



ARCHITECTURAL REVIEW PROCEDURES AND STANDARDS



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INTRODUCTION

All Sea Colony Homeowners Association, Inc. (hereafter Sea Colony or HOA) Owners benefit from the planning and design that have been an important part of this housing development. The intent of design control is to help assure that the quality, character, and community values that attracted Owners to the community are maintained. This, in turn, helps to protect property values and enhances the community's overall environment.

Basic control for maintaining the quality of design and community character in Sea Colony comes through the HOA's Declaration of Covenants and Easements (hereafter Declaration) which are part of every deed of ownership. The responsibility for ensuring compliance rests with the Sea Colony Homeowners Association Board of Directors (hereafter Board). The Board is legally required to enforce the Declaration, per the HOA's By-Laws and Statute 720 F.S. The Architectural Review Committee (hereafter "ARC") helps ensure that proposed exterior alterations and additions comply with standards set forth in the Declaration and in these Standards. Every Sea Colony purchaser acquiring property in Sea Colony should have received a copy of the Declaration prior to closing on the property so that they were aware of the restrictions and rules. Since the Declaration "run with the land" they are binding on all owners and should be fully understood. Property owners who lease out their property are responsible for ensuring that their property stays in complete compliance with all Sea Colony requirements (e.g. yard maintenance, upkeep, parking, signs, etc.). It is also the responsibility of property owners to ensure that their tenants understand the expectations of being part of this community prior to leasing their property and that the tenants abide by all the rules, regulations, restrictions, and Declaration.

The following architectural rules and regulations ("Standards") have been promulgated by the Board pursuant to its authority under the Declaration and the By-Laws of Sea Colony Homeowners Association, Inc. (hereafter By-Laws). These Standards address the most common issues faced by the Board and are not all-inclusive. The Board may promulgate further Standards and/or rules and regulations as it deems necessary. These rules are not intended to replace the Declaration or the By-Laws but will serve as a supplement to them. The ARC will conduct periodic reviews of this manual to determine if amendments are required or desired. Changes or additions must be approved by the Board.

To the extent that the Declaration or these Standards do not specifically address a particular improvement, structure, change or alteration, the ARC may deny a proposed improvement, structure, change or alteration if inconsistent with an existing pattern or de facto unified building scheme.

The definition of any word or phrase not defined in these Standards shall be given the same meaning and definition as those words and phrases defined in accordance with definitions used in the Declaration, as amended from time to time.

IT IS THE INTENT OF THE ARCHITECTURAL REVIEW: PROCEDURES AND STANDARDS TO:

1. Provide uniform standards to be used by the ARC in reviewing applications considering the provisions set forth in the Declaration.
2. Assist in providing continuity in decision making between the ARC and the Board.
3. Increase Owner awareness and understanding of the Declaration.
4. Assist Owners in preparing a complete application to the ARC.
5. Describe the organization of procedures involved with the architectural standards established by the Declaration.
6. Maintain and improve the community character and quality of Sea Colony and related exterior improvements to the concept of aesthetic design.
7. Illustrate basic designs which are in harmony with the original design intent of the community.

ARCHITECTURAL CONTROL

All exterior alterations require the approval of the ARC and the Board.

Further, once a plan is approved it must be abided by, or a modification must be resubmitted for approval.

It is important to understand that architectural review and approvals are not limited to major alterations such as adding a room or deck to a Dwelling Unit, but include such items as changes in color and materials, new landscaping, the use of lawn ornaments, etc.

In addition, approval is required when an existing item is to be removed. On the other hand, not all exterior work requires approval. For example, if an Owner wishes to replace the carriage lights on his/her garage with similar carriage lights, that is not an alteration. Repainting trim the same color does not require approval. In the event

that an Owner is uncertain whether approval is needed, he/she should consult with a member of the ARC or with the property manager in the HOA office in the clubhouse ("HOA office").

Article X, Section 3 of the Sea Colony Declaration of Covenants and Easements provides, in pertinent part, as follows:

*(a) No building, wall, fence, decking, paving, awnings, or other structure or improvement of any nature shall be erected, placed, modified, altered or permitted to remain on any Lot or Common Area until the construction plans and specifications and a plan showing the kind, shape, materials, colors, and location of the structure, exterior elevations, landscaping, as may be required by both the Architectural Review Committee and the Association, have been approved in writing by the Architectural Review Committee and the Association. Each building, wall, fence, or other structure or improvement of any nature, together with the landscaping, shall be erected, placed, or altered upon the premises only in accordance with the plans and specifications and plot plan so approved. Refusal of approval of plans, specifications, and plot plan, or any of them, may be based on any ground, including purely **aesthetic** grounds, which, in the sole discretion of said Architectural Review Committee, seems sufficient. Any change in the exterior appearance of any building, wall, fence, or other structure or improvements, and any change in the appearance of the landscaping, shall be deemed an alteration requiring approval. The Architectural Review Committee shall have the power to promulgate such rules and regulations as it deems necessary to conduct the provisions and intent of this paragraph.*

(b) The Architectural Review Committee shall review the proposed submission as to the type and quality of materials, harmony of the exterior design and location of the building or structure with existing buildings or structures, location of the building or structure with respect to topography, trees, vegetation and the finished grade elevation and floor slab, exterior color(s) of any building or structure, and any other relevant considerations. Upon completion of the proposed improvements, an "as-built" survey showing the finished floor and grade elevation and location of all improvements shall be filed with the Association and with the Architectural Review Committee.

ARCHITECTURAL REVIEW PROCEDURE

The ARC is an advisory committee to the Board. Its function commences when an application is submitted. Pursuant to the Declaration, the ARC may make such rules and regulations relative to the management of applications/requests for variance as it deems necessary. ARC members cannot vote on their own applications. The ARC has authority to review deviations from these Standards. It does not have authority to review deviations from any provisions in the Declaration.

Requests for approval of modifications or for a deviation from the Standards must be submitted on the application form. Only Owners may submit these types of applications. All necessary forms are available in the Homeowners Association clubhouse (hereafter HOA) office and Sea Colony website. Also available in the HOA office is a color sample book, copies of the Declaration, By-Laws, Rules and Regulations, etc. Applications should be accompanied by plot plans, drawings, photographs, etc. to make certain that the application is as clear as possible. All ARC applications must be received no later than 1 week prior to the scheduled ARC meeting. After the application is submitted as a completed application, the ARC will hear the application at its next scheduled meeting (usually on the first Tuesday of the month). The ARC will only review completed applications. Incomplete applications will not be submitted to the ARC. The ARC reserves the right to request additional information from the Owner before making its recommendation. The Owner has the right to be present at that meeting, and the ARC highly recommends that the Owner attends to answer any questions that members of the ARC might have.

If the ARC recommends approval of the application, the application will be forwarded to the Board for action at its next meeting. If the ARC denies the application, the Owner may appeal that decision to the Board by giving written notice of appeal to the ARC within 30 days of receiving notice of such denial. The ARC will then forward the notice or appeal to the Board.

Many construction items require Flagler County Building Department review and permits. It is the Owner's responsibility to obtain all required government permits. This includes Florida Department of Environmental Protection (hereafter FDEP) permits for oceanfront Dwelling Units because FDEP has authority seaward of the Coastal Construction Control Line (hereafter CCCL).

Flagler County authorities should be contacted before beginning any work to obtain required permits. For any additions to existing Dwelling Units, detailed plans must be submitted to Flagler County to meet the County Minimum Structural Drawing Requirements for Single Family Residences, Additions, and Accessory Buildings. A copy of the approved building permits must be submitted to the HOA office prior to beginning any approved work and must be posted on the front of the property. The Owner shall coordinate required ARC design and construction components initially, then work with all agencies, county, state, and federal, as applicable. Flagler County requires building permits for homebuilding which will necessitate compliance with local and state building codes. All construction must comply with the Florida Building Code, as same is amended from time to time.

VIOLATIONS AND ENFORCEMENT

It is the right and duty of the Board to enforce the Declaration, the Articles of Incorporation, the By-Laws, and all Standards, Rules and Regulations (“Governing Documents”) promulgated thereto. The Association is authorized to enforce its Governing Documents in accordance with Florida Law and its provisions, including actions for injunctive relief, fines, and suspensions.

DWELLING UNITS ADDITIONS / CONVERSIONS

(See also Article X- Sections 4 & 6)

The following Standards apply to:

- **NEW ADDITIONS** (“Addition”) to the principal Dwelling Unit including, but not limited to, by description, “Climate Controlled Space”, “Four Seasons Room”, or “Enclosed Front Porch”.
- **CONVERSION FROM SCREENED ENCLOSURE** (“Conversion”)

An Architectural Review Committee (“ARC”) Application, Marked Plat Survey, and detailed Design and Construction Plans must be submitted to the ARC for approval. Any proposed changes must be consistent with the original architectural character of Sea Colony.

Choice of materials must be consistent and compatible with the original construction.

The design, materials, colors and rooflines should comply with the existing structures and standards.

Maximum Building Height shall not exceed 35 feet.

All Additions and Conversions must comply with the Maximum Lot Coverage requirement which is the total lot area covered with principal buildings not to exceed 40%.

All Additions and Conversions must comply with the Minimum Pervious Area requirement of - 30%.

For all Additions:

The setbacks shall be no less than as follows:

Front- 25' from edge of payment
Corner Lot (side)- 20' from edge of pavement
Side- 7.5' from side property line
Rear- 20' from rear property line

Design/ Construction specifications exceeding the standard setbacks require a Flagler County variance.

For Conversions:

The Conversion design and construction must not exceed the “footprint” of the original Screened Enclosure if the rear setback is beyond 20’.

If the existing Screened Enclosure does not exceed the 20’ rear setback, the Conversion can be constructed to the 20’ rear setback.

Design/ Construction specifications exceeding the standard setbacks require a Flagler County variance.

Additional Information:

Window styles, sizes, and quantities on Conversions within the 20’ to 10’ rear yard setback must reflect the Windows requirement of Amendment 10 of the Declarations.

Window styles, sizes, and quantities for Additions will, at a minimum, reflect the original rear design elements of the home’s model type.

All designs will follow the requirements described below in the section; **“Windows”**.

Approval of design plans are bound by the discretion and confirmation of the ARC and by approval of the Sea Colony Board of Directors (“BOD”).

Owner design plans must be reviewed and approved by the ARC prior to submission of a Flagler County permit.

AIR CONDITIONERS

No “thru wall” or window air conditioner units are permitted. Outside HVAC Condenser units must be located on a concrete pad. Two-piece Mini Splits are allowed. Screening of HVAC Compressor units by fence or shrubbery requires ARC and Board approval.

AWNINGS

Fixed or retractable awnings may be approved for windows and doors opening onto lanais, porches, and patios only. Awnings must be canvas and be a solid color matching the siding or an approved accent color. All awnings need approval from the ARC and Board.

BASKETBALL GOALS AND BACKBOARDS

(Article X – Section 26)

Basketball nets/ goals/ rims and backboards are prohibited, whether attached to the residence or free-standing.

BULKHEADS

The Owners of Lots with bulkheads are responsible for the maintenance and repair of bulkheads on such Lots. Requirements for bulkheads can be found in the Flagler County Building Code and the St. Johns River Water Management District Regulations (both documents are available in the HOA office in the clubhouse). Nothing shall be built on the bulkhead or attached to it. Docks cannot be attached to the bulkhead; they must be free standing. A bulkhead may be stained or may be left to oxidize naturally. The approved stain is manufactured by Inseco, Inc., group: Wood RX Ultra, color: Classic PT(Pressure Treated)-03. New bulkheads or repairs or alterations to existing bulkheads, including staining the bulkhead, require ARC and Board approval.

COLORS, STYLES AND MATERIALS

(FOR Siding, Trim, Doors, & Shutters)

(See also Article X – Section 13)

1. SIDING AND TRIM: All exterior color changes must be approved by the ARC and the Board. A book of pre-approved paint colors for siding and trim is available in the HOA office. Only one approved siding and trim color combination is permitted on a Dwelling Unit. Oceanfront Dwelling Units can utilize two colors on the exterior of the Dwelling Unit. One color on the first level and a second

complimentary color on the top two levels. Shake shingles, Deco Rounds, Fish Scales, etc. must be the same color as the siding. It is strongly recommended that all old Masonite siding be removed before new siding is applied.

2. ENTRANCE DOORS: Entrance doors may be constructed of wood, steel, or fiberglass and may or may not incorporate glass inserts. Front doors must be painted a single color. Front doors shall be white, the existing Dwelling Unit body color, the Dwelling Unit trim color, or a complementary accent color approved by the ARC and the Board. A book of pre-approved accent colors is available at the HOA office. Square and round columns up to six inches in diameter, based on load bearing requirements, may be permitted on front porches.

3. DECORATIVE SHUTTERS: Shutters shall be constructed of wood, vinyl, or fiberglass. Shutters may be solid raised panel, board and batten, louvered, or solid panel with decorative, nautical-theme cutouts (if approved by the ARC and Board). Decorative Shutters shall be white, the same color as the Dwelling Unit trim color, or a complementary accent color approved by the ARC and the Board. A book of pre-approved accent colors is available at the HOA office.

4. STORM OR HURRICANE SHUTTERS: must be approved by the ARC and Board. Roll-up sliding type, colonial, and Bahama-type storm shutters made of metal, clear plastic, or vinyl over windows and doors are permitted. Shutters must meet State codes for high wind and hurricanes. All storm or hurricane shutters, including the casings, must be white, clear, or match the color of the house trim.

5. Temporary Storm or Hurricane Shutters, including but not limited to plywood, may not be implemented earlier than seventy-two (72) hours prior to a storm's arrival and must be removed and stored no later than seventy-two (72) hours after the storm warning or storm watch has expired. Temporary Storm or Hurricane Shutters must comply with "Florida Building Code- Residential, 8th Edition (2023) R301.2.1.2" detailed specifications

6. GARAGE DOORS: Reinforced garage doors are strongly encouraged. Garage doors may be constructed of wood, metal, vinyl, or fiberglass. They shall be solid raised panel with or without a window band along the top row, or carriage style. Oceanfront Dwelling Units must use impact resistant, solid raised panel without the window band. If oceanfront Dwelling Units square off the garage entrance opening, they must have a window band that meets hurricane glass requirements after ARC/Board application approval. Garage Doors may be white, or they may match the existing house body color or house trim color.

CUPOLAS AND WEATHERVANES

Any cupola replacement or addition must be the same design, shape, appearance, and material as the original cupolas on Dwelling Units and approved by the ARC and the Board. Color and trim must match siding and trim colors of the Dwelling Unit. If a weathervane is attached to the cupola or the roof of the Dwelling Unit, it should be the same design as the original weathervanes utilizing a whale or other nautical motif. No cupolas and weathervanes are allowed on oceanfront properties due to high winds.

DOCKS

(See also Article X – Section 32)

Docks are permitted on a Lot adjacent to a lake after design and application approval by the ARC and the Board, as well as county, state, and federal agencies, as applicable and a granting of an easement over the lake by the Board. Docks are to be built for extreme environmental conditions. Docks should be built to withstand wind and saltwater exposure. Docks must maintain a minimum 7.5-foot setback from side property lines. Docks must not restrict flow or permitted use of the lake and must not extend more than 12 feet into the water from the land. Docks must be free standing and must not be attached in any way to a bulkhead. Docks must always be kept in good repair. Docks shall not have any hoist attached. Docks shall not be covered or have any boathouse, storage building, or similar enclosed structure, and shall not be used to store any tools or recreational items (e.g. kayaks, surfboards, water toys, etc.). See Color Book for approved Dock Stain Colors.

Acceptable Dock Material and Components:

Acceptable Dock Materials:

Marine Grade Lumber (Typically UC5B and UC5C)

Pressure Treated Lumber

Composite Materials (example: “Trex”, “Azek”)

Acceptable Dock Components:

Dock Pilings- shall be made of marine grade materials, suitable for freshwater docks and comply with Flagler County Building codes.

Dock Frames- All dock Frames (both at the waterline and top of bulkhead) shall be marine grade materials, suitable for freshwater docks and comply with Flagler County Building codes.

Decking- shall be of Marine Grade materials, or Pressure Treated material, or Composite materials (as described above), suitable for freshwater docks and comply with Flagler County Building codes.

NOTE: All decking must be of the same materials. Decking repairs or replacements, if using material different from the original construction, requires that the decking be replaced in its entirety. Emergency decking repairs are acceptable but require full replacement within thirty (30) days of Emergency repair.

Railings- shall be of Marine Grade materials, or Pressure Treated material, or Composite materials (as described above), suitable for freshwater docks and comply with Flagler County Building codes.

Railings apply to the top of the bulkhead dock frame and associated decking.

A Railing is not required at the waterline. All railing systems must be a minimum of thirty-six (36) inches in height and have baluster spacing no greater than four (4) inches. Fasteners should be stainless steel. Vertical balusters shall be 2" x 2" or of a spindle design of wood or composite material and matches the railing system. Horizontal railing systems, using cable in lieu of balusters must be a minimum of thirty-six (36) inches in height and a top handrail of Pressure Treated or Composite material. Cable must be 3/16 to 1/4-inch stainless steel with protective coating. Horizontal spacing must be no greater than (3) inches. All fasteners and hardware must be stainless steel.

DRAINAGE SWALES

(See also Article X – Sections 15 & 16)

The swale system in Sea Colony is designed to hold 12 inches of surface water. The swales shall be designed and maintained in a manner so that there should not be any standing water in front of the Dwelling Unit or driveway after a storm. All swales, including the culvert, need to be clear of debris at all times, , as they will impede the swale's flow of water. Plantings and other forms of landscaping in swales, other than grass, is prohibited. Swales are located within a 15' easement area on the Lots that begins at the street. Only grass is permitted in swales. The grass acts as a filtration system.

All swales need to be 13 inches deep. This measurement is taken from the very top of the culvert, down to the bottom of the culvert.

The intent and "best practice" is that the land from the street needs to be graded down to be even with the street or 1 inch below the street grade with grass. This way the surface water flows down into the swales and moves out quickly. It is important that each swale is consistent across the front of each Lot,

from one culvert to the next culvert

The proper functioning of all the drainage swales is critical to the performance of the community's storm water drainage system. Nothing shall be constructed, maintained, altered, or permitted to exist on any portion of the swale if it obstructs or otherwise impedes the flow and filtration of surface water drainage.

DRIVEWAYS AND GOLF CART PADS

The original Sea Colony driveways are unpainted concrete, sixteen feet in width. Original concrete driveways may be replaced or widened with pavers or with a combination of concrete and pavers, after obtaining ARC and Board approval. Driveway color coatings or sealers must be approved by the ARC and the Board. The intent is to strive for uniformity of streetscape driveway appearances. If pavers are used, the color of the pavers must be approved by the ARC and the Board. Colors in the gray to tan ranges will be considered.

Permissible colors for painting concrete driveways are PFC-27 Light Rattan, PFC-72 White Cloud, PFC-69 Fresh Cement, and PFC-68 Silver Gray. Final color of choice must be approved by the ARC and BOD.

Bright or strong contrasting colors and patterns will not be approved. Driveway width may be increased by adding pavers to each side of the driveway or by replacing the driveway with a wider, concrete, or concrete and paver driveway. Any driveway so widened may not extend beyond either exterior wall of the garage.

A golf cart pad may be constructed to abut the driveway on the opposite side of the front door upon approval from the ARC and the Board. Such pad may not exceed five feet in width and eight feet in depth. The pad may be constructed of concrete or pavers or a combination of concrete and pavers. The pavers and/or concrete for the golf cart pad must be the same style, material, and color as the driveway.

Owners must comply with the Flagler County Building Code with respect to any culvert extension or replacement that is required during driveway modifications, replacements or repairs. Any application for driveway replacement or enhancement with or without a golf cart pad must include Flagler County Building Permit, a drawing of the driveway with proposed enhancements, description of the size, color, and pattern of pavers, and any other materials that will clarify the application for the ARC and the Board.

FENCES

(See also Article X – Section 20)

All fences, whether boundary fences or decorative fences, must be approved by the ARC and the Board before installation. All ARC applications for fences must include a Flagler County permit with a survey of the Lot showing the location of the fence on the Lot. Examples of permitted fences are at the end of these Rules.

Only white vinyl fences are permitted. Stone, brick, chain link, metal, wood, etc. are not allowed. Permissible fence styles are “shadow box” and “open picket”, both of which will permit air to pass through during periods of high winds. For picket fences, the pickets must be vertical, and the spacing between pickets must be not less than ½ inch and not more than 1 ½ inches. Closed picket fences, double fences and privacy fences are not allowed. Fences may have decorative, white vinyl “toppers” (e.g. lattice or spindle) providing that the toppers are designed to permit air to pass through and as long as the total height of the fence and topper do not exceed the height limitations provided below. . Fencing needs to be maintained. No mold, mildew or dirt is allowed to grow on fences. Should any growth or dirt be detected, the fence must be cleaned to treat it. No fence lighting is allowed.

Specific, dimensional and other requirements:

1. FRONT YARD: Wide open picket style only, maximum height three feet and a minimum setback from the street of twelve feet and a setback of fifteen feet for corner lots.
2. BACKYARD AND SIDE YARD: Maximum height six feet above finished grade of the Lot. Fences must be stepped down if finished grade slopes to rear of Lot. Side yard fences and/or gates must be set back at least six feet from the front building line.
3. LAKE LOTS: Maximum height of a side fence on Lots abutting lakes is six feet along the side of Dwelling Unit to rear property setback line (20'). From the rear setback line (20') to the end of the fence, the side fence must step down to maximum of three (3) feet to the end of the side yard fence. The side fence must end at least two (2) feet from the bulkhead.
4. Rear fence maximum height: three (3) feet above finished grade and set back from bulkhead a minimum of two (2) feet- open picket style fence only.

5. OCEANFRONT LOTS: Only side fences are permitted on Oceanfront Lots. Rear fences are prohibited. The maximum height of a side fence on oceanfront Lots is 4 feet along the side of the Dwelling Unit. Fences must be set back, a minimum of 10 feet from the rear property line and six feet from the front line of the Dwelling Unit. Only wide-open picket fences are permitted. The gap of an open picket fence is defined as 3 inches between pickets. FDEP and Flagler County permits must be submitted with the ARC applications. All oceanfront properties fences must be approved by the ARC and the Board with the following conditions:

- (a) In the event of an emergency (i.e. hurricane, tropical storm, or any other type of storm), the Owner must provide access in between their Dwelling Unit and the neighbor's Dwelling Unit in the event the Association needs to perform any maintenance or repair obligations of the dunes or dune system. This could result in the removal of the approved fence.
- (b) All expenses related to the fence removal and reinstallation will be the responsibility of the Owner.
- (c) Should the Owner be unavailable to fulfil the necessary access requirement, the HOA will remove the fence and assess the costs to the Owner.
- (d) When the property is sold or any change of ownership occurs, the Owner must provide "full disclosure" of this policy to the new owners.

GARAGE DOOR SCREENS

Owners may install garage door screens upon approval by the ARC and the Board. Multi-panel horizontal sliding screens (4 panel), Lifestyle Garage Door Screen and roll-up types are permitted. Only white, black, or bronze door screens are permitted.

GUTTERS

All gutters and downspouts will be white or match the color of the house trim and must stay in good repair. Any new gutters must be approved by the ARC and the Board.

HEDGES

(See also Article X – Section 13)

The requirements for hedges mirror those for fences. Application approval by the ARC and the Board are required. Specific dimensional and other requirements are

as follows:

1. FRONT YARD: The maximum height for front yard fences is three feet. The fences must be set back at least twelve feet from the street and fifteen feet for corner lots.
2. BACK AND SIDE YARD: The maximum height for side yard and back yard fences is six (6) feet above finished grade of the Lot. Hedges must be stepped down if finished grade of the Lot slopes to rear of property. Side yard hedges must be set back at least six feet from the front line of the Dwelling Unit.
3. LAKE LOTS: The maximum height is six feet along side of Dwelling Unit to rear of the original Dwelling Unit. Step down, beyond the Dwelling Unit line, to a maximum of four feet to end of the hedge. Hedges must be setback a minimum of ten (10) feet from the bulkhead. Hedges running parallel to bulkheads are not permitted..
4. OCEANFRONT LOTS: The maximum height of side hedges on oceanfront Lots is four (4) feet along the side of the Dwelling Unit. Hedges must end a minimum of ten (10) feet from the rear property line and six feet from the front of the Dwelling Unit. Hedges running parallel to the rear property lines are not permitted.

The conditions that apply for oceanfront fences also apply for oceanfront hedges concerning emergencies.

- a. In the event of an emergency (i.e. hurricane, tropical storm, or any other type of storm), the Owner must provide access in between their Dwelling Unit and the neighbor's Dwelling Unit in the event the Association needs to perform any maintenance or repair obligations of the dunes or dune system. This could result in the removal of the approved fence.
- b. All expenses related to the fence removal and reinstallation will be the responsibility of the Owner.
- c. Should the Owner be unavailable to fulfil the necessary access requirement, the HOA will remove the fence and assess the costs to the Owner.
- d. When the property is sold or any change of ownership occurs, the Owner must provide "full disclosure" of this policy to the new owners.

LANDSCAPING

(See also Article X – Section 13)

Landscaping, including, without limitation, the trees, shrubs, lawns, flower beds, walkways, and ground elevations, shall be maintained as originally installed unless

prior approval for any substantial change is obtained from the ARC and the Board. All Lots shall be kept in a clean and sanitary manner. No rubbish, refuse, or garbage shall be allowed to accumulate, or any fire hazard allowed to exist.

The care, maintenance, and individualized additions to the original landscape package provided with the Sea Colony Dwelling Units has become a key feature of the community. The mature landscape appearance, of both the Common Areas and individual Dwelling Units, provides a unifying, yet diverse, design element. Damage due to extreme weather events allows for replacing "like-for-like" without ARC and BOD approval.

Substantial changes include but are not limited to removal of any original landscape material, additional "hardscape" features such as walkways, edging material and ornamental fencing, and major landscape renovation. Final determination of "substantial change" will be made by the ARC and Board of Directors. Lawns and gardens shall be well maintained at all times. When planning modifications to landscaping, Owners may consult the University of Florida's "Florida Friendly Landscaping Program". However, care should be taken to ensure that any Florida friendly landscape designs also conform with existing aesthetic design in Sea Colony. Natural mulch and rocks are permitted as fill for flower beds. Rock size requirement is 1 ½ inches minimum. Rubber mulch, pine needles and pea gravel, are not permitted. Owners shall submit with their ARC application a landscaping plan showing location, size, species, quantity, and specific name of all plant material, trees, paving, border, mulch and other material, as applicable. Installation of new landscaping will require a drawing to include the names of new plants and trees, location of new plants and/or trees, and location of removed plants and trees.

MAILBOXES

(See also Article X- Section 29)

Mailboxes must be black vinyl or metal mounted on a white vinyl post. Arm post must be fifty-two (52) inches high. No exposed wood posts or arm post. Mailboxes must have a functioning door on the box. Mailboxes and posts must be kept in good repair. Any replacement mailboxes and/or posts require prior approval by the ARC and Board. Examples of permitted mailboxes are at the end of these Rules.

OUTDOOR LIGHTING

(See also Article X – Section 30)

Any change in style, shape, color, replacement or positioning of exterior lighting or if additional light fixtures or walkway lighting are to be installed shall require prior approval by the ARC and Board. Exterior lighting must be of low enough intensity and directed in such a manner so as not to shine on adjacent property or Common Areas, including the streets. Exterior lighting needs to be white based and non-flashing. Lights on fences is prohibited.

Owners of oceanfront Lots must demonstrate that all lighting strictly complies with Federal, State and local laws and regulations regarding protection of endangered sea turtles. The ARC and the Board will not approve any lighting without documentation of such compliance. Examples of methods to be utilized when required to reduce lighting levels are low level and low wattage exterior lighting; can soffit lighting for porches and balconies; and low “E” glass on the east face of buildings to reduce exterior illumination. Lights outside the shadow of the buildings should be bollard type with 9-watt fluorescent bulbs and gold tint shading. All glass visible from the beach must be tinted with a non-reflective coating and a shading co-efficient sufficient that no more than 45% of interior light is allowed to the exterior of the residence in compliance with Flagler County’s Sea Turtle Protection Plan and any applicable DEP restrictions and requirements.

1. **EXTERIOR GARAGE LIGHTS:** Two identical lights are permitted, one on either side of the garage door. Styles of exterior lights must be approved by the ARC and the Board. The use of motion sensors with exterior garage lights is permissible. (40 – 60-watt bulbs or equivalent lumens.)
2. **EXTERIOR FLOOD LIGHTS/SECURITY LIGHTS:** Other exterior lights will be permitted on a case-by-case basis depending upon the particular need for

additional outside lighting and the impact of such lighting on neighboring properties and ARC and Board approval.

3. **LANDSCAPE LIGHTING:** The up-lighting of trees and plants may be permitted on a case-by-case basis depending upon the impact of such lighting on adjacent property and public space. An ARC application must be submitted for approval.
4. **WALKWAY LIGHTING:** Permanent walkway lighting must be an inconspicuous size and design and will be hard wired so there is no visible wiring or conduit. It should not be easily noticed from the curb during daylight. Solar-powered walkway lighting is permitted. Only low-level lighting will be considered. An application for ARC and Board approval must be submitted.
5. **OCEANFRONT LOT LIGHTING:** Owners of oceanfront Lots must demonstrate that all lighting strictly complies with Federal, State and local laws and regulations regarding protection of endangered sea turtles. The ARC and the Board will not approve any lighting without documentation of such compliance. Examples of methods to be utilized when required to reduce lighting levels are low level and low wattage exterior lighting; can soffit lighting for porches and balconies; and low “E” glass on the east face of buildings to reduce exterior illumination. Lights outside the shadow of the buildings should be bollard type with 9-watt fluorescent bulbs and gold tint shading. All glass visible from the beach must be tinted with a non-reflective coating and a shading co-efficient sufficient that no more than 45% of interior light is allowed to the exterior of the residence in compliance with Flagler County’s Sea Turtle Protection Plan and any applicable DEP restrictions and requirements. There shall be no east side illumination during turtle season (May1 through October 31).
6. **HOLIDAY LIGHTING:** Temporary decorative holiday and festive lighting does not require an ARC application. Permanent party lights, outdoor fluorescent lights, and large bug lights are prohibited.

Holiday Lighting & Decorations Timeline

HOLIDAYS WITH FIXED DATES

<u>Holiday Lights & Decorations</u>	<u>Installed</u>	<u>Removed</u>
December (Christmas, Chanukah, Kwanzaa)	November 25th	January 25 th
Valentines Day	February 7th	February 17 th
St. Patrick's Day	March 10th	March 20th
Independence Day	July 1st	July 7 th
Halloween	October 1st	November 6 th
Veterans Day	November 8th	November 14 th

HOLIDAYS WITH VARIABLE DATES

Easter	3 Week Prior	1 Week After
Memorial Day	3 Days Prior	3 Days After
Thanksgiving	1 Week Prior	1 Week After

OUTDOOR STORAGE

(See also Article X – Section 8)

Regardless of any covenants, restrictions, bylaws, rules, or requirements of the Association, and unless prohibited by general law or local ordinance, the Association may not restrict owners or their tenants from installing, displaying, or storing any items on a lot which are not visible from the lot's frontage, an adjacent lot, or common area including, but not limited to, artificial turf, boats, flags, recreational vehicles including golf carts, tools, appliances, recreational equipment, or other personal property (State Of Florida HOA Rules Chapter 720.3045). Said items shall not be kept on docks or outside of dwelling units if visible from a lake, common area, or adjacent lot. Trash containers may be kept outside as long as they are not visible from the street. Except as otherwise provided herein, trailers of any type or kind are not permitted to be parked or stored in Sea Colony unless in an enclosed garage. During renovations, tool trailers, dumpsters, and portable toilets must be situated in the Owner's driveway and not on Sea Colony streets or in the Owner's yard. If it is anticipated that tool trailers, dumpsters or portable toilets will be needed for longer than one week, permission from the Board is required. No sheds or any type of outdoor storage units are permitted.

PERGOLAS

A pergola is defined as an open slat style shade structure, one full side of which may appear to be attached to a Dwelling Unit. All other pergolas need ARC and Board approval.

RETAINING WALLS

Oceanfront Lots may install a retaining wall in the rear of the Lot, running parallel to the dunes. It must be made from 6x6 pressure treated wood (approved stain color in Inseco: Wood RX, Classic PT-03) or paver blocks. It cannot be more than 3 feet in height, and it must be at least 10 feet from the rear Lot line. FDEP (Field Permit) and Flagler County permits must be submitted with the ARC application for the retaining wall.

ROOFS

Roof may be metal or multi-tabbed architectural shingles, Owens Corning, Duration or equivalent, fiberglass 3 ply, 275 pounds per square, self-sealing shingles or

upgrade thereof. Shingles should have stagger of tabs equal to original. Standing Seam Painted Aluminum (minimum reflective qualities) is the only permissible metal roof materials. No exposed fastening systems are permitted. Fastening Systems must be corrosion proof material. All roofs must comply with the state of Florida's hurricane and wind specifications for Zone 2 and must comply with a roof system recognized by the Florida Building Code as meeting ASCE 7-22 standards. All roof colors must be complementary with the siding and trim of the Dwelling Unit. Ridge vent color must be the same as the roof shingles, the metal roof panels, or black. Dwelling Units on Sea Vista Drive must use 135 mph wind rated roofing shingles or metal panels. Dwelling Unit located on other streets in Sea Colony can use 120 mph wind rated roofing shingles or metal panels. All roof replacements must be approved by the ARC and the Board.

SWIMMING POOLS and SCREENED ENCLOSURES

(Article X – Section 23 / Amendment 10 to Article 1)

Any screened enclosure siding must match the Dwelling Unit's existing siding material. Screened Enclosures, as opposed to screened pool enclosures, are required to have a hard roof. The hard roof must match the existing roof, or it can be Florida Screen, corrugated Sun Tuff, Snap N' Lock, or similar roof product.

SCREEN, STORM AND SECURITY DOORS

Screen doors, including but not limited to storm doors and wrought iron security doors, must be approved by the ARC and the Board. The doors must be white or must match the color of the door to enter the Dwelling Unit. The style of the screen door should complement the entrance door and the architectural style of the Dwelling Unit. Front and rear retractable screen doors are permitted but must be approved by the ARC and Board.

SETBACKS

(See also Article 10 – Section 6, as amended)

For all residential construction on Lots within the Parcel, setbacks shall be no less than as follows:

Front-	25' from edge of payment
Corner Lot (side)-	20' from edge of pavement
Side-	7.5' from side property line
Rear-	20' from rear property line

The setbacks for stairs or second story decks shall be no less than the setbacks set forth above, except for (oceanfront Dwelling Units) Lots 337 through 350 on Sea Vista Drive. These Lots shall be subject to review for setbacks by the ARC, the Board, the Flagler County Building Department, FDEP/CCCL Program and the Environmental Protection Agency.

Additional setback provisions for Lots 337 through 350 on Sea Vista Drive:

1. The front, corner Lot and rear setbacks for Lots 337 through 350, Sea Vista Drive are subject to review on a case-by-case basis by the Association, the ARC and Flagler County.
2. The side setbacks, however, will remain at 7.5' from the side property line.
3. The side setbacks for stairs or second story decks shall be no less than 7.5' from the side property line.

SIDING

All siding must be approved by the ARC and Board. Only horizontal siding on Dwelling Units is permitted. Vinyl, cement board, composite siding (example "Everlast Advanced Composite Siding") and Hardee Board products are acceptable. Siding should have a wood grain finish and be painted in a single uniform pre-approved Sea Colony color (see book in HOA office). Deco Round, "Fish Scale", Square Shake Shingles, or Board and Batten designs may be used for Accent Siding, and should be the same material, texture, and color as the horizontal siding.

SIGNS

(See also Article X – Section 9)

As approved by the Board, a single "For Sale" sign conforming in size, color, and location displayed beneath the mailbox can be used. A sample of the sign is available in the HOA office and is at the end of these Standards.

Realtor and / or Owner Open House Events are limited to Saturdays and Sundays- 10:00 AM ET to 4:00 PM ET.

SKYLIGHTS

The installation of skylights on Dwelling Units must be approved by the ARC and the Board. ARC Applications submitted for skylights must include style of skylight and installation location. The sun pipe is an aluminum pipe, approximately 13 inches in diameter, which extends from above the roof into the ceiling of a room,

functioning similar to, but smaller than a skylight. The ARC and the Board will review sun pipes on a case-by-case basis when considering color, size and location.

SOLAR PANELS

Solar energy collectors on roofs shall be submitted to ARC and Board for review and approval of type, kind, color, dimension, and location only. Owners should make every effort possible to aesthetically integrate the panels into the structure of the Dwelling Unit so as to minimize views from the streets. Panels must be roof mounted. The color of the panels should be black or blend with the roof color. The panels should sit flush with the roof. and must be installed to conform to Environmental Protection Agency regulations.

TEMPORARY AND ACCESSORY STRUCTURES AND GAS TANKS

(See also Article X – Section 8)

Gas containers may be placed above ground if enclosed on all sides by an approved fence style or shrubbery (example- podocarpus) and approved by the ARC and the Board.

DUNE WALKOVERS

A walkover moratorium has been in effect since July 14, 2023. No dune walkovers will be approved. A copy of the moratorium can be found in the HOA office and on the Sea Colony website. Existing walkovers shall not store beach paraphernalia (e.g. beach chairs, umbrellas, boogie boards, surf boards, rafts, etc.) on the walkovers or decks.

WINDOWS

All Dwelling Units should be consistent in the style of windows as seen from the street pertaining to the front, sides, and back of the Dwelling Unit. All windows on original walls of a Dwelling Unit, which can be seen from the street, should be of like style- single and/ or double hung design to include existing half “moon” transom windows. All window/ window frames shall be white. Windows can have grids or no grids.

Windows that cannot be seen from the street can include Horizontal Sliding Windows and/ or Vertical Sliding Windows or Fixed Panel windows.

All window replacements must be approved by the ARC and Board. Window design,

materials of construction, and placement must also comply with Flagler County and State of Florida Building Codes. Homeowners should consult Flagler County Building Code for requirements on replacement windows and impact resistant glass windows.

EXAMPLES OF FENCES

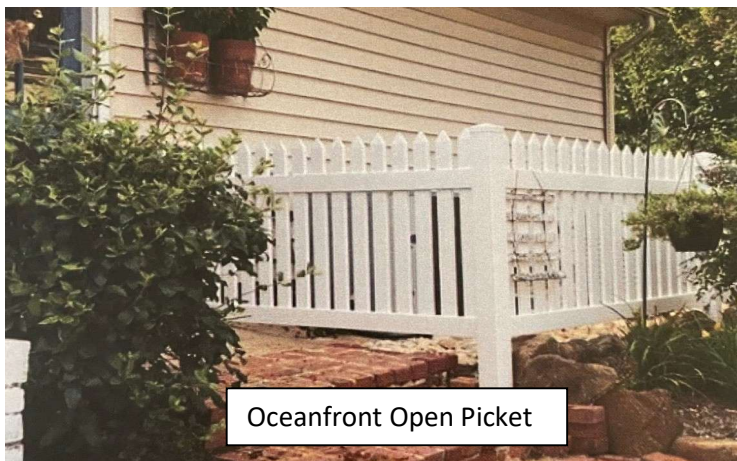




OPEN PICKET



SHADOW BOX



Oceanfront Open Picket



EXAMPLES OF MAILBOXES AND “FOR SALE” SIGNS



APPROVED MAILBOXES



APPROVED "FOR SALE" SIGN