

Marsh Harbor at Palm Valley
Architectural Review Board (ARB) Checklist

Duties of the ARB

- Initial construction shall comply with Marsh Harbor Design & Development Guidelines (MH D&DG).
- Otherwise no landscaping, improvement or structure of any kind, nor any addition, change or alteration be made, unless and until plans, specifications and location have been submitted to, and approved in writing by the Association.
- All plans and specifications shall be evaluated as to visual and acoustical privacy and as to the harmony of external design and location in relation to surrounding structures, topography, existing trees and other natural vegetation and as to specific conformance with architectural criteria which may be imposed from time to time by the Association.
- It shall be the burden of each owner to supply two (2) sets of completed plans and specs to the ARB.
- No plan or spec shall be deemed approved unless a written approval is granted by the ARB to the owner.
- ARB shall approve/disapprove plans or specs properly submitted within thirty (30) days of each submission. Any change or mod to approved plan shall not be deemed approved unless a written approval is granted by the ARB to the owner. (*Marsh Harbor Declaration of Covenants and Restrictions (MH DC&R) Section 6.1*)

ARB

- Shall consist of three (3) or five (5) members who need not be members of the Association.
- Majority of the ARB shall constitute a quorum at any meeting, and the action of the majority present at a meeting at which a quorum is present shall constitute the action of the ARB.
- The Board of Directors (BoD) shall have the right to appoint all members. (*MH DC&R Section 6.2*)
- Powers and Duties (*MH DC&R Section 6.3*)
 - Recommend amendments to architectural criteria to the BoD. Notice of any amendment shall be delivered to each member of the Association verbatim. Amendments need not be recorded.
 - Require submission of two (2) sets of plans for any improvement requiring review and approval. ARB may require building material samples, tree surveys or other information.
 - To approve or disapprove any request. ARB decisions may, but need not be evidenced by recordable certificate by President or any Vice President of the Association.
 - Aggrieved party shall have the right to appeal to the BoD by written request within 30 days. Board decision shall be dispositive.
 - Adopt a schedule of reasonable fees for processing requests, payable in cash when request is submitted.
- The Board may pay reasonable compensation to any or all ARB members. (*MH DC&R Section 6.4*)
- Review initial construction for consistency with Declaration and architectural guidelines. (*MH DC&R Section 6.5*)
- Authorize variances when circumstances require. Variances must be evidenced by signed document from authorized ARB representative. Variances granted deems covenants not violated, but DO NOT waive other terms and provisions nor affect a homeowners' obligations to comply with government laws and regulations. (*MH DC&R Section 6.6*)
- Not liable for issues arising out of reviews, approvals, etc. (*MH DC&R Section 6.7*)

Guidelines

- **Antennas:** must not be visible from the street and remain below the plate line. *(MH D&DG #13)*
- **Cable TV:** Homes shall be wired to receive and accept cable television service. *(MH D&DG #24)*
- **Docks and Boathouses:** only 1 per lot; permits required; setbacks 15 feet from side yard boundary line; no built in bathroom/cooking facility (except BBQs). *(MH D&DG #31)*
- **Dwelling Size:** Minimum heated and cooled living area of 2,400 square feet. *(MH D&DG #9)*
- **Exterior Air Conditioning/Pool Equipment:** Must be screened from street view, lakefronts, adjacent properties by opaque walls made part of dwelling, or as approved by ARB. No window or wall mounted air conditioning units of any type. *(MH D&DG #16)*
- **Exterior Building Materials, Finishes, Colors:** Materials and finishes consistent with other homes in a 3-mile radius. Exterior colors limited to earth tone; brick colors may vary from earth tones. No color shall detract from other buildings in the community. ARB will not approve very bright, very dark or primary colors. Trim color shall compliment the main body color. Above restrictions apply to initial painting and all subsequent paintings. Uncovered or exposed concrete or concrete block (whether or not painted) shall not be permitted as exterior finish unless approved by the ARB. *(MH D&DG #19)*
- **Exterior Lighting:** Shall be designed and installed so as to avoid visible glare from other nearby properties unless approved by ARB. *(MH D&DG #20)*
- **Fences and Walls:** None except approved by ARB. Height no higher than 4 feet and none shall extend toward front of Lot past the rear wall of the dwelling. All shall be constructed of decorative wrought iron or clad aluminum. *(MH D&DG #17)*
- **Garbage/Trash/Equipment Storage Areas:** Shall be enclosed by either landscaping or a wall composed of materials similar to, but not attached to, the dwelling in order to block view from the street. All such areas must be adjacent to main dwelling. *(MH D&DG #21)*
- **Garages/Carports:** No carports. Garage for 2 to 4 passenger size vehicles. *(MH D&DG #11)*
- **Grass:** only St. Augustine allowed on residential property. Partial sodding, sprigging, plugging or seeding allowed. *(MH D&DG #26)*
- **Height Limitations:** 35 feet as measured from finished grade on front street side. *(MH D&DG #4)*
- **Irrigation Systems:** underground automatic systems required. *(MH D&DG #29)*
- **Landscaping:** entire lot shall be landscaped at completion of construction and prior to Certificate of Occupancy by the County. *(MH D&DG #25)*
- **Landscaping around Side and Rear Yards.** Those plainly visible from street shall have beds running along the perimeter with 5 gallon shrubs planted no more than 2.5 feet apart. *(MH D&DG #30)*
- **Mail or Delivery Boxes:** One particular type or design as specified by the ARB. *(MH D&DG #22)*
- **Recreational Equipment:** Wooden playsets/swing sets may be placed in backyard provided plans are approved by the ARB. *(MH DC&R Section 10.20)*
- **Roofs:** Shall be pitched not less than 5 inches in 12 inches unless approved by the ARB. Architectural composite asphalt shingles, clay tile, or slate. No pure white, pure black or pure primary color roofs are permitted. *(MH D&DG #12)*
- **Seawalls/Bulkheads:** none allowed. *(MH D&DG #31)*
- **Setbacks:**
 - **Building** - from property boundary lines, no closer than 20 feet to front yard (street side), 20 feet to rear yard, 10 feet to side yard. *(MH D&DG #5)*
 - **Corner lots** – side yard building setback line on street side which is not front of house shall be 5 feet less than front yard setback line on immediately adjacent lot on that street. *(MH D&DG #6)*
 - **Driveways** – no closer than 5 feet to any side yard property boundary line. *(MH D&DG #7)*
 - **Intracoastal Waterway** – Not less than 100 feet from the normal high water elevation line of the ICW. *(MH D&DG #8)*
 - **Outbuildings/Accessory Structures** – within building setback lines. *(MH D&DG #7)*
 - **Patios and Decks** – No closer than 10 feet to any rear yard property line or established side yard property line. *(MH D&DG #7)*
 - **Swimming Pools** – No closer than 10 feet to side yard or rear yard property boundary lines. *(MH D&DG #7)*

- Walkways (other than street side sidewalks) – No closer than 7.5 feet to any side yard property boundary line. *(MH D&DG #7)*
- **Signs and Flagpoles:** No signs of any kind. One flag may be displayed, less than 4.5 x 6 feet. *(MH DC&R Section 10.13)*
- **Shutters/Window or Door Coverings:** No windows/doors covered by shutters, boards or similar coverings except as required for protection from severe storms, and then only +/- 24 hours of storm activity. No windows/doors covered by foil or reflecting/mirrored materials. No prohibition against decorative exterior shutters to the side of windows/doors. *(MH D&DG #15)*
- **Swimming Pool Screens:** Must be entirely within building setback lines for the Lot; must be constructed of materials which match or are architecturally and/or aesthetically compatible with, and treated as part of, the main dwelling. *(MH D&DG #18)*
- **Trees:** plant a minimum of 3 “street trees” which may include but not limited to magnolia, live oak, laurel oak, river birch, Bradford pear, or drake elm. Feature palm trees, excluding palmettos or sago palms shall count toward street tree allotment. Each tree, other than palm trees, shall be a minimum of 3-inch caliper height at breast height. *(MH D&DG #27)*
 - No trees or shrub with trunk greater than 6 inches at 1 foot above the ground shall be cut down, destroyed or removed, unless within approved building pad or within 5 feet of such pad, without consent of the ARB. *(MH DC&R Section 10.11)*
- **Windows:** Frames and muntins, if any, constructed of wood, clad metal, fiberglass or such other materials as approved by ARB. No raw or silver aluminum or other unclad metal window frames or muntins are permitted. All windows on front elevation visible from the street shall have architectural decorative raised banding and/or shutters. All windows on side and rear elevations visible from street shall have architectural banding for stucco buildings or brick ledges and/or other detail for brick buildings. *(MH D&DG #14)*