests of homeowner and community toward the end of enhancing the value of property for all residents.

Residents and their contractors are invited to attend ARB meetings, which are held on the second and fourth Wednesdays of each month at 4:00 p.m. at the Queen’s Harbour Property Owners Association (POA) office. Questions about agenda submission procedures, deadlines, and these Guidelines, should be addressed to the ARB Coordinator by calling (904) 221-8859.

This 2018 Edition supersedes all previous ARB Guidelines.
B. **Certificate of Adoption**

In accordance with Section 5.2 (b) (i) of the “Declaration of Covenants, Conditions, Restrictions and Easements” this certifies that the Board of Directors has established the Architectural Planning Criteria contained in Section III of this document and that the Board of Directors of the Owners Association has adopted these criteria and the other provisions of these Guidelines as of the date below.

Section III of these guidelines may be considered a complete replacement of “Exhibit C,” Architectural Planning Criteria, of the “Declaration of Covenants, Conditions, Restrictions and Easements.”

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*August 13, 2018*

**Date**

Gary Stewart, President  
Queen’s Harbour Yacht & Country Club  
Property Owners Association, Inc.
C. Definitions

ARB: Queen’s Harbour Architectural Review Board

BOD: The Queen’s Harbour Yacht & Country Club Owners Association, Inc. Board of Directors or Board of Directors

BRL: Building Restriction Line. (The BRL is the same as the setbacks from the property lines as defined in Queen’s Harbour Architectural Guidelines)

COJ: City of Jacksonville at website www.coj.net

DECLARATION or CCREs: Queen’s Harbour Yacht & Country Club Declaration of Covenants, Conditions, Restrictions and Easements

FAHC: Fines and Appeals Hearing Committee

FFL: Florida-friendly Landscaping™

FLEPPC: Florida Exotic Pest Plant Council

GUIDELINES: Architectural Review Board (ARB) Guidelines

JEA: Jacksonville Electric Authority

PI: Providence Island

POA: Queen’s Harbour Yacht & Country Club Owners Association, Inc. (sometimes referred to as the Property Owners Association or Owners Association)

QUEEN’S HARBOUR: Queen’s Harbour Yacht & Country Club

SJRWMD: St. Johns River Water Management District
II. ARCHITECTURAL REVIEW BOARD’S ROLE AND POLICIES

A. ARB Policies and Duties

1. **Preamble:** It is the intent of the Board of Directors (BOD) and the Architectural Review Board (ARB) to preserve and enhance the unique natural environment of Queen’s Harbour Yacht & Country Club (Queen’s Harbour). As is typical of the southeastern coastal areas, the land is basically heavily wooded but relatively flat with gentle slopes and minimal change in elevations to the edge of the tidal marshes and lakes. Experience has shown that careful attention during the initial design and construction stages will help to ensure that the finished project will be compatible with the site. The ARB recommends, therefore, that lot owners and their architects or architectural designers and contractors inspect their lot and discuss design philosophy with the ARB Coordinator prior to initiation of design and construction.

The ARB is not a home or landscaping design resource. The homeowner and builder, working in conjunction with qualified design firms or individuals and the ARB Guidelines, can arrive at a proposed plan for the ARB to consider.

2. **Necessity of Architectural Review and Approval:** No landscaping, removal and/or replacement of existing trees, hardscape, fence, for sale signs, wall, play structures, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, drainage, drainage swales, disposal system, decorative building or structure, landscape device or object (yard ornamentation, statues, etc.) or other improvements shall be commenced, erected, placed or maintained upon any residential parcel unless and until the plans, specifications and location of same shall be approved by the ARB. No real estate improvement or structure of any kind, including without limitation, any building, addition, other structure, change or alteration (including repainting of the exterior to a different color) is to be made, unless and until the plans, specifications and location of the same shall be approved by the ARB as to harmony of the external design and location in relation to surrounding structures and topography and as to conformance with the architectural planning criteria of the ARB. It shall be the responsibility of each property owner to supply preliminary and complete plan specifications to the ARB.

3. **Written ARB Approval Required:** No plan or specification shall be deemed approved unless a written approval is granted by the ARB to the property owner submitting it. Any change or modification to already approved plans shall not be deemed approved unless a written approval is granted by the ARB to the property owner submitting it.

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4. **Architectural Review Board**: Architectural review and control functions of Queen’s Harbour shall be administered and performed by the ARB, which shall consist of a minimum of five (5) members.

The BOD shall appoint at least one Architect or building contractor as a member of the ARB. A majority of the ARB members present at a scheduled meeting shall constitute a quorum to transact business. Any vacancy occurring on the ARB because of death, resignation or other termination of service of any member thereof shall be filled by the Board of Directors of the Owners Association with advice from the ARB. The Chairperson of the ARB shall be a member of the Board of Directors.

5. **Powers and Duties of the ARB**: The ARB shall have the following powers and duties:

a. To recommend, from time to time, to the Board of Directors of the Owners Association modifications and/or amendments to the architectural planning criteria. Any modification or amendment to the architectural planning criteria shall be generally consistent with the provisions of the Declaration and shall not be effective until adopted by a majority of the members of the Board of Directors of the Owners Association at a meeting duly called and noticed at which a quorum is present and voting.

b. To require submission to the ARB of three (3) sets of all final plans and specifications for any improvement or structure of any kind including, without limitation, any building, hardscape, fence, real estate signs, for sale signs, wall, play structure, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, drainage, drainage swales, decorative building or structure, landscape device or object, or other improvement, the construction or placement of which is proposed upon any residential parcel in the subdivision, signed by the owner thereof and contract vendor, if any. The ARB shall also require such additional information as reasonably may be necessary for the ARB to completely evaluate the proposed structure or improvement in accordance with the Declaration and the architectural planning criteria.

c. To approve or disapprove any improvement or structure of any kind, including without limitation, any building, hardscape, fence, real estate signs, for sale signs, wall, play structure, swimming pool, screen enclosure, patio, pergola, gazebo, sewer, overall drainage including location of drainage swales, disposal system, decorative building or structure, landscape device or object or other improvement, the construction or placement of which is proposed upon any residential or communal/POA parcel in the subdivision, and to approve or disapprove any exterior additions, changes, modifications or alterations therein or thereon including any landscape changes or tree removals.
The ARB will be evaluating each new construction, home addition, landscaping plan, and other applications for total effect, including the manner in which the home site and/or exterior modifications are developed. This evaluation relates to matters of judgment, which cannot be reduced to a simple list of measurable criteria.

It is possible, therefore, that an application might meet the individual criteria contained herein and still not receive approval if, in the sole judgment of the ARB, its overall architectural and/or aesthetic impact is unacceptable. The approval of an application for one plan shall not be construed as creating any obligation on the part of the ARB to approve applications involving similar designs pertaining to different plans.

d. To grant variances from compliance with the Architectural Planning Criteria, provided that no variances shall be granted which violate or are inconsistent with the Permits referenced in the Declaration.

e. To approve or disapprove any and all contractors, architects, designers, and/or subcontractors who will perform any work on a residential parcel. Building contractors must be licensed and insured to perform work in Duval County.

f. To adopt a schedule of reasonable fees for processing requests for ARB approval of proposed improvements. Current fees are set forth in APPENDIX B. Such fees shall be payable to Queen’s Harbour at the time that plans and specifications are submitted to the ARB.

g. To assure all approved projects are regularly maintained in good condition and present a neat and clean appearance.

h. To enter upon and inspect a lot and/or exterior dwelling unit for which an application has been submitted for review. Following the approval of any proposed improvement, the ARB has the right to enter upon and inspect any proposed improvement during reasonable hours. If the ARB determines that the proposed improvement(s) being constructed has not been approved or is not being constructed in compliance with the approved plans and specifications, the ARB is entitled to enjoin further construction and to require the removal or correction of any work in place which is not in compliance with the approved plans and specifications.

6. No liability: In connection with all reviews, acceptances, inspections, permissions, consents or required approvals by or from the BOD of the Owners Association or the ARB, contemplated under these guidelines, neither the BOD, the ARB, nor the Owners Association shall be liable to an owner or to any other person on account of any claim, liability, damage or expense suffered or incurred by or threatened against any owner or such other person and arising out of in any
way related to the subject matter of any such reviews, acceptance, inspections, permissions, consents or required approvals, whether given, granted or withheld by the Owners Association, the BOD or the ARB.

Approval of any plans by the ARB does not in any way warrant that the improvements are structurally sound or in compliance with applicable codes, nor does it eliminate the need for approval from Duval County, the City of Jacksonville (COJ) and other governmental jurisdictional agencies.

7. **Appeal of ARB Review**: Any party aggrieved by a decision of the ARB shall have the right to make a written request to the Board of Directors within thirty (30) days of a decision of disapproval, for review thereof. The determination of the Board of Directors upon reviewing any such decision shall be final. Should the Board of Directors hold a hearing with the aggrieved party, a member of the ARB shall be present to explain the ARB’s decision.

B. **Enforcement**

The provisions of these guidelines will be enforced generally as follows:

1. **Stop Work Orders**: If, in the judgment of the ARB, there is a serious violation of construction regulations, these Guidelines, including the architectural planning criteria or conditions of ARB approval occur, or if field modifications are made not in accordance with ARB approved Architectural or Landscaping Plans, the ARB Chairperson or Vice-Chairperson may order work on the site to stop after advising either the Board of Directors President, Vice-President or Treasurer. The owners or builders shall promptly cease work upon receipt of the ARB’s written order. The ARB may require the removal or alteration of any unapproved work and the Owner may be subject to a fine.

2. **Violations of Architectural Planning Criteria or the Conditions of ARB Approval**: Violations of these Guidelines, including, the Architectural Planning Criteria or approvals from the ARB by Owners or Builders of either new houses or miscellaneous improvements will be dealt with as follows: (a) optional stop work order and/or (b) a letter from the POA pointing out the violation. If no satisfactory response or remedy is forthcoming within 10 calendar days, (c) a letter from the POA stating that this matter is being referred to the Board of Directors for enforcement action in accordance with Florida Statute, Section 720, specifying any fine, assessment and/or other actions recommended by either the Board or ARB (if applicable).

Except as made inapplicable by the provisions of Article V of the CCRE’s, the provisions of the ARB Guidelines are applicable to the Queen’s Harbour Yacht and Country Club.

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Any Owner, who violates the Architectural Planning Criteria or ARB Guidelines and/or approvals, will receive a notification from the POA’s Property Manager on behalf of the Board of Directors (BOD). If the Owner chooses to appeal the BOD action, they may appeal to the Fines and Appeals Hearing Committee (FAHC). The FAHC is composed of members of the Property Owners Association and is appointed by the BOD. The FAHC meets as needed, in the POA office at 4:00 p.m. on the last Thursday of each month.
III. ARCHITECTURAL PLANNING CRITERIA

A. General Principles

1. Damage to or Condemnation of the Lots or Dwelling Units: In the event of damage or destruction to any portion of a Lot or Dwelling Unit due to casualty, natural events, condemnation or conveyance in lieu thereof, the damaged Property shall be repaired or restored by the Owner. In the event that the damage, destruction or condemnation renders the improvements uninhabitable or the damage is so substantial that the Owner determines not to rebuild the improvements on the Lot or Dwelling Unit, the Owner shall clear the debris and have the Lot leveled within 60 days from the date of destruction and shall thereafter maintain the Lot in a clean and sanitary condition. The Owner shall submit the applicable fees and forms to the ARB for review and approval prior to beginning demolition work (see Section VIII, APPENDIX B, Schedule of Fees and Section IX House Demolition Application).

2. Building Type: No dwelling unit shall be erected, altered, placed or permitted to remain on any lot in Queen’s Harbour other than one detached single-family residence except as permitted in Unit 30 (Providence Island). The square footage requirements for homes in each Unit of Queen’s Harbour are set forth in APPENDIX A, Queen’s Harbour Setbacks and Minimum Square Footage Requirements. Such square footage floor area is exclusive of open or screen porches, patios, terraces, garages, etc.

Each dwelling unit shall have a private or enclosed garage for not less than 2 or more than 4 cars unless otherwise approved by the ARB. No tool or other type of shed, storage room, pet structure, or tiki hut may be constructed separate and apart from the dwelling unit. Oversized garages for the storage of commercial or recreational vehicles will not be permitted unless approved by the ARB.

3. Lot Setbacks: Setback restrictions shall be as set forth on the plat or in any supplemental restrictions made pursuant to the terms hereof. A dwelling unit may be located upon a single platted lot or a combination of platted lots, and in such event the side setback lines shall apply to the outermost lot side restriction lines. The ARB shall have the right to impose additional setback requirements for all lot lines if deemed appropriate.

The main dwelling unit and all permanent structures shall be no closer to the property lines than the front, rear and side setbacks described in APPENDIX A unless otherwise provided. It is advisable to check with the POA concerning setbacks specific to Queen’s Harbour.

4. Reconfiguration of Lots: The new property line boundaries of a reconfigured lot shall not be used to determine setbacks unless a supplemental
declaration is recorded in the public records of Duval County and is joined by the Owners Association, as per Amendment IV, Sections 6.21 and 6.22, of Article VI of the CCREs.

5. **View:** A homeowners “right” to a view is defined by extending an imaginary line straight out from the end of the side property lines.

6. **Additional Requirements:** In addition to the provisions of these Guidelines, Unit 24 (Delfino Drive), Unit 29 (Bella Riva), and Unit 30 (Providence Island) are subject to additional rules governing their use and appearance. See APPENDIX G.

7. **Variance from Architectural Planning Criteria:** The architectural planning criteria set forth herein are intended as guidelines to which adherence shall be required by each Owner or Builder. All variances from the requirements set forth herein must be approved by the ARB by 2/3 affirmative vote of those members present. The ARB has the responsibility and authority to review requests for a variance from any requirement set forth herein. The applicant requesting a variance must demonstrate to the ARB 1) that the variance is in the best interest of and is compatible with the character of Queen’s Harbour and also 2) why it should be granted. Variance considerations may include, but are not limited to, the uniqueness of the situation, the hardship involved, environmental considerations and other alternatives. A variance shall be evidenced by a written document stating which criteria/conditions are subject to variance and specific conditions that must be met, if any. Variances are generally not allowed except in extraordinary circumstances.

8. **Applicable Statutes:** These guidelines are intended to be consistent with applicable statutes, ordinances and government regulations. If, however, there is a conflict with the applicable statutes, ordinances or government regulations, the statutes, ordinances or government regulations shall govern and the affected section of the ARB Guidelines shall be null and void. All other sections of the ARB Guidelines shall remain in effect.

B. **Specific Criteria**

1. **Architectural Elevations:** Houses with similar architectural elevations shall not be built directly adjacent or across from each other.

2. **Artificial Vegetation:** No artificial grass, plants, or other artificial vegetation shall be placed or maintained upon the exterior portion of any residential parcel.
3. **Docks:**

a. Lagoon Private Docks: Specifics for either new or modified private docks on the Queen’s Harbour Lagoon System can be found in Section V.

b. Marsh-front Lot Docks: Generally, docks and/or waterfront decks are not permitted for marsh-front lots. All questions concerning docks and/or waterfront decks for marsh-front lots should be directed to the POA Office or ARB Coordinator.

For those marsh-front lots where docks may be allowed when permitted by the Florida Department of Environmental Protection (FLDEP), the U.S. Army Corps of Engineers (ACOE) or the St. Johns River Water Management District (SJRWMD) and approved by the ARB, the following specific criteria and requirements apply:

1) Docks parallel to the Shore Line - The dimension from the mean high tide to the outer portion of the dock shall not exceed 50 feet. The width of the ramp to the T or L platform shall not exceed 4 feet. The T or L platform shall not exceed 4 feet by 8 feet.

2) Docks perpendicular to the Shore Line – The dimension from the mean high tide to the outer portion of the dock shall not exceed 50 feet.

3) The height of the dock shall not exceed 2 feet above water level at mean high tide.

4) No railings or other structures shall be constructed above, below or on the sides of the dock, *i.e.*, roofs, benches, boxes, etc., to either obstruct or disrupt the views of other homeowners located on the marsh or across the marsh.

5) The dock shall be constructed with water resistant materials to include pressure treated wood or synthetic lumber products or concrete.

6) Electrical power may be authorized based upon its use, *e.g.*, a boat lift; however, as a general rule, dock lighting is not authorized.

7) No vessels of any type shall be stored on the dock.

8) Additional requirements exist for docks in Unit 24 (The Island at Queen’s Harbour) and Unit 29 (Bella Riva). See APPENDIX G for details.

9) The construction of a dock must also comply with applicable Federal and State of Florida requirements and regulations. Proof of such
review(s) by the appropriate agency or agencies and their approval must accompany the application to the ARB before such application will be considered.

Reconfiguration of any existing dock structure will require that said dock structure be in compliance with current ARB Guidelines governing dock structures on marsh-front lots and vessels moored thereto, nullifying any “grandfather clause” in effect for the dock structure prior to reconfiguration.

Reconfiguration is defined as any change in a dock configuration designed to increase the capacity of the dock to accommodate a vessel longer than permitted to be moored at the dock in its current configuration including dock extension, widening, or installation of dock piling.

Required Forms can be found in Section IX.

4. **Drainage/Lot Grading**: It shall be the responsibility of each individual lot owner to ensure his/her lot is graded in accordance with the approved plans and permits for the Queen’s Harbour unit in which the lot is situated. Lot grading has been specified in the approved plans and permits to conform to requirements of the City of Jacksonville Public Works Department and the St. John’s River Water Management District. The owner/applicant should consult with the POA or ARB to identify specific lot grading and storm-water needs for each lot.

The builder shall ensure during the course of house construction that lot grading is in accordance with the approved plans and permits. **It is the responsibility of the homeowner to ensure that required lot grading has been provided.**

It is the responsibility of the builder/contractor to obtain existing “as-built” elevations for the segment of roadside swale impacted by the new construction and to conform the driveway, sidewalk and swale he/she builds to achieve positive drainage.

Prior to clearing and grading of any site in the East Lagoon or adjacent to any water body, the contractor shall install silt curtains/hay bales to minimize siltation/turbidity. These curtains shall remain in place until all sodding/landscaping is complete.

5. **Exterior Color Plan**: The ARB shall have final approval of all exterior color plans, and each owner or his/her representative must submit to the ARB prior to initial construction and development upon any lot a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The ARB shall consider the extent to which the color plan is consistent with the homes in the surrounding area and the extent to which the color plan blends with those homes. Homes with color schemes that are deemed the same as homes on either side or across

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the street will not be approved. Prior approval of the ARB is required if painting any element of the exterior a different color than the existing approved colors.

6. **Game and Permanent Play Structures:**

a. **Rigid Game and Play Structures:** All play structures must be located behind the dwelling inside the BRL or on the inside portion of corner residential parcels within the setback lines. No platform or structure of a similar kind or nature may be constructed or located on any part of a lot located in front of the rear line of the residence constructed thereon, and any such structure must have prior approval of the ARB.

Play structures include, but are not limited to, playscapes, trampolines, swing sets, slides and climbers. The ARB may define/include additional structures as appropriate.

Play structures must be made of wood or other similar materials that are neutral in color and must fit into the environment of the home and surrounding properties. Primary colored elements of the play structure are acceptable, including swings, slides, and roofs. Neutral colors like hunter green are preferred and recommended. Play structures must be kept in good repair and removed when no longer used. Play structures may not exceed 13 feet in height.

Approved play structures are to be screened by landscaping where feasible to mute their presence/view (including street, golf course, and lagoon views). All landscape screening must be submitted to the ARB for review and approval. Landscape screening plantings must be a minimum height of 4 feet.

The ARB will evaluate each play structure for total effect. This evaluation relates to matters of judgment, which cannot be reduced to a simple list of measurable criteria. It is possible, therefore, that a play structure might meet the individual criteria contained herein and still not receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is unacceptable. The approval of an application for one play structure must not be construed as creating any obligation on the part of the ARB to approve applications involving similar designs pertaining to different play structures.

b. **Inflatable Game and Play Structures:** No inflatable play structures are allowed for permanent installation or for continuous use. Permanent refers to location, regardless of the inflation status of the structure. Inflatable play structures are allowed for special occasions such as a birthday party, Owner’s Association sponsored events/carnivals, etc. The maximum time a temporary inflatable play structure may remain in place is three (3) continuous days up to a maximum of twelve (12) days per year. These temporary inflatable play
structures must fit on the property and be located in such a manner as to not restrict the view of motorists or to pose a danger to the users.

c. Basketball Backboards: A single basketball backboard/goal may be used on or adjacent to the driveway. The location must be on the homeowner's property. A permanently installed basketball backboard/goal must have prior approval of the ARB as to design and location. Clear backboards are recommended and preferred. Installation of spotlights on any backboard/goal to provide illumination at night is prohibited.

d. Sports Facility: Lot(s) or Dwelling Unit(s) must not be utilized for permanent sports facilities which include, but are not limited to, badminton, handball or volleyball courts, bocce courts, tennis courts and backboards or other tennis practice facilities, pickle ball courts and backboards or pickle ball practice facilities, half-pipe facilities designed for skate board, bicycle or rollerblade use, golf putting greens, horse shoe pits and/or any other type of sports facility. Construction of all such courts and/or sports facilities is strictly prohibited. Volleyball nets, badminton nets and other similar sports equipment that do not include a court, may be temporarily installed in a resident's backyard for a period not to exceed 72 hours.

7. Garbage and Trash Containers: No residential parcel shall be used or maintained as a dumping ground for rubbish, trash, or other waste. All trash, garbage and other waste shall be kept in sanitary containers, which shall be kept within a service area constructed with each dwelling in a location approved by the ARB.

8. Garages: All garages shall have a minimum width of 20 feet and minimum length of 20 feet as measured from the inside walls of the garage. All garages must have either a single overhead door with a minimum door width of 16 feet for a two-car garage, or two 16-foot doors for a four-car garage, or 2, 3 or 4 individual overhead doors, each a minimum of 8 feet in width. All overhead doors shall be electrically operated and shall be kept closed when not in use. The ARB favors side entry and courtyard garages. Garages shall be screened from the street with a minimum 3 feet high hedge and evergreen trees where deemed necessary.

9. Height Limitations: No dwelling unit or other structure shall exceed the height limitation permitted under any applicable provision of the zoning restrictions, as they may be amended from time to time.

10. Lagoon Lots

a. Erosion Control of Man-Made Lagoon Banks: Due to soil characteristics of the area, man-made lagoon banks, even when constructed at a 4 to 1 slope,
have a tendency to “creep” or silt, thus leading to erosion problems for the lot, as well as silt problems for the lagoon. For this reason, it is strongly recommended that each lagoon lot in Units 1, 2, 3, 9 and 19 install “Tri-Loc” which has proven to be an effective deterrent against erosion/siltation or another bulkhead system. Lagoon lots in Units 11 - 15 require installation of “Tri-Loc” or equal.

Bulkheads are a preferred method of controlling erosion.

b. Bulkheads and Retaining Walls/Lagoon Lots: Retaining walls at the rear of lagoon lots may be permitted by the ARB, subject to the following:

1) Bulkheads must be touching the property line as confirmed by a survey. Any difference from the surveyed property line and where the homeowner wants to build the bulkhead will require a quit claim deed from the Queens Harbour Board of Directors.

2) The recommended material for bulkheads is vinyl vertical sheet piling with a horizontal concrete cap. The concrete cap shall be at 6.5 feet elevation. The easiest way to determine elevation is to go to the QH ice dock and look at the height gauge, then add the difference between that reading and 6.5 feet. This is the level for the top of the bulkhead. If the adjoining bulkhead(s) are at a different height, the Harbor Committee and the ARB will determine what height to build the wall.

3) If the lot is so steep as to require terracing, a retaining wall may be built at least 3 feet behind the bulkhead (if one exists) or 3 feet from the mean high water line. Retaining wall height will not exceed 3 feet in height. In the event that a second retaining wall is required, it must be built at least 3 feet behind the first retaining wall.

4) The following plant material will be approved and should be installed to grow downward over the wall.

a) *Trachelospermum asiaticum*, Asian Jasmine - 1 gallon full; 15” on center.

b) *Trachelospermum jasminoides*, Confederate Jasmine - 3 gallon full; 15” on center.

c) *Juniperus conferta compacta*, Dwarf Shore Juniper - 3 gallon full; 15” on center.

d) Others should receive ARB approval.
5) The minimum height of landscape on the high water side of a retaining wall(s) is 18 inches

6) The appearance must blend with the property.

11. **Landscape Design Requirements**

Section IV contains the landscaping requirements and associated procedures for both new and existing homes in Queen’s Harbour. These landscape requirements incorporate the use of Florida-friendly Landscaping™ (FFL) guidelines adopted by the State of Florida in 2009 (see Florida Statute SB2080 and FS373). This means using low-maintenance plants and environmentally sustainable practices.

The CCREs Section 14.2, requires that the exterior of all buildings and lots be maintained in a neat and clean appearance including, but not limited to, trees.

The ARB is charged with the responsibility of maintaining the wooded tree canopy coverage for the overall property which includes individual homeowners’ lots. Therefore, if a homeowner removes one or more protected trees for any reason, mitigation or replacement may be required. The ARB will consider each individual situation in exercising its judgment based upon this responsibility.

a. New Construction/Exterior Additions: All proposed landscaping for both new homes and exterior additions to existing homes must comply with the landscaping requirements set forth in Section IV, and the homeowner’s plans must be submitted to the ARB for review and approval prior to any work being done. Incomplete plans will not be considered by the ARB (see Section VI)

Providence Island: A standard Landscape Plan has been adopted for both single family and single family-attached homes in Providence Island (Unit 30). These plans are available from the Providence Island (PI) Board of Directors and/or the ARB Coordinator.

b. Landscaping Changes: When homeowners elect to significantly change their existing, previously approved landscaping, they must refer to Section IV for requirements. Homeowners are required to submit their plans for significant changes to the ARB for review and approval prior to any work being done. Only complete plans will be considered by the ARB. Significant landscaping changes inconsistent with the requirements of Sections IV, are subject to change/removal at the homeowner’s expense, as determined by the ARB.

Incremental changes to aesthetically enhance the overall appearance of the landscape or substitute plant materials to compensate for existing sun, shade,
soil or other adverse conditions will not require prior ARB approval. See also, IV, Landscaping Requirements, B. Modification of Existing Landscaping.

Any landscaping changes made to homes in Providence Island (PI) must be approved by the PI ARB and the Queen’s Harbour ARB.

c. Florida Noxious Weeds and Invasive Species:

1) Noxious Weeds and Prohibited Aquatic and Wetland Plants – Federal and state laws prohibit the sale, use, propagation, etc., of noxious weeds and prohibited aquatic and wetland plants which, for example, include plants such as Chinese tallow tree, air potato, and Brazilian-pepper, among others. Landscape plantings within Queen’s Harbour are prohibited from using these plant materials. Residents should consult the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, web site for the current “Noxious Weed List.”

2) Invasive Species - The Florida Exotic Pest Plant Council (FLEPPC), a non-regulatory body, publishes a yearly updated list of invasive species, plant material and trees. For a copy of the FLEPPC list, please visit: www.fleppc.org/list/list.htm. These species are strongly discouraged from being used throughout Florida. Many of the plants on this list eventually become a part of the Florida Department of Agriculture and Consumer Services, Division of Plant Industry “Noxious Weed List.” Invasive plant species commonly encountered in North Florida include, among others, Japanese honeysuckle, Mexican petunia, camphor tree and Nandina.

d. Tree Removals, Maintenance and Replacements:

1) Normal tree trimming and slight canopy raising do not require prior ARB approval. However, if owners are planning to significantly raise the canopy of a tree(s) on the property and altering the overall property’s canopy, owners must notify the ARB Coordinator before any work begins.

2) Trees 6 inches or larger in diameter at 4.5 feet above natural grade (defined as Protected Tree(s)) shall not be cut or removed without prior approval of the ARB. Any person, firm, corporation, or company intending to remove any Protected Tree must apply for and receive from the ARB a “Tree Removal Request/Permit” (see Forms). The approved “Tree Removal Request/Permit” must be in the possession of the person, firm, corporation or company prior to removing any Protected Tree. A procedure has been put in place with Controlled Access to only allow tree removal contractors into Queen’s Harbour if a “Tree Removal Request/Permit” has been issued. Removal of any Protected Tree out an
approved “Tree Removal Request/Permit” is subject to replacement at the owner’s expense and a possible fine.

3) Trees removed in the front, and side yards that fall under the jurisdiction of the ARB, that are over 6 inches in diameter at 4.5 feet above natural grade (a Protected Tree), must be stump ground. Trees in this category in the back yard must be flush cut. All associated debris from stump grinding, along with the debris generated from the tree(s), must be removed.

4) The POA may, at its sole discretion, determine that tree removal is required. After providing written notice to the property owner, the POA may require the property owner to remove the dead tree(s) from both improved and unimproved lots, and mitigation may be required.

12. **Lighting:** All accent lighting for walkways, driveways, flowerbeds, etc., must receive prior ARB approval. No accent lighting shall be placed in the right-of-way and landscape bed lighting should not exceed 2 feet in height. Commercially available lamp post lights are acceptable with ARB approval. No permanent lighting shall be placed in a tree(s).

13. **Lot Size:** No lot which has been improved by the construction of a single family dwelling unit shall be further subdivided or separated into small lots by any owner; provided that this provision shall not prohibit corrective deeds or similar corrective instruments.

14. **Mailboxes:** Mailboxes erected on lots shall conform to the specifications in APPENDIX C.

15. **Outside Fireplaces:**

a. **Placement:** Where a fireplace is not part of the physical or internal structure of a home, it must be attached to a logical extension of the home such as the lanai, pool or patio area, or other ARB approved structures or platforms. Permanently installed stand-alone fireplaces or BBQ cookouts or fireplaces located elsewhere on a property and not integrated with the home or screen enclosure or a logical extension of the home/screen enclosure are generally not allowed. Fireplace placements must be located behind the dwelling, within lines extended and aligned with the side walls of the dwelling, within the BRL, and must meet all existing setbacks and other requirements as specified by ARB guidelines.

b. **Materials:** All fireplaces must conform to ARB guidelines concerning color, texture and overall general appearance. Fireplaces must be built to COJ (City of Jacksonville) Code (see COJ website for details). Fireplaces shall
complement and integrate with the overall architectural plan of the home. If stucco is used to finish any or all sides of the fireplace, that color shall match the color of the home or the other ARB approved material used for fireplace construction (stone). If stone or other materials are used, the colors and textures of those materials must complement the base and trim colors of the previously ARB approved home. All fireplaces must be covered with some decorative material or covering. Masonry only finishes to fireplaces (cement and cement block) are not allowed.

c. Safety: All fireplaces must conform to COJ Building Code requirements. COJ Code requires spark arrestors for all fireplaces. In addition to this requirement, Queen’s Harbour ARB requires a façade or extension to the fireplace structure to eliminate the spark arrestor from view (360 degree) from ground level. The minimum height of the façade above the fireplace structure must be no lower than the top of the spark arrestor.

Additionally, per COJ Code, the height of the fireplace shall be two (2) feet taller than any other construction material located within ten (10) feet of the fireplace structure. Construction materials include screen used in the cage around a lanai or pool.

All fireplaces constructed must be built to withstand hurricane force winds. Placement and safety consideration should place the fireplace structure beyond the “topple limits” of any residential space; i.e. if the fireplace or chimney were to fall or be blown over, the falling structure should not impact any residential space. This is a suggested placement and is not mandatory, unless the other potential residential space involves another resident’s property. If the topple limit would impact another property owner’s home, this guideline becomes mandatory. (This should not be an issue except in zero lot-line, town home or otherwise close proximity properties.)

16. Outside Fire Pits: While outside recreational, permanent fire pits may be allowed, they must be submitted to the ARB for review and approval for their architectural appearance prior to being installed by homeowners. Homeowners are advised to consult the National Fire Protection Association (NFPA), NFPA 1: Fire Code and the NFPA 101 Life Safety Code and/or the local Jacksonville Fire and Rescue Department (JFRD) Station on Joeandy Road for additional information. Fire pit placements must be located behind the dwelling, within lines extended and aligned with the side walls of the house, within the BRL, and must meet all existing setbacks and other requirements as specified by ARB guidelines.

17. Pet Structures: Exterior pet shelters/structures are not acceptable and will not be approved. Dog runs of any type (enclosed or otherwise) are not permitted.
18. **Parking and Driveways:** A guest parking space is recommended with either turn-around or backup areas being provided to preclude backing into the street. Driveways must be designed with a hard surface such as concrete, pavers, brick or exposed aggregate, etc. In the event concrete is utilized, it must include an approved banding scheme with a textured, colored and patterned surface. Approved surfaces would be pavers, brick, stamped crete or spray crete. The banding must be installed for a minimum distance of the first 3 expansion joints or 30 feet from the street curb toward the house, whichever is greater. The banding must be a minimum of 8 inches wide and extend along the outside edge of both sides of the driveway and on both sides of each expansion joint running across the width of the driveway. If the property includes more than one entrance from the street, all driveways must meet this requirement. All driveways must be placed at least 3 feet from adjacent properties to allow for landscape material. Driveways shall have a combination of shrub, ground cover and tree plantings, which screens the driveway from the street and adjacent property for a minimum of 25% of the linear dimension of the driveway. Circular driveways in particular need to be screened from view by plant beds and good landscaping. Landscape plant material shall not block sight triangles for vehicular visibility.

19. **Quit Claim Deeds and Relocation Easement:** See APPENDIX D for procedure and Forms for application (Quit Claim Deed or Easement Relocation Request).

20. **Rain Barrels:** The use of rain barrels to collect rain water for landscape watering and irrigation purposes is subject to ARB review and approval. Decorative barrels in neutral shades are preferred. Every effort should be made to minimize the appearance of a rain barrel in the landscape by locating it in a screened location. Please carefully consider the optimum location before submitting to the ARB.

21. **Roofs and Chimneys:**

The roofs of houses and other structures in Queen’s Harbour, while different in material and color, shall generally have a similarity of form to provide for homogenous character of the community. All gable and hip roofs should have a minimum overall roof slope of 7/12. A roof slope of less than 7/12 may be approved based upon the architectural design of the home. Flat roofing may be considered for two story contemporary or modern architecture homes only and these homes must meet the minimum square footage requirements as defined in Appendix A. Otherwise, flat roofing is acceptable only in minor areas not to exceed 10% of roofing area with primary acceptability in use as a connection to more dominant themes of the roofing mass, for example, breezeways connecting buildings. Standing seam metal roofs, Architectural asphalt shingles, slate,
concrete and ceramic tile are acceptable roofing materials. Use of other materials including composites is subject to specific approval by the ARB. Architectural shingles shall have a minimum guaranteed life of 25 years. Contemporary and modern architecture homes must submit the specific roof material to be utilized for approval within the application package.

All exterior roofing material must match.

Roof overhangs form an integral part of the architectural character of Queen’s Harbour and should be maximized wherever possible to shelter from both the subtropical sun and rain showers. While in many cases the roof overhangs can incorporate balconies, decks and screened porches, the minimum depth shall be 12-inches with gable ends of 4-inches. All overhangs shall have frieze boards no less than 4-inches. Contemporary or modern architecture homes may be exempted from this requirement subject to review and acceptance by the ARB of the architectural plans and elevations.

All roof accessories such as vent stacks and roof vents shall be painted to match the roof color. Wherever possible, vents shall be located away from the entry elevations. Flashing shall be galvanized except in the case of metal roofs where it shall be of the same material or where sound construction practices dictate other materials. All exposed flashing shall be painted to blend with surrounding materials.

Chimneys, along with the other projections above roofing surfaces, play a dominant role in depicting the character of Queen’s Harbour. Chimney dimensions shall be compatible in scale to the structure; however, the minimum size shall be 2 1/2 feet x 4 1/2 feet. All exposed surfaces of chimneys should be of similar material to the main building. Pre-fabricated metal fireplaces are acceptable within a residence; however, the exposed metal flue must be totally covered with approved materials. No pre-fabricated metal spark arresters or metal flue caps may be exposed to view from the street. Decorative chimney pots or roof caps are encouraged. Gas fireplace vents through the roof are acceptable as long as they match other standard roof vent heights. If they exceed 24 inches in height, then a chase (chimney) will be required.

22. **Satellite Dishes/Antennas:** The location of satellite dishes on lots is subject to approval by the ARB Coordinator prior to their installation. The Property Manager may authorize placement of a satellite dish if the ARB Coordinator is not available. Every effort should be made to place the dish behind the home. If placement behind the home is not feasible and the dish and its supporting pole must be in the ground in order to function properly, approved landscape screening is required. Satellite dishes may not exceed 36 inches in diameter. Additionally, the installation of all types of antenna is subject to
review/approval by the ARB as to location, number, height, and placement prior to installation.

23. **Screen Enclosures:** Screen enclosures are permissible within the BRL if their form is similar to that of the house and they do not appear as an awkward appendage. They should be designed as an extension of the house with roof and screen slopes similar to the house. The acceptable colors for screen enclosures are bronze and charcoal. Landscaping shall be provided as set forth in Section IV. Plans are to be submitted for ARB review and should show both rear and side elevation views to scale with the house, together with planned landscaping.

24. **Service Areas:** Every house must have a walled service area for HVAC equipment, pool equipment, liquefied propane tanks, generators, exterior mounted tankless water heater equipment and trash receptacles. The bottom of an installed exterior mounted tankless water heater unit shall not be installed higher than 48 inches from grade at the installed location. The service areas are to be screened from view from roads and adjacent properties by a visual barrier sufficiently high to conceal the equipment, and must be the same material and color as the main house exterior.

All service areas must be adjacent to the house and no closer than 5 feet from side property lines with the exception of Units 8, 21, 22, 23 and 24 which have 5-foot side setbacks. Unit 30 may have a zero-foot setback. The interior of the service area must be paved with a hard surface material. All service walls are to be landscaped with 3-foot high shrubs where feasible.

25. **Sidewalks - Repair and Routine Maintenance:** The construction of sidewalks is required in accordance with the Queen’s Harbour Sidewalk Plan approved by the City of Jacksonville. See APPENDIX E. The maintenance and repair of sidewalks is required in accordance with Section 14.2 of the Declaration.

a. **Repairs:** Residential property owners are responsible for any and all repairs to sidewalks adjacent to their lots as needed and/or as specified in a written notice by the POA, in its sole discretion.

b. **Routine Maintenance:** Residential property owners are responsible for any and all routine maintenance to the sidewalks adjacent to their Lots on an as-needed basis and/or as specified in a written notice by the POA, in its sole discretion, to include, but not be limited to:

1) sweeping or pressure washing dirt, discoloration and/or debris

2) clearing obstructions from sidewalks (overhanging trees, natural and/or artificial materials on sidewalks).
26. **Sight Distance at Intersection:** No fence, wall, hedge or shrub planting which obstructs sight lines and elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the right-of-way lines, or in case of rounded property corner, from the intersection of a right-of-way with the edge of a driveway or alley pavement. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. Likewise, walls and landscaping must not block driveway and golf cart path egress sight lines.

27. **Signs:** Signs erected on lots shall conform to the specifications in APPENDIX F.

28. **Slabs:** Monolithic slabs are allowed as long as: (1) the finished floor elevation of the house is a minimum of 18 inches above the curb, (2) there is a minimum of 4 inches of step down from the main house to the front entry, (3) there is a minimum of 4 inches step down from entry to sidewalk or driveway, and (4) the finished floor elevation of the main house is 12 inches above the finished grade.

29. **Solar Energy Devices:** The use of solar energy producing devices, active or passive, is subject to ARB review and approval. Piping must be the same color as the underlying structure. The ARB will be provided with plans to show where the solar energy-producing devices will be installed.

30. **Storm Protection Systems:** Prior to installation, all permanently installed storm protection systems must be approved by the ARB. Permanently installed storm protection systems and any attaching frames shall be either the color of the trim or body of the house and compatible with the house itself. Permanently attached storm protection systems may be deployed when there has been a National Weather Service (NWS) advisory affecting the Jacksonville, Florida, area or when the area is in the “cone of uncertainty” for a tropical storm or hurricane. They must be removed no later than seven (7) days after the storm warning is withdrawn.

Temporary storm protection systems may be installed without ARB approval if the NWS has issued a tropical storm or hurricane warning for the Jacksonville area. They must be removed no later than seven (7) days after the warning is withdrawn.

Certain storm protection systems may be deployed if the property owner will be out of town for an extended period during the hurricane season. The ARB Coordinator must be notified in advance of the duration of the absence and the period of time the system will be deployed.
31. **Storm Water Retention Lakes**: No docks of any type may be placed on the storm water retention lake bordered by Units 25, 26 and 27 nor may any watercraft of any type be used in the storm water retention lake abutting these units. The storm water retention lake is not permitted for recreational use.

32. **Swimming Pools and Spas**:

Any swimming pool to be constructed on any residential parcel shall be subject to the requirements of the ARB, which include, but are not limited to, the following:

- a. Composition to be of material thoroughly tested and accepted by the industry for such construction.

- b. The outside edge of any pool may not be closer than 4 feet to a line extended and aligned with the sidewalls of the dwelling unless approved by the ARB.

- c. No screening of pool areas may extend beyond a line extended and aligned with sidewalls of the dwelling unless approved by the ARB. All screen enclosures must be bronze or charcoal in color and must be landscaped to soften their appearance as set forth in Section IV.

- d. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting.

- e. Pools without screen enclosures must be fenced and adequately landscaped.

- f. Above ground swimming pools are PROHIBITED. Above ground hot tubs or spas may be approved by the ARB provided the hot tub or spa meets the following criteria:

  1) The hot tub or spa is located at the rear of the dwelling within a screen enclosure as close to the dwelling as feasible,

  2) The exterior color of the hot tub or spa blends into the overall color scheme of the exterior of the dwelling, and

  3) Additional landscaping is installed to screen the view of the hot tub or spa.

The ARB will evaluate each hot tub and spa application for total effect including the aesthetic impact on the dwelling unit and neighboring properties. It is possible that the submission might meet the criteria above and still not receive approval if, in the sole judgment of the ARB, its overall aesthetic impact is
 unacceptable. The approval of an application for one hot tub or spa application shall not be construed as creating an obligation on the part of the ARB to approve all hot tub or spa applications.

g. It is the responsibility of the property owner and contractor to comply with the City of Jacksonville’s ordinances and regulations concerning swimming pools (See their website, www.coj.net).

33. **Utility Connections**: Building connections for all utilities, including, but not limited to, water, electricity, gas, telephone and television, shall be run underground from the proper connecting points to the building structure in a manner acceptable to the governing utility authority. Small outdoor propane tanks for outdoor grills and small containers of flammable liquids are permitted, provided they are out of sight of the street and other properties. Fuel tanks and containers must meet all federal, state and local laws and safety requirements.

34. **Walls and Fences**:

The composition, location and height of any wall or fence is subject to ARB approval. Wire, wood, plastic or chain link fences are prohibited. Aluminum, wood and vinyl sheet siding for walls is prohibited. All wall finishes must be the same as the visible exterior finish of the house. Driveway gates as well as their supporting structures forward of the BRL are prohibited. A fence or wall on only one side of the lot is prohibited. All privacy walls, service walls, and screening walls (including walls concealing air conditioning equipment, pool equipment, generators, exterior mounted tankless water heater equipment and vertical LP gas equipment/tanks) must be screened with shrubs at a minimum of 3 feet in height and maintained at or above this height, where space permits. Interior fences and fences beyond the front parallel of the house are not permitted. All height references in this section refer to the measured height from the finished grade to the top of the fence or wall at the location of the fence or wall.

a. Side and rear perimeter fences must be of a three (3) rail design/type, black or bronze in color and their height must be a minimum of forty-eight (48) inches or match in height to any adjoining fence. Aluminum or wrought iron material is required. Side and rear fences must abut the property line wherever possible. Lagoon fences must be stepped or tapered as they descend the bank. Fences must be installed on both sides of the property.

b. Equipment screening walls must be sufficiently high to conceal the equipment and the finish material must be the same as the exterior finish of the house at the location of the screening wall. The wall must be landscaped.

c. Courtyard style walls that attach to the house must be a maximum of six (6) feet in height, provided they are within the BRL and are no closer than forty
(40) feet from the back of the street curb. The finish material must be the same as the exterior finish of the house at the location of the courtyard wall and the wall must be landscaped.

d. Estate walls that are not attached to the house and are within the BRL must be a maximum of forty-eight (48) inches in height at the top of the rail/wall. Integrated piers must be a maximum of fifty-four (54) inches in height at the top of the pier. Lighting fixtures must be a maximum height of one-third the height of the pier before the light is attached. By way of example, the maximum height of a light fixture attached to a 54-inch pier, would be 18 inches. Design, style, type and color of all lighting fixtures to be attached to the pier are subject to ARB review and approval.

e. Estate walls that are not attached to the house and are forward of the BRL must be a maximum of thirty (30) inches in height at the top of the rail/wall. Integrated piers must be a maximum of thirty-six (36) inches in height at the top of the pier. Unattached walls must be a minimum of 15 feet from the back of the closest street curb. Lighting fixtures attached to the top of the piers must be a maximum height of one-third the height of the pier before the light is attached. By way of example, the maximum height of a light fixture attached to a 30-inch pier would be 10 inches. Design, style, type, and color of all lighting fixtures to be attached to the pier are subject to ARB review and approval.

f. Boundary, dividing, and decorative walls, or similar wall-type structures, originally built within the community by the developer of Queen’s Harbour on a property owner’s lot, must not be removed or altered and must at all times be maintained by the property owner in its original condition and design and as originally constructed. By way of example, material, height, color, finish, and other characteristics of the original wall must be maintained by the property owner.

35. **Window Air Conditioning Units:** No window or wall air conditioning units shall be permitted.

36. **Windows and Doors:** Areas with major door and window openings should be oriented to afford privacy while taking advantage of special views, such as ponds, marshes or fairways. Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views. Windows and doorframes are to have anodized aluminum, vinyl or painted finishes. No sliding glass doors on front elevations are allowed.

While tinted glass is acceptable, no foil or reflective material shall be used on any windows for sunscreens. Roof overhangs, awnings and shutters are appropriate sun-screening devices with ARB approval of design and color.
37. **Wells:** No wells of any type are permitted.

38. **Yard Ornaments**

Yard ornaments are defined as any objects whose primary purpose is decorative rather than functional and which are visible from the common property areas in Queen’s Harbour including roads, golf course and lagoon. Yard ornaments include, but are not limited to, statues, sculptures and fountains.

a. Any man-made decorative item displayed on residential property that is visible from the common areas must be submitted to and approved by the ARB as to style and location prior to being installed. Exceptions include the American Flag, decorative or themed flags not to exceed 12 sq. ft. in size and seasonal items displayed for less than 60 days in duration.

b. Yard ornaments will be evaluated and approved/disapproved based upon visual harmony with the immediate surroundings and with the community as a whole. Items that are deemed to be “offensive”, such as the display of nude or partially nude figures, are prohibited. Any approved yard ornament shall be replaced if it becomes weathered, worn, tattered or damaged.

c. Repair or Replacement of Grandfathered Yard Ornaments - Any yard ornament previously approved by the ARB or the original developer of Queen’s Harbour that becomes weathered, worn, tattered or otherwise in need of repair or replacement, must be repaired or replaced in accordance with the current ARB guidelines. A property owner may request a variance from this provision by submitting such request to the ARB along with a detailed explanation of why it would not be feasible to meet the current ARB guidelines.

39. **Awnings:** The installation of awnings is permitted with the prior review and approval of the ARB. Once installed, awnings must be kept in good repair and free of mold and mildew.

40. **Permanent Exterior Structures:** Permanent exterior structures (attached or unattached to the main house structure) may be permitted. The structure must be integrated into the overall architectural plan of the property and be approved by the ARB. The materials utilized must be consistent and match the existing main house exterior materials. The structure must be located behind the dwelling, within lines extended and aligned with the side walls of the dwelling, within the BRL, and must meet all existing setbacks and other requirements as specified by ARB guidelines. When requesting to add a permanent exterior structure, the submission documents must contain all required documentation, including but not limited to:

*ARB Guidelines Effective: August 13, 2018*
a. a survey with the existing main house structure, pools, fences, etc., shown and the proposed structure location;

b. complete set of building plans for the structure (see Section VI);

c. samples of all exterior materials proposed on the new structure and all exterior materials currently utilized on the main house structure; and

d. a landscape plan (see Section IV).

41. **Temporary Structures:** No temporary structures of any design, type or character are allowed.

42. **Tiki Huts and Similar Structures:** Attached or detached structures which incorporate roofs constructed with palm fronds, straw or similar materials (whether organic or synthetic), including without limitation, structures commonly referred to or known as “Tiki Huts,” shall not be permitted.

43. **Pergolas:** Pergolas consisting of an open wooden structure may be permitted and require review and approval by the ARB prior to installation. Pergolas must be located within lines extended and aligned with the side walls of the dwelling, behind the home, be within the BRLand be integrated into the overall architectural plan of the property.
IV. LANDSCAPING REQUIREMENTS

A. New Construction

Queen’s Harbour Landscape Guidelines contain the minimum standard to assist the builder/contractor, homeowners and their designers in creating a landscape that blends with the house, the native flora and other existing properties within the community. These standards must be maintained over the life of the property.

The use of FFL guidelines, as defined by State of Florida Statute, is an effort to protect Florida’s unique natural resources by conserving water, reducing waste and pollution, avoiding the use of invasive plant species, preventing erosion and creating wildlife habitat. The FFL guidelines establish principles that include choosing the right plant for the right place, encouraging watering efficiently, fertilizing appropriately, managing yard pests responsibly, recycling waste, reducing storm water run-off and protecting waterfronts.

It is the intent of Queen’s Harbour to include these principles as they pertain to our unique ecosystem. These guidelines include a list of plants that grow well in North Florida and are compatible with FFL principles. The list of plants in Section IV includes those plants which grow well in the localized conditions that exist in Queen’s Harbour.

It is the responsibility of the lot owner and their builder/contractor to install the landscaping according to the approved plans and specifications of the ARB Guidelines and any pertinent local and/or state requirements.

1. Authorized Landscape Architects/Designers: Landscape plans for new homes must be prepared, signed and sealed by a Florida Licensed Landscape Architect.

2. Minimum Design Requirements: Every lot in Queen’s Harbour is unique and each landscape design will be reviewed based on those unique characteristics. The ARB reserves the right to require additional landscaping if deemed necessary.

3. Tree Coverage Requirements

The ARB is charged with the responsibility of maintaining the wooded, tree canopy coverage for the overall property including individual homeowners’ lots. Each property in Queen’s Harbour must have at least one hardwood shade/canopy tree for every 1,200 square feet of “open space” on a lot. Beyond this requirement a minimum of two (2) hardwood shade/canopy trees must be located in the front of the property and two (2) hardwood shade/canopy trees must be located in the rear of the property. Palms may not be used to satisfy this
minimum requirement. The definition of “open space” includes all of the area outside the footprint of the house. Driveways, walkways, patios and pools are not considered as part of the footprint of the house. Credit will be given for existing trees 6-inches in diameter or greater (a Protected Tree) measured at 4.5 feet above natural grade. **Coverage calculations must be shown on the plan or the plan will not be reviewed or considered by the ARB** (see Figure 1 for a Sample Landscape Plan).

a. **Tree Types:** A minimum of 75 percent (75%) of the shade/canopy trees must be evergreen. The remaining 25 percent (25%) may be deciduous shade trees. Pines cannot be used to satisfy this requirement; however, they can be used in natural areas. See paragraph A.3 above. -Tree Coverage Requirements.

Palms may be utilized in the landscape for up to one-half (1/2) of the required shade/canopy tree coverage after the minimum hardwood shade canopy tree requirement is met. See Section IV, paragraph A.3, above. One (1) date palm (sylvestri or canary island) or a minimum cluster of three (3) palms of other species, i.e., cabbage palm, etc., may be substituted for one (1) shade/canopy tree after the minimum requirement noted in Section IV, paragraph A.3, above has been met.

b. **Tree Sizes:**

1) **Front Yard:** Shade/canopy trees must be a minimum of 12-14 feet in height with 6-foot spread and at a minimum 3.5-4.0-inch caliper.

2) **Rear and Side Yard:** Shade/canopy trees must be a minimum of 10 feet in height with 5-foot spread and at a minimum 2-2.5-inch caliper.

3) **Ornamental Trees:** Various - minimum of 8 feet in height with 4-foot spread (or equal to) and/or a minimum 30-gallon container size.

4) **Palms:** A minimum of 15 feet of overall height with a minimum of 8 feet of clear trunk is required for all palms. Maximum spacing for palms is 15 feet on center with staggered heights.

4. **Landscaped Area**

A minimum of 25 percent (25%) of the open space of the lot must be landscaped with trees, shrubs and ground cover or left in a natural state. Open space is defined as that area of the lot including rights-of-way, lakes and/or Lagoon banks, pavement, decks, patios and pools, but excluding the home’s footprint. These are minimum requirements; additional plant material may be required if warranted by the site conditions.
All calculations must be clearly shown on the landscape plan. Existing natural areas along the perimeter of the lot are not included in the open space calculation.

a. Foundation Planting: Foundation landscaping must extend continuously along all sides of the house. Beds in the foundation area should have fluid-smooth lines that can be easily maintained. The minimum depth of the landscaped beds in the front/rear yards should be approximately three-fourths of the first story plate height of the house. Long or blank walls must be planted with accent trees or large shrubbery to break the monotony. The minimum planted height of the foundation plantings must be 30 inches, allowed to grow and maintained over time at a minimum height of 3 feet. If the sill plate is lower than 30 inches, plant heights can be adjusted. The front yard beds must be layered with different plant material to provide a variety of heights and sizes.

b. Perimeter Planting: There must be a minimum of four (4) perimeter landscaped beds, two (2) in the front yard and two (2) in the rear yard. These beds must contain shrubs, ground cover and trees and should be located to break the views of the driveway pavement from the street or be used as accents under existing or proposed trees.

c. Landscape Edging/ Borders: The edging plant material that is located in the right-of-way, if any, must be no more than 12 inches in height as measured from the surface of the sidewalk/driveway. The color and material should blend with the other plant materials used with perimeter plantings.

d. Tankless water heaters must be screened with landscaping if installed outside the service area.
### Recommended Plant Material

Shade Tolerance Legend:  FS - Full Sun, PS - Partial Shade, SH - Shade

1. **Evergreen Hardwood Canopy Trees:**

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Ilex opaca</em></td>
<td>American Holly (E. Palatka Var.)</td>
<td>YES</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Juniperus Virginiana</em></td>
<td>Southern Red Cedar</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Magnolia grandiflora</em></td>
<td>Southern Magnolia</td>
<td>YES</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Quercus virginiana</em></td>
<td>Live Oak</td>
<td>YES</td>
<td>High</td>
<td>FS</td>
</tr>
</tbody>
</table>

2. **Deciduous Canopy Trees**

<table>
<thead>
<tr>
<th>botanical name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Acer rubrum</em></td>
<td>Red maple</td>
<td>YES</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Carya glabra</em></td>
<td>Coastal Pignut Hickory</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Fraxinus americana</em></td>
<td>White Ash</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Quercus chapmanii</em></td>
<td>Chapman's Oak</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Quercus michauxii</em></td>
<td>Swamp Chestnut Oak</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Quercus phellos</em></td>
<td>Willow Oak</td>
<td>YES</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td><em>Quercus shumardii</em></td>
<td>Shumard Oak</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Taxodium ascendens</em></td>
<td>Pond Cypress</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Taxodium distichium</em></td>
<td>Bald Cypress</td>
<td>YES</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Ulmus alata</em></td>
<td>Winged Elm</td>
<td>YES</td>
<td>High</td>
<td>FS</td>
</tr>
</tbody>
</table>

3. **Pines**

<table>
<thead>
<tr>
<th>botanical name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Pinus elliotti</em></td>
<td>Slash Pine</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Pinus palustris</em></td>
<td>Long Leaf Pine</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
</tbody>
</table>

4. **Palms**

<table>
<thead>
<tr>
<th>botanical name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Phoenix canariensis</em></td>
<td>Canary Island Palm</td>
<td>NO</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Phoenix sylvestri</em></td>
<td>Sylvestri Palm</td>
<td>NO</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td><em>Sabal palmetto</em></td>
<td>Cabbage Palm</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
</tbody>
</table>

5. **Ornamental/Accent Trees**

<table>
<thead>
<tr>
<th>botanical name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Betula nigra</em></td>
<td>River Birch</td>
<td>YES</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td>Botanical Name</td>
<td>Common Name</td>
<td>Native</td>
<td>Drought Tolerant</td>
<td>Shade Tolerant</td>
</tr>
<tr>
<td>-----------------------------</td>
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<td>------------------</td>
<td>----------------</td>
</tr>
<tr>
<td><em>Callistemon rigidis</em></td>
<td>Southern Bottlebrush</td>
<td>NO</td>
<td>Medium</td>
<td>FS</td>
</tr>
<tr>
<td><em>Cercis canadensis</em></td>
<td>Eastern Redbud</td>
<td>YES</td>
<td>Low</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Chionanthus virginicus</em></td>
<td>Fringe Tree</td>
<td>YES</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Ilex vomitoria</em></td>
<td>Yaupon Holly</td>
<td>YES</td>
<td>High</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Ilex x 'Nellie R. Stevens'</em></td>
<td>Nellie Stevens Holly</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Lagerstroemia indica</em></td>
<td>Crepe Myrtle</td>
<td>NO</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td><em>Ligustrum japonicum</em></td>
<td>Patio Ligustrum</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Myrica cerifera</em></td>
<td>Wax Myrtle</td>
<td>YES</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td>6. Woody Shrubs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Callicarpa americana</em></td>
<td>Beautyberry</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Abelia grandiflora</em></td>
<td>Abelia</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Camellia sasanqua</em></td>
<td>Sasanqua Camellia</td>
<td>NO</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Camellia japonica</em></td>
<td>Japonica Camellia</td>
<td>NO</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Cleyera japonica</em></td>
<td>Cleyera</td>
<td>NO</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td><em>Cycas revolta</em></td>
<td>Sago Palm</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Hydrangea quercifolia</em></td>
<td>Oak-Leaf Hydrangea</td>
<td>YES</td>
<td>Medium</td>
<td>PS/SH</td>
</tr>
<tr>
<td><em>Ilex cornuta burfordii</em></td>
<td>Buford Holly</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Ilex cornuta burfordii nana</em></td>
<td>Dwarf Buford Holly</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Ilex cornuta rotunda nana</em></td>
<td>Dwarf Rotunda Holly</td>
<td>NO</td>
<td>Low</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Ilex vomitoria nana</em></td>
<td>Dwarf Yaupon Holly</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Illicium anisatum</em></td>
<td>Anise</td>
<td>YES</td>
<td>Medium</td>
<td>PS/SH</td>
</tr>
<tr>
<td><em>Ligustrum japonicum</em></td>
<td>Ligustrum</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Myrcianthes fragrans</em></td>
<td>Simpson's Stopper</td>
<td>YES</td>
<td>High</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Podocarpus macophyllus</em></td>
<td>Japanese Yew</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Pittosporum tobira</em></td>
<td>Pittosporum</td>
<td>NO</td>
<td>Low</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Pittosporum tobira variegata</em></td>
<td>Variegated Pittosporum</td>
<td>NO</td>
<td>Low</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Rhododendron indica</em></td>
<td>Azalea</td>
<td>NO</td>
<td>Low</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Suspensum/Odor. Viburnum obavatum</em></td>
<td>Viburnum/Dwarf Walter's Virburnum</td>
<td>YES</td>
<td>High</td>
<td>FS/PS</td>
</tr>
<tr>
<td><em>Serenoa repens</em></td>
<td>Saw Palmetto</td>
<td>YES</td>
<td>High</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Zamia floridana</em></td>
<td>Coontie</td>
<td>YES</td>
<td>High</td>
<td>PS/SH</td>
</tr>
<tr>
<td>7. Ground Cover:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Agapanthus africanus</em></td>
<td>Agapanthus</td>
<td>NO</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td><em>Aspidistra elatior</em></td>
<td>Cast-Iron Plant</td>
<td>NO</td>
<td>Medium</td>
<td>SH</td>
</tr>
<tr>
<td>Botanical Name</td>
<td>Common Name</td>
<td>Native</td>
<td>Drought Tolerant</td>
<td>Shade Tolerance</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------------------------</td>
<td>--------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Cyrtomium falcatum</td>
<td>Holly Leaf Fern</td>
<td>NO</td>
<td>Medium</td>
<td>SH</td>
</tr>
<tr>
<td>Iris neomarica spp.</td>
<td>Apostle Iris</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
<tr>
<td>Liriope muscari</td>
<td>Liriope spp.</td>
<td>NO</td>
<td>Medium</td>
<td>PS/SH</td>
</tr>
<tr>
<td>Gelsemium sempervirens</td>
<td>Yellow Jamine</td>
<td>YES</td>
<td>Low</td>
<td>PS/PS</td>
</tr>
<tr>
<td>Tulbagia violacea</td>
<td>Society Garlic</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PSH</td>
</tr>
<tr>
<td>Hemerocallis spp.</td>
<td>Day Lily</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PSH</td>
</tr>
<tr>
<td>Juniperus conferta</td>
<td>Blue Pacific Juniper</td>
<td>NO</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td>Juniperus parsoni</td>
<td>Parson's Juniper</td>
<td>NO</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td>Liriope muscari</td>
<td>Liriope &amp; Evergreen Giant</td>
<td>NO</td>
<td>Medium</td>
<td>PS/SH</td>
</tr>
<tr>
<td>Nephrolepis exaltata</td>
<td>Sword Fern</td>
<td>YES</td>
<td>Medium</td>
<td>PS/SH</td>
</tr>
<tr>
<td>Ophiopogon japonicus</td>
<td>Monkey Grass</td>
<td>NO</td>
<td>Medium</td>
<td>SH</td>
</tr>
<tr>
<td>Polystichum munitum</td>
<td>Wood Fern</td>
<td>YES</td>
<td>High</td>
<td>SH</td>
</tr>
<tr>
<td>Trachelospermum asiaticum</td>
<td>Little Leaf Jasmine</td>
<td>NO</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td>Trachelospermum jasminoides</td>
<td>Confederate Jasmine</td>
<td>NO</td>
<td>Medium</td>
<td>FS/SH</td>
</tr>
<tr>
<td>Vinca minor</td>
<td>Vinca</td>
<td>NO</td>
<td>High</td>
<td>PS</td>
</tr>
<tr>
<td>Dianella tasmanica</td>
<td>Variegated Flax Lily</td>
<td>NO</td>
<td>Medium</td>
<td>FS/PS</td>
</tr>
</tbody>
</table>

8. Native Grasses:

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Native</th>
<th>Drought Tolerant</th>
<th>Shade Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muhlenbergia spectabilis</td>
<td>Muhley Grass</td>
<td>YES</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td>Eragrostis elliottii</td>
<td>Elliot's Love Grass</td>
<td>YES</td>
<td>High</td>
<td>FS</td>
</tr>
<tr>
<td>Spartina spp.</td>
<td>Spartina</td>
<td>YES</td>
<td>Varies depending on species</td>
<td>FS</td>
</tr>
<tr>
<td>Tripsacum floridanum or dactyloides</td>
<td>Dwarf Fakahatchee Grass or Fakahatchee Grass</td>
<td>YES</td>
<td>High</td>
<td>FS/SH</td>
</tr>
</tbody>
</table>

NOTE: This list does not preclude the use of other native plants or “Florida-friendly Landscaping” plant material. It is intended as a guide for plants that have adapted well to the local environment. Additional information is available from a number of websites including [www.fyn.ifas.ufl.edu](http://www.fyn.ifas.ufl.edu) and [www.floridafriendlyplants.com](http://www.floridafriendlyplants.com).

It is the responsibility of the landscape architect, landscape contractor and/or homeowner to determine the existing lot/soil conditions and to determine which plants will thrive in site specific locations.

ARB Guidelines Effective: August 13, 2018
5. **Conservation Easements:** All lots abutting conservation easements are subject to the restrictions set forth by the St. Johns River Water Management District (SJRWMD), the community’s permits, and Section 10.6 of the CCREs. All lots abutting the natural marsh areas are subject to these restrictions. Other lots within the community may include such areas.

Vegetation within the conservation easement may not be removed or destroyed. This includes trees, shrubs or other vegetation. Easement land may not be filled with soil or any other material used as land fill. It may not be excavated or dredged and no surface material may be removed.

6. **Natural Areas:** Natural Areas are landward of the SJRWMD Jurisdictional Wetland Line and areas that remain in the same natural condition they were in prior to construction. The preservation of natural areas with existing native plants is required where existing lot conditions permit. Additional soil or fill in these areas is not permitted. Dead or dying plant material may be removed and understory plants, both native and “Florida-Friendly Landscaping” materials may be planted in these areas. Exposed edges adjacent to sodded areas, adjoining lots, etc., must be mulched to a minimum width of 5 feet with approved mulch types and maintained weed free. **Disposal of lawn debris is absolutely not permitted in Natural Areas.**

7. **Irrigation:** All lots must be irrigated and shall adhere to the City of Jacksonville landscape and zoning code and current Comprehensive Plan requirements. The irrigation system must be designed to provide 100 percent (100%) coverage (except for the natural areas) for all planted areas, beds, etc., and must be fully automatic. In addition, the irrigation design must incorporate water-efficient techniques. Finally, the City of Jacksonville double check valve backflow preventer must be totally screened from view by shrubs and its location indicated on the landscape plan submitted for review.

8. **Pools and Screen Enclosure Landscaping:** All pools must be landscaped to soften the pool and enclosure’s view from adjacent lots, Lagoon, golf course, and other areas as determined by the ARB. There must be at a minimum, 2-foot-high foundation plantings around the perimeter of the enclosure which must be maintained at or above that height. Vertical heights are equally important and the ARB may or may not require additional landscaping with trees and/or large plants at a height at least half of the height of the enclosure. Generally, this vertical height requirement will be dependent upon the overall aesthetic appearance of the completed landscaping.

9. **Transformers:** All transformers must be screened from view with a minimum of 3-foot-high shrubs and in accordance with Jacksonville Electric Authority (JEA) specifications.

10. **Fountains/Landscape Features:** All plans for fountains must be submitted to the ARB for review and approval. The fountain submittal must be...
accompanied by a landscape plan that incorporates the existing landscape or plans for a change in the landscape and house design with pictures. The ARB maintains the right to turn down any feature which it deems out of character with the neighborhood. Features and fountains that have been approved by the ARB concerning but not limited to color, style, height and material are considered part of the original landscape plan. Requests to change the appearance must be re-submitted for ARB review and approval.

11. **Sod**: St. Augustine sod is recommended. All waterfront lots abutting the Lagoon or a retention pond must be sodded or planted with an approved FFL ground cover to the water’s edge. Homes abutting conservation easements may not install sod beyond the jurisdictional wetland line which can be found on the property’s site survey.

Sod must also be installed from the property line in the right-of-way to the back of the curb for a uniform aesthetic appearance throughout the community. Homes adjacent to the golf course must be sodded to the golf cart path or the sidewalk’s edge.

12. **Landscape Lighting**: Before installing new or changing existing landscape lighting for walkways, driveways, flowerbeds, etc., a plan must be submitted to the ARB for review and approval. The plan must show the location and type of lights to be used. No accent lighting shall be placed in the right-of-way and landscape bed lighting should not exceed two (2) feet in height. No permanent lighting shall be placed in a tree(s). Commercially available lamp post lights are acceptable with ARB approval.

13. **Mulch**: Natural organic mulch is preferred. Natural mulch includes pine straw, shredded pine bark, pine nuggets, leaves and shredded eucalyptus. The use of cypress mulch should be minimized. Mulch depth should not exceed 2-3 inches.

Unacceptable, artificially colored mulch colors include teal, blue, coral, orange and any other colors that do not mimic natural mulch. Mulch must be replaced when the product is faded in color, decomposed or eroded. **Rubber mulch is not permitted.**

River rock or neutral colored stone is authorized. **White stone is not permitted.**

14. **Drainage**: Plans must include the drainage pattern to be established on the lot for both new construction and major landscape renovations. The owner and their contractor are responsible for establishing and maintaining positive drainage and following the approved drainage plan for Queen’s Harbour (the plan is available at the POA Office). The ARB requirement to save trees and preserve plant materials shall not preclude providing positive drainage. Tree wells may be
built to preserve trees with the approval of the ARB (see Section III - Drainage/Lot Grading).

15. **Maintenance:**

It is the responsibility of the homeowner to maintain their property consistent with the Guidelines for a New Construction, Section IV, paragraph A, above, over the life of his or her home. Any plant material including ornamental trees which dies or becomes unsightly after installation must be replaced by the property owner in a timely manner. This requirement applies to new construction, major and minor landscape renovation projects and the regular, on-going maintenance of the landscaping at all residences. Foundation shrubs must be kept pruned and beds maintained free of weeds and vines. Dead foliage, bushes, and grass shall be removed in a timely manner.

a. As palm fronds are aging, they turn yellow. During this time the tree is harvesting potassium from the dying fronds. When the frond is brown it is dead and must be removed. The POA will not require removing dead fronds more frequently than once a year.

b. All lots, including those owned by contractors, must be kept free of unreasonable growth, weeds and underbrush. Using the standards prescribed in City of Jacksonville Ordinance 518 as a guide, any lot, improved or unimproved, within 100 feet of any improved property on which there exists a building, structure, or other premises occupied by people, shall be deemed to require maintenance. If the growth of weeds, grass, underbrush or undergrowth, other noxious vegetation (but not including trees, plants or other vegetation protected by state law) exceeds a height of 15 inches over the majority of the parcel, the lot must be cut in accordance with City of Jacksonville Ordinance 518.202.

16. **Landscape Plan Submission Requirements:** (See sample landscape plan/survey below)

a. Plan Sheet Size: 24 inches high by 36 inches wide.

b. Scale of Drawings: The scale of all landscape plans must be 1 inch equals 10 feet or 1/8 inch equals 1 foot.


d. Plant Schedule: The landscape plan/design/drawing must include a plant list and key showing the abbreviation or number key used by the plan, the botanical and common names of all plants, plant sizes by height and spread, the caliper of trees at 36-inches above grade or container size and a comments
column, which includes plant spacing. The quantity of each listed shrub, ground cover, and tree must be indicated in a column preceding the key.

e. Existing Trees: All existing trees 6 inches (a Protected Tree) or greater in diameter measured at 4.5 feet above natural grade must be shown by a separate symbol according to variety and size. Approximate canopy size must be shown on the plan. Natural areas must be illustrated using a freehand outline of the clustered trees. Existing trees to be removed must be marked with an “X” including those within the house footprint area. Also, trees to be removed must be marked with orange tape (available at the POA Office) so that ARB members will be able to identify them during a field inspection.

f. Lettering of Plan Sheets: Lettering on all plans must be neat, legible, block or type style. Submitted plans/blueprints must be clear and distinct.

g. Title Block: Each sheet must have a title block. The title block shall include the unit and lot numbers, the address, the property owner and landscape architect’s/designer’s name and the issue date of the design. Revision dates must be noted. Plans submitted to the ARB must be signed, dated and sealed by the responsible party.

h. Minimum Required Specifications and Notes: A specification sheet including planting details for shrubs and trees shall be included as part of the submission. This should include performance specifications for the irrigation system. Explanatory notes must be used to further describe graphic representations. For example, if the plan shows landscape timbers, a notation and detail must be added to the plan showing size, installation details, etc.

i. Graphic Illustrations:

1) All pertinent existing or proposed site features must be clearly drawn including property lines, easements, swales, sidewalks, driveways, decks, tree wells, service areas, walls, streets, pools, pool enclosures and equipment, HVAC units, transformers, pavement edges, street’s name, marsh, golf course, waters’ edge, rights-of-ways, governmental jurisdiction boundaries, and/or top of bank, etc.

2) All construction details such as walls, planters, walkways, etc. must be shown on the landscape plan. Details showing construction of landscaped/hardscape elements including size, dimensions, colors, materials, etc., must be drawn on the plan. Approval for these elements is contingent upon the inclusion of these construction details on the plan. This requirement is for aesthetic review only.

3) All first floor fenestration, i.e., windows, doors, etc., must be shown.

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4) All landscaped bed outlines, individual plants and groundmasses must be shown. Each plant or plant mass must be labeled with its name (or key) and quantity.

17. **Plan Changes:** The landscaping must be installed in accordance with the approved plan(s). Minor design adjustments may be made, to fit site conditions; however, major changes must be re-submitted for ARB review and approval.

18. **Landscape Specifications:**

   a. The name of the proposed landscape contractor, phone and e-mail contact information must be provided.

   b. The contractor is responsible for verifying site conditions and assuring that the quantities of plant material indicated on the plans are installed.

   c. All plant materials must conform to the standards for Florida Number 1 or Florida Fancy as specified in the “Grades and Standards for Nursery Plants,” Parts 1 & 11, State of Florida, Department of Agriculture. All trees to be Florida Fancy/Specimen.

   d. All proposed plant beds must be mulched with an approved mulch type at a depth not to exceed 2-3 inches. Mulch must be pine straw, shredded pine bark, pine nuggets, leaves, shredded eucalyptus, river rock or neutral colored stone. See Section IV, Paragraph A.13 for additional information.

   e. All landscape beds and lawn areas must have positive drainage away from the home. No water drainage is to be diverted to adjoining lots.

   f. All shrubs and ground cover must be container grown. All trees must be container grown, bagged with organic burlap, or moved with a tree spade.

   g. The use of plant material in Queen’s Harbour should be for USDA Zone 9. All property owners are also encouraged to use “Florida-friendly Landscaping” plant material recommended for our area of North Florida.

19. **Plant Spacing:**

   The following are guidelines for the spacing of shrubs and ground cover within plant beds. The spacing may vary depending on a particular species growth habit. All plant material of one type planted in two (2) or more rows shall be planted in a staggered (triangular) pattern.
a. Large Shrubs.

1) 3-gallon planted a minimum of 30 inches and a maximum of 36 inches on center.

2) 7-gallon planted a minimum of 36 inches on center and a maximum of 40 inches on center.

b. Dwarf or Semi-Dwarf Shrubs:

1) 3-gallon planted a minimum of 15 inches on center and a maximum of 24 inches on center.

c. Groundcover:

1) 1-gallon planted a minimum of 12 inches on center and a maximum of 24 inches on center.

2) 3-gallon planted a minimum of 18 inches on center and a maximum of 24 inches on center.

20. **Planting Bed Area:** General guide determining square footage of area by quantity of plants at a given spacing.

<table>
<thead>
<tr>
<th>Spacing &amp; Comments</th>
<th>Square Footage Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>5’ O.C. 7g – 15g Woody Shrubs</td>
<td>29.45 SF</td>
</tr>
<tr>
<td>4’ O.C. 5g – 7g Woody Shrubs</td>
<td>19.25 SF</td>
</tr>
<tr>
<td>3’ O.C. 3g – 5g Woody Shrubs</td>
<td>11.75 SF</td>
</tr>
<tr>
<td>30” O.C. 3g Dwarf Shrubs or groundcover</td>
<td>8.45 SF</td>
</tr>
<tr>
<td>2’ O.C. 1g – 2g groundcover</td>
<td>5.85 SF</td>
</tr>
<tr>
<td>18” O.C. 1g groundcover</td>
<td>3.60 SF</td>
</tr>
<tr>
<td>12” O.C. 1g seasonal or Dwarf Groundcover</td>
<td>2.15 SF</td>
</tr>
<tr>
<td>Ornamental Trees installed within bed area</td>
<td>18.75 SF</td>
</tr>
<tr>
<td>Canopy Trees installed within bed area</td>
<td>25.5 SF</td>
</tr>
</tbody>
</table>
B. **Modification of Existing Landscaping:** Any significant removal or replacement of existing landscaping that was not part of the original landscape plan or subsequent revisions must be submitted for review and approval by the ARB. However, incremental changes to aesthetically enhance the overall appearance of the landscape or substitute plant materials to compensate for existing sun, shade, soil or other adverse conditions will not require prior ARB approval. If an existing **Non-Protected Tree(s)**, shrub or groundcover plant dies, it should be replaced with like kind or other appropriate replacement in a timely manner (see Recommended Plant Material Table). All existing canopy trees must be shown on the renovation site and landscape plan for review and approval before commencing site work or construction.

**Note:** The ARB in its sole judgment reserves the right to deny any tree removal request for any canopy tree(s) it deems irreplaceable.

1. **Minor Landscape Changes:** For landscaping changes affecting 25 percent or less (minor changes) and excluding incremental changes noted above, owners may either use an ARB-approved landscape designer or the homeowner may prepare their own drawing as long as it provides the location, names and sizes of all plants. See Table of Recommended Plant Materials, Section IV, Paragraph A, above. Questions regarding authorized designers or owner-requested exceptions should be referred to the ARB coordinator. See Major Landscape Changes immediately below.

2. **Major Landscape Changes:** If more than a 25 percent change to the landscaping is proposed (major landscape change), a plan must be designed and drawn-up by a Florida Certified Landscape Architect. Most landscaping contractors employ credentialed personnel on their staffs for just this purpose. See the criteria for New Construction, Section IV, Paragraph A, above) for overall requirements. If the homeowner’s proposed renovation plan calls for the removal of a **Protected Tree(s)**, both the Landscape Architect and the ARB will evaluate the plan to take into account the overall, completed appearance of the finished new landscaping for the property. The ARB will also apply this criteria to a homeowner’s proposed minor landscape plan.

3. **Tree Removal and Replacement:** Any tree over 6 inches in diameter at 4.5 feet above natural grade is a **Protected Tree**. Removal of any **Protected Tree** requires ARB approval, and the owner may be required to mitigate with a replacement tree(s). The size and species of the required new tree(s) depends upon the size, species, and location of the removed trees as well as the size and number of trees remaining on property. The ARB clearly specifies the requirements in correspondence and permits provided the owner. Trees removed in the front, and side yards, that fall under the jurisdiction of the ARB (**a Protected Tree**) must be stump ground. Trees in this category in the back yard.

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must be flush cut. All associated debris from stump grinding, along with the debris generated from the tree(s) must be removed.

Trees are grouped into five categories:

a. Evergreen Hardwood Canopy Trees
b. Deciduous Canopy Trees
c. Pines
d. Palms
d. Ornamental/Accent Trees

Refer to Table of Recommended Plant Materials for a complete listing of recommended trees.

NOTE: The ARB reserves the right to add to or remove items from the recommended plant materials list. The species on the list have proven to be successful in Queen’s Harbour in relation to the local environment, disease resistance, and other factors. If plants other than those on the recommended list are to be used, owners are encouraged to consider native and FFL materials. Additional information is available from a number of web sites including www.fyn.ifas.ufl.edu and www.florafriendlyplants.com.

4. **Landscape Maintenance**: Any plant material including ornamental trees which die or become unsightly over time must be replaced by the property owner in a timely manner. Foundation shrubs must be kept pruned and beds maintained free of weeds and vines.

5. **Queen’s Harbour Landscape Plan Checklist**: The following checklists should be used by professionals when preparing a landscape plan either for new construction or a renovation affecting more than twenty-five percent (25%) of existing landscaping. However, homeowners are encouraged to utilize the checklist as a guide when either preparing their own plan for landscape changes or having a landscaping firm prepare plans for changes prior to submission to the ARB for review/approval.
NEW CONSTRUCTION/EXTERIOR CONDITIONS
QUEEN’S HARBOUR LANDSCAPE
PLAN CHECKLIST - October 2017

DESIGN CRITERIA

_______ Plan is designed, signed and sealed by a Florida Certified Landscape Architect

_______ Native plants are used within the design where appropriate.

_______ Florida-friendly guidelines are considered.

_______ Plants designated as noxious weeds by the State of Florida or the USDA etc. are not utilized.

Trees:

_______ Minimum of 1 shade/canopy tree per 1200 square feet of open space is provided. *(Calculations must be shown on plan.)*

_______ Minimum of 2 hardwood shade/canopy trees located in the front of the lot.

_______ Minimum of 2 hardwood shade/canopy trees located in the rear of the lot.

_______ Minimum of 75% of shade/canopy trees are evergreen; maximum of 25% may be deciduous.

_______ Front tree sizes: Minimum 12’ - 14’ height, 6’ spread, 3.5”-4” caliper

_______ Rear and side tree sizes: Minimum 10’ height, 5’ spread, 2 - 2.5” caliper

_______ Ornamentals: Minimum 8’ height, 4’ spread.

_______ Palms substitution for evergreen shade/canopy trees does not exceed 50% (1 Date Palm, Sylvestri or Canary Island, with a minimum 8’ clear trunk equals 1 evergreen shade/canopy tree)

Planting:

_______ 25% of open space to be landscaped *(Calculations must be shown on plan.)*

_______ Foundation planting continuous (except for openings) along all sides – minimum 30” tall (except for low window sills) installed.

_______ Front and rear yards minimum depth ¾ height of first story plate height of the house.

_______ Long blank walls broken up with accent trees/large shrubbery. Front yard beds are layered.

_______ Perimeter planting: 4 perimeter beds, 2 in front, 2 in rear. Beds to contain trees, and shrubs and ground cover.

_______ Plant material in ROW 12-inches or lower.

_______ Transformers screened with 3-foot high shrubs per JEA specifications

_______ HVAC and Pool Equipment screened with wall and/or landscaping.

Natural Areas:

_______ Note on plans to clean, prune. Mulch a minimum of 5’ width along edges exposed to sodded areas.

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Irrigation:  
——— Double check valve shown on plan and screened with plant material
The following notes are included on the landscape plan or specification sheet:
——— Irrigation system to be fully automatic with 100% coverage
——— Irrigations system to be designed as per all City of Jacksonville and State of Florida codes.

Fountains/Landscape Features:
——— Shown on plan and landscaped.

Sod:
——— Type of sod: St. Augustine.

Drainage:
——— Drainage direction pattern shown on plan maintained as per QH approved drainage plan.

Mulch:
——— Natural mulch must be used in a natural color-minimizing cypress. No blue, teal, etc., or rubber mulch is permitted. Depth of mulch is 2-3”.

Lighting:
——— Landscape lighting plan showing location and type of lights. No permanent lighting shall be affixed to trees

Pools and Screen Enclosures:
——— Landscaped with trees and/or large shrubs, min 2’ high foundation planting around the perimeter

PLAN GRAPHICS
——— 24”x36” size
——— Existing trees, removed and preserved including DBH.
——— Scale (1”=10’ or 1/8”– 1’0”)
——— Plant List- key, quantity, botanical and common name of plants, size (height and spread), caliper of trees DBH or container size and plant spacing
——— North arrow
——— Title Block
——— Minimum specifications/notes including planting details.
——— Details for hardscape
——— Conceptual Drainage flow as per QH requirements
——— Property lines, easements, swales, sidewalks, driveways, decks, tree wells, service walls, streets, pool enclosures, and equipment, HVAC/service areas, transformers pavement edges, street names, marsh, golf, waters’ edge, row’s, jurisdictional boundaries, top of bank, etc. House location including windows and doors.
_____ Name of landscape contractor, landscape architect and contact information

Note: This checklist is for the convenience of the homeowners and their sub-contractors only. It is the responsibility of the homeowners and their subcontractors to ensure the plans submitted to the ARB adhere to the ARB Guidelines, the CCRE's and all federal, state and local requirements.
MAJOR RENOVATION
QUEEN’S HARBOUR LANDSCAPE
PLAN CHECKLIST - October 2017

DESIGN CRITERIA

_________ Plan is designed, signed and sealed by a Florida Certified Landscape Architect (see Note 1).

_________ Native plants are used within the design where appropriate.

_________ Florida-friendly guidelines are considered.

_________ Plants designated as noxious weeds by the State of Florida or the USDA are not utilized.

Trees:

_________ Minimum of 1 shade/canopy tree per 1200 square feet of open space is maintained. *(Calculations must be shown on plan.)* See Note 2.

_________ Minimum of 75% of shade trees are evergreen, 25% may be deciduous

_________ Front replacement tree size: Minimum 12’ - 14’ height, 6’ spread, 3.5”- 4” caliper

_________ Rear and side replacement tree size: Minimum: 10’ height, 5’ spread, 2 -2.5” caliper

_________ Ornamentals replacement: Minimum 8’ height, 4’ spread.

_________ Palm substitution for evergreen shade/canopy does not exceed 50% (1 Date Palm, Sylvestri or Canary Island, with a minimum 8’ clear trunk equals 1 evergreen shade/canopy tree

Planting:

_________ 25% of open space to be landscaped *(Calculations must be shown on plan and include existing landscape bed areas.)*

_________ Foundation planting continuous (except for openings) along all sides – minimum 30” tall (except for low window sills) installed.

_________ Front and rear yards minimum depth ¾ height of first story plate height of the house.

_________ Long blank walls broken up with accent trees/large shrubbery. Front yard beds are layered.

_________ Perimeter planting:  4 perimeter beds, 2 in front, 2 in rear. Beds to contain trees, and shrubs and ground cover.

_________ Plant material in ROW 12 inches or lower.

_________ Transformers screened with 3-foot-high shrubs per JEA specifications

_________ HVAC and Pool Equipment screened with wall and/or landscaping.

_________ New landscape beds tie into existing beds where appropriate
Natural Areas:

_____ Mulch a minimum of 5' width along edges exposed to sodded areas.

Irrigation:

The following notes are included on the landscape plan or specification sheet:

_____ Irrigation system to be fully automatic with 100% coverage to be maintained.

_____ Irrigation systems to be maintained as per all City of Jacksonville and State of Florida codes. Irrigation system to be adapted to renovated landscaping.

Fountains/Landscape Features:

_____ Shown on plan and landscaped.

Sod:

_____ Type of sod: St. Augustine.

Drainage:

_____ Drainage direction pattern shown on plan maintained as per QH approved drainage plan.

Mulch:

_____ Natural mulch must be used in a natural color-minimizing cypress. Blue, teal, etc., and rubber mulch are not permitted. Depth of mulch is 2-3”.

Lighting:

_____ Landscape lighting plan showing location and type of lights. No permanent lighting shall be affixed to trees.

Pools and Screen Enclosures:

_____ Landscaped with trees and/or large shrubs, min 2’-high foundation planting around the perimeter

PLAN GRAPHICS

_____ 24”x36” size

_____ Existing trees including DBH.

_____ Scale (1”=10’ or 1/8’– 1’0”)

_____ Plant List- key, quantity, botanical and common name of plants, size (height and spread), caliper of trees DBH or container size and plant spacing

_____ North arrow

_____ Title Block

_____ Minimum specifications/notes including planting details.

_____ Details for hardscape

_____ Conceptual Drainage flow as per QH requirements

_____ Property lines, easements, swales, sidewalks, driveways, decks, tree wells, service walls, streets, pool enclosures, and equipment, HVAC/service areas, transformers pavement edges, street names, marsh, golf, waters’ edge, row’s,
jurisdictional boundaries, top of bank, etc. House location including windows and doors

Name of landscape contractor, landscape architect and contact information

Notes:

1. This checklist is for the convenience of the homeowners and their sub-contractors only. It is the responsibility of the homeowners and their subcontractors to ensure the plans submitted to the ARB adhere to the ARB Guidelines, the CCRE’s and all federal, state and local requirements.

2. If the homeowner’s proposed renovation plan calls for the removal of a Protected Tree(s), both the Landscape Architect and the ARB will evaluate the plan to take into account the overall, completed appearance of the new landscaping for the property.
V. LAGOON PRIVATE DOCKS

A. Applications for New or Modified Private Docks: A complete dock application showing location and materials must be submitted and approved by the Harbourmaster, Harbour Chair and Architectural Review Board (ARB) before construction of a new dock and/or addition or modification to an existing dock. Joint docks with adjacent property owners may be allowed. Electrical dock boxes must be of the style and type approved by Queen's Harbour and consistent throughout the Lagoon System. The installation of dolphins or additional mooring pilings must also be consistent with the standards established for Queen's Harbour and require the approval of the Harbourmaster, Harbour Chair, and ARB. In accordance with permits, only non-toxic sheeting or piles may be used in the construction of individual docks or other structures within the waters of the Lagoon System. Docks and moored vessels must not impede or block access to neighboring Lagoon lots. In general:

1. Private Docks Piling and Vessels: Private docks pilings and vessels shall be no closer than a 10-foot set back from the property lines of the lot containing the dock as they are extended into the Lagoon unless a variance is granted per Section III-A-7 of the ARB Guidelines.

2. Setback Variance Requests: There may be specific properties where the extension of the property line into the water may significantly restrict the dock configuration or vessel size due to irregular lot shapes (i.e., non-parallel lines). In such situations, where a request for a setback variance has been submitted to the ARB by the property owner, the Harbourmaster, Harbour Chair and ARB Chair shall review the circumstances and make a recommendation to the BOD regarding dock size and placement. The recommendation shall consider rules, regulations, covenants, safe navigation and impact on neighboring properties. However, no dock structure, dock extension or piling shall extend over the property line. A variance to the requirement that the vessel shall not extend over the property line as extended shall not be granted except under extremely unusual circumstances and requires the same process of review and recommendations to the BOD prior to granting the waiver as specified above for the evaluation of a waiver of setback requirements.

3. Location Exceptions: In narrow areas of the Lagoon, as determined by the Harbourmaster, Harbour Chair and the ARB Chair, the location of the outside edge of the dock shall be determined on a “case by case” basis.

4. Size Limitations: Due to the size and configuration of some lots the Harbourmaster, Harbour Chair and ARB have the authority to limit docks to vessels of a maximum length and/or maximum beam.
5. **Dock Reconfiguration**: Reconfiguration of any existing dock structure will require that said dock structure is in compliance with current ARB and/or Harbour rules and regulations governing dock structures and vessels moored thereto, nullifying any waivers of these rules/requirements in effect at the time the dock size and location were originally approved.

a. Reconfiguration is defined as any change in a dock configuration that increases the capacity of the dock (to include dock extension, widening or installation of a dock piling) such that it results in the ability to 1) accommodate a vessel longer than allowable under current rules, 2) enable the dockage of additional vessels beyond that which is allowable under current rules. Repair or replacement of an existing dock in the same location does not void previous variances.

b. The new property line boundaries of a reconfigured lot shall not be used to determine setback distance unless a supplemental declaration is recorded in the public records of Duval County and is joined by the Owners Association, as per Amendment IV, Sections 6.21, and 6.22, of Article VI of the CCREs.

B. **Specific Criteria for the Installation of Private Residential Docks**

1. **Lagoon Docks**:

a. All docks constructed shall be subject to approval by the Harbourmaster, Harbour Chair and ARB and shall utilize standard materials, colors and design approved by the ARB. Floating dock structures are prohibited except as stated in Paragraph C (PRIVATE DOCK USAGE AND SECOND VESSELS). The number and size of vessels permitted at any private dock will be determined by the size and configuration of that specific dock.

b. All docks shall be constructed and maintained in strict compliance with the Federal and State permits. These permits “require the use of non-toxic sheeting or piles used in construction of structures within the Lagoon.” Boatlifts are not permitted within the Lagoon at Queen’s Harbour except for “small watercraft” as specified below. Docks and vessels moored at private docks must conform to the setback and length requirements stipulated in the Harbour Rules and Regulations as follows.

2. **Set Back**: Docks, pilings and vessels may not be closer than a 10-foot setback from the property line of the lot containing the dock as extended into the Lagoon unless a variance is granted per Section III.A.7 of the ARB Guidelines.

3. **Dock Length**: The dock length includes the dock and any pilings installed as an extension of the dock.

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4. **Length of Dock into the Lagoon:**

The overall length of a dock into the Lagoon shall be limited by the navigable water channel in the Lagoon. The maximum allowable length shall be determined based on a maximum dimension from the mean water line and a minimum dimension from the center line of the navigable water channel. The mean water line is the point at which the water intersects the bank at a mean Lagoon water level elevation of 5 feet as measured by the Lagoon elevation scale located on the piling at the sanitary pumping station dock adjacent to the lock.

a. **Docks parallel to the Shore Line** – The dimension from the mean water line to the outside edge of the dock shall not exceed 25 ft.; however a dimension of 20 ft. is preferable. The dimension from the center line of the navigable water channel to the outside edge of the dock shall be no closer than 40 ft. In narrow areas of the Lagoon as determined by the Harbourmaster, Harbour Chair and ARB the outside edge of the dock shall be no closer than 20 ft. from the center of the channel.

b. **Docks perpendicular to the Shore Line** – The dimension from the mean water line to the outside edge of the dock shall not exceed 45 ft. Perpendicular docks shall only be permitted in wide areas of the Lagoon as determined by the Harbourmaster; Harbour Chair and ARB; the dimension from the center line of the navigable water channel to the outside edge of the dock shall be no closer than 40 ft.

5. **Lot Survey/Navigable Water Channel:** The center line of the navigable water channel and the mean water line shall be shown on the lot survey that must be submitted with the dock request.

6. **Vessel Docking:** The vessel length must be equal to or less than the Dock Length or Length of Dock into the Lagoon, and may not interfere with navigation. However, nominal extensions beyond the Dock Length or Length of Dock into the Lagoon may be approved by the Harbourmaster, Harbour Chair, and ARB Chair where all other dock configuration and set back requirements specified in these ARB Guidelines are met and the vessel can be safely secured.

7. **Dock Features:** Any dock features (i.e., lamp posts, storage (dock) boxes, electrical pedestals, furniture, fixtures, equipment, etc.) that is permanently fastened to the dock must be approved by the ARB prior to installation. In addition, electrical boxes and dock boxes must be approved by the Harbourmaster.

8. **Pilings:** Dolphins/pilings (structures used for additional boat tie up) must be approved by the Harbourmaster, Harbour Chair and ARB. Wood caps on
pilings are required. These wood caps can extend downward no further than 7.0 feet mean sea level (MSL) on stand-alone pilings and the bottom of the fender board on pilings integrated into docks.

9. **Lifts:** Small vessel lifts including floating lifts are designated for vessels 12.5 feet or less in length and must conform to the Harbour Committee approved design. These lifts may only be installed behind a dock and never on the front or ends of the dock. The vessel and the lift must not extend past the end of the dock.

10. **Mooring Whips:** Mooring whips of a neutral color (white or grey) may be approved. An application with details of the product that is proposed must be submitted to the Harbourmaster, who will forward it to the ARB with his recommendation to approve or disapprove the application. Mooring whips will not be approved if the position of the boat extending further into the Harbour is considered a hazard to navigation of other boats in the area. Mooring whips will not be permitted at the Marina.

C. **Private Dock Usage and Second Vessels**

1. **Watercraft Subject to Rules:** These Rules and Regulations apply to all watercraft including, but not limited to the following: Normal watercraft longer than 12.5 feet in length and “Small Watercraft” defined as Personal Water Craft (PWC), dinghies, wave-runners, paddle boats, canoes, kayaks, rowing skiffs and inflatables that are 12.5 feet or less in length. The definition for “boat length” is the measurement from the foremost part of the boat to the aftermost part. Permanent storage of small watercraft on top of docks or on the bank is prohibited. Any exceptions to the 12.5 feet restriction must be approved by the Harbourmaster, Harbour committee and the ARB chair.

2. **Number and Size of Vessels:** The number and size of vessels permitted at any private dock will be determined by the Harbourmaster following review of the size and configuration of that specific dock. As a general rule, a vessel shall fit the configuration of the dock plus any pilings placed as an extension to the dock. The criteria in **APPLICATION FOR NEW OR MODIFIED PRIVATE DOCKS** (above) also determines whether adequate dockage is available.

3. **Approved Lifts, Vessel Storage:** Approved lifts, including floating lifts may be used to store Small Watercraft out of sight, behind a dock, on the entrance ramp to a dock, and out of the water. Lifts must be approved by the Harbourmaster, Harbour Committee Chair and ARB, and may not exceed 12.5 feet overall length. Small Watercraft cannot be stored on lifts on the face or side of a dock. No more than two PWC’s are permitted at a private dock and also may not exceed 12.5 feet in overall length. Any exception to the 12.5-foot
restriction, must be approved by the Harbourmaster, Harbour Committee Chair, and the ARB.

Canoes, kayaks and other small vessels may be stored on a rack located behind the dock. On T or L shaped docks, the rack may be located on the entrance ramp or the back side of the dock. In either case, the small vessel may not extend beyond the end of the dock. On perpendicular docks, the rack may be attached to the dock near the shoreline if there is enough space remaining on the dock to accommodate any other vessel being moored there. The rack should be constructed so the top of the vessel is no higher than 8 inches above the dock.

No more than two such vessels are permitted at a private dock. The vessel(s) must be properly secured to prevent them from being blown off of the rack. An approved design is available at the POA office. If you apply to the ARB for this installation, there will be no fee. The temporary storage of paddle boards and kayaks is allowed during weekends and holidays only.

4. **Second Vessels:** Second vessels, including PWC’s, must fit the configuration of the dock where the vessel(s) will be moored. Where a PWC is desired as the second vessel, it must meet the requirements stated above. Some docks cannot accommodate a second vessel. Where a second vessel is desired (not a PWC), the second vessel must safely tie to the dock and must be unobtrusive to the surrounding docks adjacent to and across from the subject dock. Given adherence to the above guidelines, second vessels may be moored behind a dock (T & L shaped docks), alongside a dock (provided the vessel does not extend into the Lagoon any more than if the vessel were moored on the face of the dock) and on the face of the dock. In all instances, a second vessel must conform to the set back restrictions of staying 10 feet from an adjacent Lagoon Lot owner’s property line. Second vessel greater than 12.5 feet in length require the approval of the Harbourmaster and the Harbour Chair, subject to the above guidelines. Requests for approval must be accompanied by a dock plan showing the layout of the dock and where the proposed vessels are to be moored.

5. **Boathouses:** No boathouses or dock buildings of any kind are permitted on private docks.

D. **Lagoon Lots**

1. **Banks:** All banks must be stabilized by the property owner.

2. **Vacant Lots:** Owners who have not constructed a home are required to cut the weeds a minimum of once per month 20 feet from the waters edge.

3. **Dock Maintenance:** No unsightly materials shall be left on the docks.
4. **Waste Disposal:** No chemicals, fertilizers, grass clippings, pet waste or debris are to be released into the Lagoon.

F. **Furniture, Fixtures and Equipment:**

1. **Prohibited Items:** All furniture, fixtures and equipment not herein permitted are prohibited unless a variance is granted in writing from the ARB. The ARB will not grant a variance if it finds that the variance requested negatively impacts the aesthetics of the dock as seen by neighbors, automobiles or passing vessels. Nor will the ARB grant any variance which in its judgment will create a danger to the health, safety or welfare of the community, the neighbors or users of the Lagoon system.

2. **Temporary Furniture:** Temporary lawn furniture including, but not limited to, bars, chairs, grills, tables, benches, umbrellas and coolers are permitted. All furniture, fixtures and equipment must be portable and not fastened to the dock in any way. No equipment, trash or unsightly items shall be left unattended.

3. **Dock Boxes:** Owners of private docks may install dock boxes with the approval of the Harbourmaster, provided all such dock boxes shall be uniform in appearance and maintained in good repair and condition.

**DOCKS AND BANK STABILIZATION MUST BE APPROVED BY THE QUEEN'S HARBOUR ARB BEFORE INSTALLATION.**
VI. **SUBMISSION OF PLANS**

A. **House Construction:** The Final Plans (complete package) shall be submitted in triplicate (3 sets) and include a Deposit, a Processing Fee, and a Construction Impact Fee as detailed in APPENDIX B.

B. **Plan Submission:** To enable ARB review, all five elements of the plans (Application, Elevation/Floor Plan, Site Plan, Exterior and Roof Colors, Materials and Landscaping Plan) must be submitted on the current required form and with the content described above **AS A COMPLETE PACKAGE.** All plans must be in the hands of the ARB Coordinator no later than 1:00 P.M. on the Wednesday proceeding the 2nd and 4th Wednesday’s scheduled ARB meetings of each month for consideration. Generally, there will be no exceptions.

However, if the submittal deadline is not met and a homeowner or their contractor wishes to have a project considered/reviewed at a scheduled ARB meeting, an "Expedited Review Fee" will be charged as long **AS A COMPLETE PACKAGE** of the required information is submitted (see APPENDIX B for the applicable additional fee).

C. **Plan Approval and Construction Start:** Owners and builders will be advised of review results within one week from the date of the ARB meeting considering the application following a timely and complete submission. In order to begin construction, the owner/contractor must receive the following from the ARB: (1) one complete set of plans stamped “approved” by Queen’s Harbour ARB, (2) an approval letter from the Queen’s Harbour ARB, and (3) a signed Queen’s Harbour Building Permit (orange).

The permit is good for 12 months; if construction does not begin within 12 months, a new application must be filed. A new processing fee will be required; however, the initial deposit and impact fee may be applied to the new application. In the event that the 12 month construction period needs to be extended, the owner and/or builder must apply in writing for a six (6) month extension to the Queen’s Harbour Building Permit.

No clearing of any lot shall commence, no foundation for a building shall be dug or poured, nor shall construction commence in any manner or respect, until the orange Queen’s Harbour Building Permit has been issued and posted on the lot. **Failure to post the permit on the lot will result in a fine.**

D. **Exterior Changes to Complete/Approved Plans:** Exterior changes to complete and/or approved plans must be submitted to the ARB for approval prior to making those changes. **This includes color changes.**

E. **The Application:** See Forms. The application shall include the following:
1. **Elevation/Floor Plan:** Dimensioned to scale 1/4 " = 1’0” showing:

   a. Exterior elevations to scale, detailing all exterior material and roof pitches.(roof, walls, columns, railing, shutters, trim, frieze boards, gutters, etc.).

      1) Paned or clear windows, consistent on all three (3) sides (rear optional on the marsh only).

      2) The roof slope of 7/12 minimum is required for all gable and hip roofs. Other pitches consistent with specific architectural styles will be considered.

      3) The window/door trim consistent on all four (4) sides (rear optional on the marsh only).

      4) Exterior architectural detail consistent on all four (4) sides.

      5) Service area/ wall for HVAC, pool equipment, portable LP tanks, and/or trash containers shall be constructed with materials consistent to the home’s architecture and color (no wood walls allowed).

   b. Exterior wall heights.

   c. Aerial roof plan to scale.

   d. Exterior wall sections showing all exterior materials.

   e. Electrical plan (optional).

   f. Foundation plan (optional).

2. **Site Plan:** Site plan scale should be 1/8" = 1’0” or 1” = 10’0” and depict the house foot print showing:

   a. Building restriction lines (BRL).

   b. Access street(s) and walkway(s), drives and other exterior improvements.

   c. Grading/drainage plan including existing and proposed topography.

   d. Drainage direction indicated with arrows.

   e. Swales and silt barrier locations.
f. Culvert(s) location, size and flow direction.

g. Exterior lighting plan such as flood lamps, landscape lighting or driveway lights.

h. Service wall/yards.

i. Location, diameter and species of trees as indicated on a tree survey. Indicate trees proposed to be removed with an "X".

j. Location and identification of special features (e.g., drainage ditch, nearby lagoon, easements, adjacent structures, golf course fairways, etc.) Adjacent structures including existing residences should be depicted in relationship to property lines.

k. Detailed description/specifications and locations for non-house structures (e.g., gazebos, play sets, swing sets, etc.)

l. Driveway banding indicating brick pavers, stamped crete, textured patterns or similar.

m. Sidewalks where required by COJ approved sidewalk plan.

n. Driveways which must be placed at least three (3) feet from adjacent property lines.

o. The finished floor elevation of the house and four (or more) lot corner spot elevations and the finished floor elevation of the garage.

p. Swimming pool.

q. Screen enclosures shown within BRL.

r. Details on fences and their location. No wood fences permitted.

s. JEA transformer boxes and cable box locations.

t. Tree wells.

F. **Exterior Colors and Materials:** Colors and samples, including manufacturer name and color number. Paint color samples for stucco, wood or concrete body of the house are to be painted on a sample of the material having a minimum size of 8” by 8”. Trim paint color samples on a chart are acceptable. Samples of brick are to be submitted. A roof material sample is also to be submitted.
G. **Additions/Modifications**: Any proposed addition to any existing home is required to meet all of the submission and approval criteria contained in these guidelines that pertain to new construction. The addition/modification should have the same architectural style and exterior materials as the original structure.

H. **House Construction - Preliminary Concept**: If your home concept has any unique/unusual characteristics not common to Queen’s Harbour, then a preliminary conceptual plan may be submitted for review by the ARB and comment prior to a final submittal. This concept should include:

1. Floor plan with square footage (drawn to scale).
2. Elevations.
3. Wall section.
4. Site plan showing boundaries, setbacks and survey lines as well as drives, walkways, service walls, finished floor elevation and direction of drainage.
5. Tree survey showing trees to remain/remove shown on the site plan.
6. A preliminary landscape plan is optional.

An approval of a preliminary concept means that the general idea has been accepted; however, the overall completed design will be reviewed at a later date and may be subject to minor changes.
VII. GENERAL CONSTRUCTION REGULATIONS

This refers to all construction, additions and improvements designed and contracted by or for property owners.

A. **Hours**: Normal construction hours are 7:30 a.m. to 6:00 p.m. EST, Monday through Friday. Weekend hours are 8:00 a.m. to 5:00 p.m. on Saturday. No work is allowed on Sunday or on the following holidays: New Year’s Eve Day, New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day and Christmas Day. Exceptions must be approved, in writing, by the ARB.

B. **Port-O-Lets**: Port-o-lets must be placed on the lot, twenty (20) feet back from the curb with the access door facing away from the street. No Port-O-Lets may be placed at or on the road.

C. **Site Management**:
   1. **Debris**: Lots with a house or other improvements under construction must be maintained on a daily basis for wind dispersible debris. All construction debris should be removed from the lot on Friday by 3:00 p.m. If the owner/builder does not maintain the lot free from debris a fine may be charged. All owner/builders are responsible for maintaining the streets in front of the lot being constructed.
   2. **Electrical Service**: No cords or hoses may be placed across roads. Each lot must maintain its own secondary underground electric service. Use of other property owner’s utilities is not permitted unless approved in writing by said property owner.
   3. **Trailers**: Trailers must not be left on the lot or right-of-way overnight. Arrangements must be made for all trailers to be removed from the property daily.
   4. **Construction Activity Limitations**: All construction activity must be performed within the boundaries of the lot being constructed. Neighboring lots must not be used for construction access, storage of building materials, debris storage and parking, etc. Equipment, Trailers or Vehicles left on any lots or construction sites overnight will be subject to fines and may be towed without notice.
   5. **Noise, Activity Management**: No non-construction related loud noise or pets shall be allowed upon the property. No activity shall be permitted on any part of the property, which shall be illegal, noxious or offensive or which is a
nuisance or a source of embarrassment, discomfort or annoyance to other residents.

6. **Temporary Power Poles:** All Builders who have requested final inspections on various properties must remove all temporary power poles on the site prior to issuance of final deposit checks.

D. **Compliance:**

1. **Scope of ARB Approval:** ARB approval applies only to site, landscape and architectural plans. Builders/owners are responsible to obtain whatever easements, permits, licenses and other approvals, which may be necessary to improve the property in accordance with the approved plans. Approval of the plans does not constitute a warranty or representation by the ARB, any developer or landowner that the proposed improvements will be consistent with the development plans of any other landowner.

2. **Lot Owner Responsibility:** Compliance with all approved architectural and landscaping plans is the responsibility of the Lot Owner. Any change to the approved plans (either building or landscaping) without prior ARB approval subjects such changes to disapproval and enforced compliance with the approved plans.

3. **Code Compliance Responsibility:** Compliance with all applicable building codes, including requirements for the final (as built) elevation if this house’s finished floor, is the responsibility of the Builder/Owner and not that of the ARB.

E. **Lot Setbacks:** The owner/builder is responsible for location of all construction pursuant to all laws, codes and permits.

F. **Drainage:** The Owner/Builder is responsible for positive drainage per the approved plans. The Florida Department of Environmental Protection, The City of Jacksonville, the U.S. Army Corps of Engineers and the St. John’s River Water Management District have special front and rear drainage requirements. Temporary swales and other sediment control must be installed to reduce run off during construction. No water drainage is to be diverted to adjoining lots.

G. **Silt Screens:** Silt screen barrier assembly is required to be installed immediately following clearing and prior to construction: (1) for lots with frontage greater than 80 feet - along both sides and across the rear property lines, (2) for lots with frontage of 80 feet or less - across the rear property line.
H. **Lighting**: All accent lighting for walkways, driveways, flowerbeds, etc. must receive prior ARB approval. No accent lighting shall be placed in the right-of-way. Lighting placed in the trees is not permitted.

I. **Dock Construction**: Dock construction requires an application, permit and water fluctuation agreement. (see Forms, Lagoon Water Fluctuation Agreement). Contractors working at the lagoon edge (docks, retaining walls, and “tri-lock”) shall deploy floating turbidity barriers to preclude lagoon pollution.

J. **Community Access**: The Owner/Builder is responsible for arranging passes with Queen’s Harbour Controlled Access for the subcontractors/other personnel.

K. **Dumpsters**: All building sites must have a dumpster for debris on the site 24 hours after the slab has been poured, prior to framing. All dumpsters must be emptied when container reaches full capacity. Prior to gaining entry to the community, dumpsters must be registered with the POA office. This includes dumpsters used on projects which may not require ARB approval. Failure to do so before beginning the project will result in refusal of entry. Dumpsters are to be delivered 24 hours before work begins and removed within 5 days of completion. Dumpsters may not be left on the street and are to be emptied when the container reaches full capacity. Refer to Paragraph P-Hurricane Procedures.

L. **Spillage**: Any spillage of concrete, debris or dirt onto the paved street shall be removed from the surface during the same day. The Owner/Builder is responsible for street cleaning due to land clearing trucks, dump trucks, construction vehicles, etc. Street cleaning should be performed on a daily basis.

M. **Land Clearing**: The ARB Coordinator is to be notified prior to any land clearing of any lot. Once notified, the ARB Coordinator will make immediate arrangements to perform a field inspection prior to land clearing to verify that all trees to remain on the lot are properly tagged. The trees to be removed are to be tagged with red tape. The Coordinator will issue the required permit following the inspection. Immediately following land clearing, the ARB Coordinator will again perform a field inspection to verify that the proper trees are remaining and no additional trees were removed. Trees found to be removed without approval are subject to fines and or mitigation.

The orange Queen’s Harbour permit must be posted prior to any land clearing and during construction. Failure to do so may result in a fine.

N. **Construction on Queen’s Harbor Boulevard**: Because irrigation pipes are installed in the 10-foot grass roadside in front of all lots fronting on Queens

*ARB Guidelines Effective: August 13, 2018*
Harbor Boulevard, builders must contact the POA office prior to pouring driveways or sidewalks.

O. **Tree Barricades:** For all trees to be saved, tree barricades shall be built and maintained during construction at a height of at least 3 feet as follows:

1. Trees of trunk diameter of 20 inches or less - 10 feet from the trunk.
2. Trees of trunk diameter of more than 20 inches - 20 feet from the trunk.

Any exceptions must be approved by the ARB Coordinator.

P. **Hurricane Procedures:** If the weather report indicates the projected path (entire cone) of the hurricane will target our area, the following will be done no later than two (2) days prior to impact. No deliveries of building materials of any type will be allowed on the property. All loose objects are potential projectiles and must be secured. Secured means to have no shingles or tiles on the roof waiting to be installed, all debris on the lot cleared, all port-o-lets, all wood and other materials need to be either hauled off the property or placed in a finished garage with the door closed.

Dumpsters must be emptied or securely covered. The only trucks allowed on the property during this period will be those needed to haul away garbage and materials that cannot be stored inside a secured garage on your property (or properties). There will be no exceptions to this rule.

Q. **Debris:** Dumping debris of any nature, washing out concrete trucks, etc. on any undeveloped lots or other property owned by Queen’s Harbour will not be tolerated. Anyone observed or reported doing any such activity will be fined. This applies to all residents, contractors, subcontractors, lawn maintenance companies and tree trimming companies. **There will be no exceptions or warnings.**

R. **Completion:** All construction projects must be completed within eighteen (18) months from the date on the approval letter and/or the date stamped on the approved plans unless otherwise stated by the ARB.

When final inspection is called for, an “as built” survey must be provided to the ARB Coordinator.
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