

Design Review Manual

For

Playa del Sur and Carino la Mer

Hammock Dunes Private Community™

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Prepared for:

Hammock Dunes Owners' Association, Inc.

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INTRODUCTION

The Declaration of Protective Covenants, Conditions and Restrictions for the Hammock Dunes Private Community (Master Declaration) establishes a standing committee of the Hammock Dunes Owners' Association, Inc. (HDOA), designated the Design Review committee (DRC), whose function is to review and approve or disapprove plans for any proposed new construction or exterior improvement within the Community. The Master Declaration has granted the DRC broad discretionary powers regarding design, construction and development including architectural style, colors, texture, materials, landscaping, overall impact on surrounding property, and other aesthetic concerns. This Design Review Manual is a portion of the Development Codes referenced by the Master Declaration and the specific Neighborhood Declaration. In the event of a conflict between this Design Review Manual and the Master Declaration, the Master Declaration shall prevail. In the event of a conflict between the Design Review Manual and the specific Neighborhood Declaration, the specific Neighborhood Declaration will prevail. The HDOA Board of Administrators shall have complete and exclusive discretion and authority to determine when such provisions are deemed in conflict with one another.

When the DRC reviews and approves a variance to the Master Declaration or Ocean Estates Neighborhood Declaration, the submittal must be approved by the HDOA Board of Administrators at a duly noticed Board meeting before final approval can be provided. Further, when the variance is adjacent to Hammock Dunes Club property, the variance must be reviewed by the general manager for the Club in addition to the HDOA for approval.

THE MANUAL DOES NOT INCLUDE ALL BUILDING, USE OR OTHER DEED RESTRICTIONS ASSOCIATED WITH THE MASTER DECLARATION AND DECLARATIONS OF THE VARIOUS NEIGHBORHOODS OF HAMMOCK DUNES.

It is the intent of this manual to help assure that the Hammock Dunes Private Community will be a community of quality homes and buildings with tasteful and aesthetically pleasing architectural designs that are harmonious with surrounding structures and topography. This manual promotes the use of long-lasting materials, high construction standards, quality landscaping, and other site improvements that will reflect the quality and permanence of a premiere residential community. The manual pertains to the 43 lots within Playa del Sur and the 28 lots within Carino la Mer as well as the common areas.

Architectural plans for each home must be designed by a **REGISTERED FLORIDA ARCHITECT** and must be submitted to and approved by the DRC.

The overall design theme within Playa del Sur and Carino la Mer, is a Mediterranean flavor and style that accentuates the colors, exterior design traits, and roof tiles of the most prestigious Mediterranean homes. The Architect should strive to reflect a pure, simple, yet elegant design of the structure. Classical Mediterranean architecture lends itself to such an endeavor. All New Home construction and Existing Home Alterations or Additions must follow a design theme similar to the

existing Hammock Dunes Private Community homes and landscape. Within this context, creative design solutions providing for a range of individual preferences are encouraged.

IMPORTANT NOTE: The Neighborhood Declarations require that all construction be done by a DRC approved licensed general contractor with demonstrable experience in building custom homes. The DRC reserves the right to reject an application for construction on the basis of Builder qualification. The Owner is responsible for assuring that a qualified Builder is employed. Any questions regarding the qualifications of a Builder should be referred to the DRC. The DRC maintains a list of all pre-approved Hammock Dunes Builders for Owner reference. Builders seeking addition to the list of Approved Builders are subject to providing items outlined on list on **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** and review fee on **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**.

THE OWNER ULTIMATELY IS RESPONSIBLE TO ENSURE THAT THE RETAINED BUILDER MEETS THE REQUIREMENTS OF THIS MANUAL AND OTHER APPLICABLE DOCUMENTS.

This manual has been prepared by the DRC as a guideline for Owners, their Architects and Builders in designing New Homes (defined as the primary living structure, swimming pool and/or spa or other structure) and remodeling Existing Homes (defined as the primary living structure, swimming pool and/or spa, or other structure that affects existing exterior architectural features, foot print and/or square footage, or exterior appearance in any fashion).

Each Owner, their Architect and their Builder should familiarize themselves with the provisions of the Master Declaration and other rules and regulations of the HDOA, as well as the Declaration of Protective Covenants, Conditions and Restrictions for the Ocean Estates Neighborhood Association and ensure that any Builder retained by the Owner is also familiar with these documents. The inclusion of any recommendation in this manual shall not preclude the right of DRC to disapprove any proposed submittal for any reason. All terms used in this manual shall be defined in accordance with definitions used in the Master Declaration.

NOTE: Approval by the DRC does not constitute approval by any public permitting agency. Flagler County requires building permits for homebuilding which will necessitate compliance with Local and State building codes. **All homesites in Carino la Mer and Playa del Sur are impacted by the Coastal Construction Control Line (CCCL) special construction requirements: setbacks, piling foundation, outside lighting, etc., and additional permitting will be required for any construction activity, including landscaping and irrigation, seaward of the coastal control line by the Florida Department of Environmental Protection (DEP).**

The setbacks defined in this Design Review Manual are the minimums acceptable to the DRC regardless of whether government authorities are willing to grant a larger building footprint. It is important for every oceanfront Owner to be aware that the eastern and side setbacks for the 71 lots can be changed solely in the judgment the Florida DEP based on beach and dune conditions, with notice to owners. Any future changes may be significantly more restrictive than those specified in this DRC Manual.

THIS DESIGN REVIEW MANUAL IS A PORTION OF THE DEVELOPMENT CODES REFERENCED BY THE MASTER AND NEIGHBORHOOD DECLARATIONS AND MAY BE MODIFIED FROM TIME TO TIME BY THE DRC AS PROVIDED THEREIN. ALL OWNERS ARE RESPONSIBLE TO BE AWARE OF ALL BUILDING REQUIREMENTS AT THE TIME OF POSSIBLE LOT SALE OR COMMENCEMENT OF THE DESIGN OF A HOME. THIS INCLUDES POTENTIALLY MORE RESTRICTIVE SETBACKS.

GENERAL INFORMATION AND THE REVIEW PROCESS

Owners in the process of considering the design and construction of a house in Carino la Mer or Playa del Sur should seek the most up-to-date information on the Florida Department of Environmental Protection (DEP) and Flagler County websites regarding:

- (a) Lot lines and setbacks (Florida DEP, Flagler County and DRC.)
- (b) Flood zone regulations (Flagler County).
- (c) Lot excavation (Florida DEP).
- (d) Break-away/fall-away walls for a hundred year storm wave crest (Florida DEP).
- (e) Turtle protection lighting regulations (Florida DEP and Flagler County).
- (f) Vegetation requirements east of the Coastal Construction Control Line (Florida DEP).

After gathering this information, the Owner may develop a House Concept, being sure that the first habited floor is above the hundred year wave crest assumption and setting floor elevations to achieve the ocean views desired.

All houses built in Carino la Mer and Playa del Sur will need significant structural engineering for the auger cast piling system and the structure itself to withstand possible wind and wave loads during a storm. The detail design work by a licensed Florida Professional Engineer (PE) should be held off until the home design has gone through at least a Design Application and Concept Review by DRC and Application for the Florida DEP building permit. At the present time Flagler County will not review a building permit application without a granted Florida DEP building permit.

Owners in the process of considering the design and construction of a New Home, swimming pool and/or spa, or other building, or the remodeling of an Existing Home, swimming pool and/or spa, or other improvement that affects existing exterior architectural features, foot print and/or square footage, or exterior appearance in any fashion in Carino la Mer and Playa del Sur, shall submit to the DRC all items as listed on **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** (available from the DRC as submittal documents and exhibits). **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** and all items required shall be the transmittal record of the submission and the DRC response to the submission.

Prior to any construction, an Owner, their Architect and Builder must receive guidance from the DRC by following the three-step design and construction review process below:

- A. Design Application and Concept Review
- B. Final Construction Plan Review
- C. Final Inspection and Acceptance

Often, the DRC will make design suggestions between Step A & B as well as rendering a definitive acceptance/disapproval decision on design elements. The Owner is encouraged to make this interaction a positive, constructive exchange, as many houses have already been built and DRC has valuable advice to offer.

Full and timely submission of information, as well as adherence to the design standards set in this manual and by Flagler County and Florida DEP permit requirements, could prevent delays and minimize frustration of all parties involved. Questions concerning the interpretation of any matter in this manual should be directed to the chairman of the DRC.

CONCEPT PLAN REVIEW

A Builder or Owner shall submit preliminary or conceptual drawings and specifications or other information to the DRC for Design Application and Concept Review prior to Final Construction Plan Review. Design Application and Concept Review is provided for the convenience of Owners, their Architects and Builders in order that they may receive Conceptual Approval of building and landscape plans prior to preparing and submitting detailed plans and specifications.

The DRC will review the information and indicate its approval, disapproval or recommendation. A conceptual approval given by the DRC shall not constitute approval for the commencement of construction but only approval of the conceptual information being submitted. Submittals for Design Application and Concept Review of any New Home construction, including swimming pool, spa, or other building, or the or the Alteration or Addition to an existing home, swimming pool, spa, or other improvement that affects existing exterior architectural features, foot print and/or square footage or exterior appearance in any fashion, shall include all items listed on **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** new residence conceptual review items.

FINAL CONSTRUCTION PLAN REVIEW

Submittals for Final Construction Plan Review of any New Home Construction including swimming pool, spa, or other building, or the Alteration or Addition to an existing home, swimming pool, spa, or other improvement that affects existing exterior architectural features, foot print and/or square footage or exterior appearance in any fashion, shall include all items listed on **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST**, new residence final review items.

Exterior Colors and Materials

See **EXHIBIT D: EXTERIOR COLORS AND MATERIALS**.

Owners and Builders requesting Final Construction Plan Review of an improvement shall submit sufficient exhibits to demonstrate compliance with the standards and requirements of this Design Review Manual. Construction must begin within six (6) months from date of final approval and, unless extended, must be completed within 24 months after construction commences. If construction is not commenced within six (6) months from the date of approval by the DRC, approval is void and the Builder or Owner must submit a new Final Construction Plan Review to the DRC for approval. If the approval is granted subject to conditions, the conditions shall be satisfied within sixty (60) days of issuance or the approval shall be void.

No construction of a building or structural improvement, no clearing, landscaping or other site improvement, and no alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, are complete and stamped

<p>APPROVED FOR CONSTRUCTION HAMMOCK DUNES DESIGN REVIEW COMMITTEE, DATED _____.</p>

APPEAL

If an application for Concept Review or Final Review has been denied, if an approval is subject to conditions which the Owner feels are harsh or unwarranted, or if there are disputes on any other matter related to actions of the DRC, the Owner may request a hearing before the full committee of the DRC within 10 days after the Owner receives notification from the DRC's decision. At the hearing the Owner will be permitted to present their position on the matter and make requests or recommendations as to an alternative action. After the hearing the DRC will review the information presented and notify the party of its final decision on the matter. The decision of the DRC shall be final.

**CONSTRUCTION START/CONSTRUCTION AGREEMENT/
SITE PRECONSTRUCTION MEETING**

On all New, Alteration or Addition Construction, the Owner and Builder shall enter into the attached HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT** with the HDOA. **Under this agreement, the Builder and/or Owner must submit to the DRC fees and deposits per EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS and EXHIBIT E: SAMPLE LETTER OF CREDIT.**

The Builder or Owner shall have the corners of the proposed Home, swimming pool, spa, or other improvement or proposed Alteration or Addition improvements staked, and trees slated for preservation marked for an on-site review by the DRC prior to review of the application by the DRC.

Builder Conduct

All Owners and Builders shall be held responsible for the acts of their subcontractors, sub-subcontractors, material men, suppliers, laborers, or agents of any tier, or their respective employees and any other persons or parties involved in the construction or alteration of a homesite. See **EXHIBIT G: BUILDER CONDUCT**.

Port-O-Let Enhancement

See **EXHIBIT I: CONSTRUCTION PORT-O-LET ENHANCEMENT**.

Alteration after Plan Approval

If, after DRC approval, a Builder or Owner desires an alteration or addition to the original approved plans, sufficient information shall be submitted to the DRC to allow full understanding of the proposed alteration or addition.

The alteration or addition request must be approved in writing from the DRC before implementation.

FINAL INSPECTION AND ACCEPTANCE

Construction must be completed within the milestone times specified by the Builder in HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**, with the start date designated on the issuance date of a building permit. **The DRC shall have the right to enter upon and inspect any property at any reasonable time before, during, or after the completion of work for which approval is required under this manual.** The following construction milestones describe the Builder's responsibility to notify the DRC and the DRC's responsibility to the Builder:

- A. Upon completion of the foundation, the Builder shall submit a survey of the foundation to the DRC.
- B. The Builder shall notify the DRC of any changes in the dates of the following completion milestone dates as specified in HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**:
 1. Lot Clearing/Demolition/Foundation: plumbing roughed in & slab poured.
 2. Framing/Structure: exterior walls, roof trusses, roofing dry-in, windows & doors.
 3. Outside & Inside Finishes: electric, plumbing, drywall, cabinetry, roof tile, paint.
 4. Driveway & Landscaping: ready for Certificate of Occupancy.
 5. Certificate of Occupancy: ready for move-in.
- C. Upon completion of construction, the Builder shall give written notice to the DRC. Attached to the notice shall be a final survey and a copy of the Certificate of Occupancy for the newly constructed residence and/or improvement.
- D. After DRC's "Final Inspection and Acceptance" of the construction and/or improvements and provided that such inspection determines that the construction and/or improvements were completed in substantial compliance with the proposed plans and specifications submitted for Final Approval, the DRC shall return the Construction Deposit, less amounts withheld for any reason specified in **EXHIBIT F: CONSTRUCTION AGREEMENT**.

Builders and Owners are forewarned that the Master Declaration has granted to the DRC and the Board of Administrators of the HDOA broad discretionary powers regarding the remedy or removal of any non-complying improvement constructed within Hammock Dunes and/or penalties associated with exceeding the specified dates in HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**. In this regard, should the DRC find any construction and/or improvement was not performed or constructed in substantial compliance with the approved submittals, the Board of Administrators of the HDOA or the DRC may, after reasonable notice to the Builder or Owner, remedy or remove the non-complying improvement and seek any remedy permitted as outlined in **EXHIBIT F: CONSTRUCTION AGREEMENT** or as otherwise permitted by law. Any action by the DRC or HDOA in remedying or removing the non-compliant improvement shall not be deemed a trespass, theft or any other criminal offense, and the Owner, Builder and any successors, agents or assignees thereof shall not hold the DRC, the HDOA, its agents, or the Board of Administrators liable for such remedy or removal.

Construction Schedule

The DRC recognizes that weather and the availability of building materials and labor may adversely impact the milestone dates specified in HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**. In such an event, Builders shall notify well in advance any potential design or construction issues, which could adversely impact these dates. There is a need to be aware of, understand and gage the impact of any construction completion delay upon neighbors and the overall Hammock Dunes community. Builder completion delay notifications to the DRC shall include reasons for the delay along with a revised milestone completion schedule. Builders should understand that a timely notification of milestone and/or timeline delays associated with completion of a home, alteration or addition should reflect more favorably than any last minute or no notification. See **EXHIBIT H: COMMON VIOLATION AND FINE SCHEDULE**.

GENERAL SUBDIVISION STANDARDS

Residential Use

The homesite may be used for residential housing purposes and for no other purposes. No business, occupation, or profession may be conducted on a homesite or within a dwelling unit except for those rights reserved to the Declarant, its successors, designees and assignees as set forth in the Master Declaration and Neighborhood Declarations.

Temporary Improvements

No temporary building or structure shall be permitted on any homesite except that work equipment trailers, barricades, temporary power poles and the like may be permitted during the construction of a permanent improvement, and provided that the DRC shall have approved the design, appearance, and location of the same. All such temporary improvements shall be placed on the homesite and not on the road right-of-way. They shall be removed no later than fourteen (14) days after the date of completion of the building(s) for which the temporary structure was intended, and shall be permitted for no longer than a period of six (6) months unless an extension of time is granted in writing by the DRC.

Accessory Structures

No more than one detached single-family residential dwelling shall be erected on a homesite. The DRC may approve accessory structures (such as garages, gazebos, guest houses, and the like) that are detached from a main residential dwelling so long as they are not erected prior to construction of the main residential dwelling.

Utility Service

No lines, wires or other devices for communications purposes, including telephone, television, data and radio signals, or for transmission of electric current or energy shall be constructed or placed on any homesite unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvements. Above ground electrical transformers and/or generators and other equipment may be permitted if properly screened and approved by the DRC. In addition, all propane, water, sewer, oil and other pipes for gas or liquid transmission, and their storage tanks, shall also be placed underground or within or under buildings. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements. See **EXHIBIT K: GEOTHERMAL CLOSED LOOP SYSTEMS** for system requirements.

Refuse and Storage Areas

Garbage and refuse shall be placed in containers and shall be capped and contained in such a manner that they are inaccessible to animals. The containers shall be concealed within buildings, by means of a screening wall of the same material, design scheme and color as that of the building and by screen landscaping sufficient to provide a permanent screen from view of surrounding property. These elements shall be integrated with the building plan, be designed so as not to attract attention and shall be in an inconspicuous location.

SITE IMPROVEMENTS STANDARDS

In addition to compliance with this Design Review Manual and the covenants, restrictions, rules and regulations of the HDOA, all construction, alterations and improvements shall be in compliance with any local government or state laws. In the event that there is conflict between the local government requirements, state requirements, and those of the HDOA, the more restrictive shall apply.

Site Placement

A site plan/survey for each homesite must be prepared by a **REGISTERED FLORIDA LAND SURVEYOR** and must be submitted to and approved by the DRC. All buildings and other improvements shall be placed as approved by the DRC, Florida DEP and Flagler County. The existing topography and landscape shall be disturbed as little as possible, such that the maximum number of desirable trees and other natural features will be preserved. The DRC will review the proposed location of all improvements on the site prior to lot clearing.

Building Setbacks

The setbacks, as defined in Section 3.08.02 of the Land Development Code of Flagler County and the setbacks contained in the original plat of the Master Declaration of Hammock Dunes Private

Community shall apply to all construction and improvements. The minimum current (time of publication) setbacks are those stated below with the understanding that the eastern setback is regulated by the Florida DEP and may be changed further westward. It is the Owners responsibility to obtain Florida DEP approval for setbacks which may be more restrictive than those stated below.

Carino la Mer Lots 1 through 28

- Front Yard: 20 feet for the front property line (Western side).
- Rear Yard: 15 feet from the rear property line for residence with upper level deck allowed to cantilever 10 feet to within 5 feet from the rear property line, with a minimum of 8 feet vertical clearance above existing grade (Eastern side).
- Side Yard: 20 feet from the side property line. (Except the side setback on the south side of **Lot 1** shall be 26 feet).

Playa del Sur Lots 29 through 33

- Front Yard: 20 feet for the front property line (Western side).
- Rear Yard: 15 feet from the rear property line for the residence with the upper level deck allowed to cantilever 10 feet to within 5 feet from the rear property line, with a minimum of 8 feet vertical clearance above existing grade (Eastern side).
- Side Yard: 20 feet from the side property line

Playa del Sur Lots 34 through 71

- Front Yard: 20 feet from the front property line. (Western side)
- Rear Yard: 25 feet from the rear property line. (Eastern side)
- Side Yard: 20 feet from the side property line.

All setbacks will be measured from the adjacent property line to the nearest point of the dwelling unit. Overhanging eaves not exceeding 2.5 feet shall be permitted within the front, side and rear setbacks but not within any easement. The direction in which any dwelling unit's front direction shall face on a homesite shall be approved by the DRC. The DRC cannot grant a property owner rights to water views beyond the extension of their own property lines.

Coastal Construction Control Line (CCCL) and Dune Preservation

Carino la Mer and Playa del Sur have construction areas seaward of the CCCL. Therefore, the following special construction criteria apply:

- a. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF BEACHES AND COASTAL SYSTEM PERMITS (DEP):
The builder shall enclose copies of all applications and permits from the DEP with permit applications to the Building Department of the Flagler County.
- b. FLAGLER COUNTY PERMITS:
The builder shall submit all required items to Flagler County to obtain necessary permits prior to any construction.

c. SETBACK PROTECTION:

The areas seaward of the CCCL will be protected by the rear and side-yard setbacks. These areas of vegetation shall remain undisturbed and protected during construction as required by the DEP Coastal Construction Permit.

d. DUNE WALKOVERS CONNECTIONS:

Dune walkovers may be constructed only at the locations indicated on the site maps for Playa del Sur on FIGURE 1A and Carino la Mer on FIGURE 1B. Walkover details are shown on FIGURE 2. The walkover east of the property line is owned and maintained by the HDOA.

e. BEACH PRESERVATION PARCEL:

The property from the rear lot lines to the mean high water property line is owned by the HDOA and will, except for permitted walkovers, be perpetually maintained as beach preservation.

The DRC may grant an exception from the above minimum setbacks to save existing trees or in a case where a homesite would be rendered not buildable due to its size, shape or topography, but government exceptions may also have to be granted.

Binding of Homesites

An Owner of two or more adjoining lots may make application to combine platted lots into a larger homesite. In order for the DRC to properly evaluate the request, a Design Application and Concept Plan shall be submitted illustrating the existing and proposed homesite configurations. A second plan shall be submitted illustrating proposed residence(s), driveways, and other major site development components.

Note:

1. No homesite can be created from less than the standard lot for Carino la Mer and Playa del Sur (i.e. 100 ft. width, etc.)
2. All HDOA assessments, fees and charges per the original lot configurations shall apply.
3. Approval by the DRC does not constitute approval by any public permitting agency. Flagler County requires building permits for homebuilding which will necessitate compliance with local and state building codes. All Playa del Sur and Carino la Mer homesites are impacted by the CCCL, and special construction requirements, setbacks and permitting will be required for any construction activity, including landscaping and irrigation, seaward of the control line by the Florida DEP.

Carino la Mer Private Drives, Fencing and Access Gate (Lots 1 to 28)

Parking spaces, garages, curb cuts and the driveway to a garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography, streetscape and compatibility with surrounding improvements. Compatibility with surrounding improvements means that, if the proposed home is the second or third residence to be built in the pod of three residences sharing S. R. A-1-A access (see FIGURE 3 e.g.), the proposed design and materials must maintain the appearance and attractiveness of the entire pod.

All homesites shall have a paved driveway of stable and permanent construction of at least twelve (12) feet in width. All drives must be constructed of broom-finished concrete within the access easement area. The material and finish of the drives not within the access easement shall be con-

structured of concrete, brick, stone or similar material subject to DRC review and approval (see FIGURE 3). Driveway maximum allowable slope is 10%.

Each Owner shall design and construct a combination of fence and driveway gate system to provide access control from S.R. A-1-A. Illustrations of materials and finishes as well as site locations are subject to DRC approval; the fence shall be bronze aluminum picket with a maximum height of six (6) feet and be compatible with the gates and fences that the immediate neighbors are using.

Playa del Sur Driveways and Street Front Improvements (Lots 29 to 71)

Parking spaces, garages, curb cuts and the driveway to the garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography, streetscape and compatibility with surrounding improvements. NO driveway shall connect to any arterial road unless, following DRC review, unusual conditions indicate otherwise.

All homesites shall have a paved driveway of stable and permanent construction of at least twelve (12) feet in width. All driveways must be constructed of brick, concrete, stone or similar material. When curbs are required to be broken for driveway entrances, the curb shall be repaired in an orderly fashion in such a way that is acceptable to DRC. All concrete driveways shall have a light broom finish and joints shall be provided to prevent surface cracking. Garage floor elevations should be above the flood elevation requirements, but not so high as to create too steep a driveway or unsightly elevated garage doors facing the street. Driveway maximum allowable slope is 10%.

Dune Walkovers and Connections

The locations of the dune walkovers have been selected to minimize impact to the dune vegetation by two neighbors whenever possible. (See FIGURES 1A and 1B for locations.)

All plans for Owner connection to the common area dune walkovers are subject to review and approval by the DRC. Walkover connections between the house and the existing community walkover shall be made at the same elevation as the end of the community walkover. The house design must incorporate this connection elevation into the plan so as to keep the walkover from being above the dune vegetation canopy and to provide level access to the house. All construction seaward of the CCCL requires a permit from Florida DEP. Dune walkovers and all builder connections to dune walkovers shall be constructed of identical materials and designs as used for the common dune walkovers except that the maximum allowable width shall be four (4) feet with cantilevered benches allowed only at the seaward location.

Each homesite entitled to use a dune walkover will be subject to an HDOA assessment for perpetual maintenance and repair of the portion of the walkover within the Common Area. See FIGURE 2 for details of walkover interface connections.

Gates shall not be higher than the top rail of the walkover unless built within the building setback lines. Gate design and material shall be approved by the DRC. High gates are only acceptable at the face of the house where the walkover connects to provide security from unwanted access from the beach and only if the walkover elevation is approximately level with the community walkover end point.

Lighting for dune walkovers shall be indirect and amber in color and will otherwise comply with the lighting requirements of this Manual.

Drainage and Grading

Special attention shall be given to proper site surface drainage, so that surface waters will not interfere with surrounding homesites and natural flows. Paved areas shall be designed to allow surface water to drain naturally and not allow water to collect or stand. Site plans shall show physical improvements or elements of the landscape or terrain, which control or determine the location or flow of surface water and drainage patterns. No improvements shall be made without prior approval of the DRC.

Notes: The retention area for the storm water from the Carino la Mer homesites is a trench drainage basin located at the S. R. A-1-A access drives. The grading of all homesites shall be to that trench drainage inlet (See FIGURE 3). The Ocean Estates Neighborhood Association, of which Carino la Mer is a subset, is responsible for the maintenance of Carino la Mer common elements including the common access drives, the columns, fences, landscaping and irrigation along the S. R. A-1-A eastern right of way and the shared dune walkovers.

Erosion control measures shall be taken during all construction activities to prevent sediments from leaving the site. Fill shall not be deposited or removed without DRC permission.

Games and Play Structures

All basketball backboards and any other fixed games and play structures are subject to approval by the DRC and shall be located at the side or rear of the building and not visible from the street. The preferred location of structures is within the prescribed building envelope of the homesite.

Swimming Pools and Screen Enclosures

Any swimming pool to be constructed upon any homesite must be approved by the DRC, Flagler County and the Florida DEP. The design submittal must include all design components including materials, finishes and colors for the pool, pool deck, fence, additional landscape, pool equipment or any other requested element. The installation of screen enclosures is discouraged in the Carino la Mer and Playa del Sur neighborhoods. However, a screen enclosure may be allowed with architectural elements, i.e. columns or other details that match elements used elsewhere in the design of the residence. Swimming pools must be constructed within the building setbacks. The DEP may have specific requirements for pools and decks constructed within the coastal setback area.

Signs

No sign, advertising, or notice whatsoever (including, but not limited to, commercial, political or similar signs) shall be erected or maintained on the homesite except such signs as may be required

by law and such signs as may be approved by the DRC. Security protection signs are permitted within 10 ft. of the front and rear doors.

Lighting

All exterior lighting shall be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to concealed up lighting or down lighting, and the style and type of lighting shall not be visible from streets and other common areas, and no color lens or lamps are permitted.

Outdoor lighting visible from the beach is not permitted. Lighting of outdoor recreational facilities other than swimming pools, hot tubs and spas is not permitted, unless site conditions warrant special consideration by the DRC.

All project lighting shall strictly comply with Federal, State and local laws and regulations regarding protection of endangered sea turtles. 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.

Fences and Walls

Although landscape buffers are encouraged, fences and walls may be approved by the DRC provided that:

1. There is a demonstrated need for the fence and/or wall. Examples include: enclosure of a courtyard that is integrated in the house design and screening of air conditioning or generator equipment.
2. The design is compatible with the overall character of the principle building and the neighborhood. The walls/fence must use the same materials and design elements of the main residence and be painted using the same colors used in the house design.
3. The design and location of the wall and/or fence does not adversely affect the adjacent property owner.
4. The wall or fence is permitted by the DEP, Flagler County and other regulating agencies.
5. When fences are deemed to be appropriate, anodized bronze aluminum picket style is required as is currently installed along S. R. A-1-A.

Mailboxes

In the **Carino la Mer** Neighborhood, mailboxes will be incorporated into the common drive entry column constructed by the Declarant. In **Playa del Sur**, all mailboxes and stands shall be of a design selected from a list of mailbox styles and suppliers approved by the DRC. The mailboxes shall include no more than the surname, house number, and street name of the resident and shall be located at the street front of each homesite as prescribed by the United States Postal Service. The Builder shall initially provide and install a mailbox as approved by the DRC, and the homeowner shall maintain the DRC approved mailbox.

Approved Mailboxes For Hammock Dunes

Company	Model	Phone Number	Color
Mel Northey Corp.	Williamsburg 1023-A Website: www.melnorthey.com	800-828-0302	Black, Verde Green, Green
Imperial	6080	800-647-0777	Black, Green
Frontgate	Capital Model #'s 14802, 14803, 14811 Website: www.frontgate.com	888-263-9850	Black, Bronze, White
Whitehall	Premium Streetside Mailbox Website: www.whitehallproducts.com	800-728-2164	Black, Bronze, White

Lawn Furnishings

No water fountains, bird baths, frog ponds, flag poles, lawn sculpture, artificial plants, bird houses, rock gardens, or similar types of accessories and lawn furnishings are permitted on any homesite without prior approval of the DRC. Some wall mounted fountains have been approved as long as they are integrated into the wall design.

BUILDING CONSTRUCTION STANDARDS

The overall design theme within Carino la Mer and Playa del Sur, is a Mediterranean flavor and style that accentuates the colors, exterior design traits, and roof tiles of the most prestigious Mediterranean homes. The Architect should strive to reflect a pure, simple, yet elegant tone, to the design of the structure. All New Home construction and Existing Home Alterations or Additions must follow a design theme similar to the existing Playa del Sur and Carino la Mer Neighborhood homes and landscape. Creative design solutions providing for a range of individual preferences are encouraged within this context. Designs shall incorporate features on side elevations appropriate to visibility from the entire Hammock Dunes community.

Minimum Building Size

The minimum square feet of enclosed air conditioned living area required for main residential dwelling structures within Playa del Sur and Carino la Mer shall be no less than 3,500 square feet. The method of determining the square footage of the enclosed air conditioned living area of a dwelling unit, structure, or addition thereto, shall be to multiply together the horizontal dimensions of the walls forming the outer boundaries of the air conditioned living area. Open porches, atriums, screened-in patios, courtyard, garages and other similar type space shall not be taken into account in calculating the minimum enclosed air conditioned living area square footage.

Minimum Floor Finish Elevation

All buildings shall have a minimum floor elevation equal to or greater than one (1) foot above the one hundred year flood elevation. However, the minimum finished floor elevation shall not be lower than elevation +9.0 feet, but is likely to be several feet higher by flood zone requirements. The Oceanfront lots have flood zones in two categories: Velocity Zone (VE) and Flood Zone (FE). The

Velocity Zone is flooding from the ocean side. Flood Zone is flooding from rising waters on the western side of the lot. Flood maps are maintained in the Flagler County offices.

The minimum floor elevations shall meet local, state, and federal requirements at the time of building permit application. A final certified survey will be provided to Flagler County prior to issuance of a Certificate of Occupancy to confirm compliance with this criterion.

Owners, Architects and Builders are hereby notified that the minimum elevation does not guarantee desired visibility of the ocean and other amenities. A site review should be done to understand and achieve the desired view.

Building Heights

Heights of buildings shall be compatible with adjacent residences and must be organized on a minimum of two floors. The maximum height of sixty (60) feet shall be the vertical distance from the roadway curbing at Playa del Sur and sixty (60) feet from the access drive grade in Carino la Mer to the mean height level between the eaves and ridge for gable, hip and gambrel roofs. Any design of residential elements over three stories will be subject to DRC review for compatibility with the neighborhood. The multi-story Playa del Sur and Carino la Mer homes have additional architectural requirements on side and rear elevations because the landscaping does little to buffer weak architectural facades.

Exterior Materials

Finish colors shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be stucco or similar cement type products of neutral tones. Brick, stone and ceramic tile may be used as accents. Non-indigenous materials are not permitted, nor are simulated brick or stone. Metal or vinyl siding is prohibited. Sample materials may be requested by the DRC for review.

Exterior finish materials are expected to be of the very highest qualities. Any stucco or other cement type products shall be applied so as to eliminate “bleed through” of the supporting structure. All materials proposed for exterior use shall be approved prior to construction. Elastomeric paint is recommended.

Windows and Doors

Highest quality windows and doors are required. Metal clad windows are acceptable provided they are finished in a factory-applied color and the color matches the exterior trim. Aluminum awnings and jalousie-type windows are not permitted. Use of reflective tinted treatments and/or reflective glass is strongly discouraged.

All windows visible from the beach are required to be tinted to comply with Flagler County’s Sea Turtle Protection Plan. All glass visible from the beach must be tinted with a non-reflective coating having a shading co-efficient sufficient so that no more than 45% of the interior light is allowed to pass to the exterior of the residence.

Window shutters must be sized to match window openings and mounted to appear operational. They must also follow the guidelines for exterior trim and decorating concerning materials and colors.

Exterior Trim, Banding and Decoration

Exterior Trim, Banding and Decoration are required. All materials proposed for exterior trim, banding and decoration must be approved by the DRC prior to construction. The color of the trim must be differentiated from the body of the home.

Exterior window and door trim and similar decorations shall all be of the same color and material, unless otherwise approved, and shall be either of the same material as exterior walls or directly compatible. The preferred material for trim and decorations is stone, ceramic tile and smooth stucco, as well as stained or painted wood. Metal or vinyl siding is prohibited.

Fascia, gutters and downspouts shall blend in and be directly compatible with the architectural detail of the exterior walls.

Drapes, Curtains and Shutters

As viewed from the exterior, the color of any drape, curtain, shutter or any other similar element shall be compatible in color and style with the exterior of the building.

Exterior Colors

Exterior Colors shall be indicated on **EXHIBIT B: DESIGN REVIEW APPLICATION** and approved by the DRC. Samples and/or color chips of all exterior colors may be requested by the DRC for review. Any changes in exterior colors made in future repaintings shall be regarded as a “Minor Alteration or Addition” subject to approval by the DRC.

The color palate for Playa del Sur and Carino la Mer is subdued earth tones and subtle pastels. It is important to differentiate the color of the trim from the body of the home.

Roofs

Flat roofs shall not be permitted on any portion of the structure provided, however, that the DRC shall have discretion to approve such roofs if consistent with the architectural design of the house. No built-up roofs shall be permitted, except on approved flat surfaces. The composition of all pitched roofs is required to be terra cotta barrel, slate, or concrete tile. Roof pitches must be a minimum of 5/12 slope.

Chimneys

Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone or stucco. If the fireplace is a metal (self-insulated) type with a metal spark arrestor at the top of the chimney, the arrestor must have a cawling or surround of a material and color approved in advance in writing by the DRC. The chimney cap must be painted the same color as the roof tile or the color of the home. No unpainted aluminum may be left exposed.

Garages

All residential dwellings shall include a garage adequate to house at least two (2), but not more than four (4), large-sized automobiles with a minimum floor space allocation for each automobile of not less than ten (10) feet in width and twenty (20) feet in length (**Carino del Mer**) and eleven (11) feet in width and twenty two (22) feet in length (**Playa del Sur**).

No garage shall be less than four hundred (400) square feet of total floor space for automobiles (**Carino la Mer**) and four hundred eighty four (484) square feet (**Playa del Sur**), not including space required for hot water heaters and HVAC equipment or other equipment and appliances commonly located in garages. Maximum allowable garage slope is 10%.

All garages shall be constructed of the same exterior materials and colors as the main structure. All garage doors (except service doors) shall be a minimum width of eight (8) feet for each automobile and operated by automatic door openers. If garage doors face the side homesite line, a minimum twenty-six (26) feet turnaround space and screening from view by landscaping is required.

Garage doors shall be constructed of a material that is similar in appearance to the exterior materials of the buildings, and the color of the garage doors shall be compatible with the color of other exterior finishes of the building. Garage doors may be screened with electric roll down type. Submittal of detail and color etc. to DRC for review is required. Garage doors, automatic door openers and service doors shall be maintained in working condition and shall be kept closed when not in use.

No garage shall be converted to other usage without the substitution of another garage. No carports shall be permitted.

Geothermal Systems

The Hammock Dunes Owners' Association supports the use of "closed-loop," non-well, geothermal systems, so long as property owners planning to install them apply to the Design Review Committee (DRC) for review of their plans, just as homeowners must apply to the DRC for review of new home construction or any other major alterations to their structures and/or properties. All homeowners are cautioned not to install a geothermal system of any type without coordinating with the DRC for approval. "Open-loop" systems are prohibited and will not be approved. Please refer to **EXHIBIT K: GEOTHERMAL CLOSED LOOP SYSTEMS** checklist for specific requirements when making a submission.

Water Conserving Bathroom Fixtures

Water closets shall be water conserving (low volume) models and all faucets and showers shall have flow restrictors.

Energy Efficiency

All homes shall meet or exceed Florida's Energy Efficiency Code for Building Construction. All plans and specifications submitted for final approval shall include evidence of compliance with this provision.

Appurtenances

All exterior mechanical equipment, including but not limited to transformers, all generators, vents, air conditioning compressors, pool pumps, meters, etc., shall be concealed from view by walls of the same material, design scheme and color as that of the building and by screen landscaping sufficient to provide a permanent screen from view of surrounding property. Walls shall be either attached to the home structure or no more than six (6) inches from the home structure.

The DRC may allow appurtenances to be concealed with PVC fence or similar materials as replacement for previously approved installations with screen landscaping.

Solar Energy

Solar energy collectors, although allowed by Florida statutes, shall be submitted to DRC for review of type, kind, color, and location only. The community desires to encourage owners to make every effort possible to aesthetically integrate the panels into the structure of the home so as to minimize views from the streets.

Hurricane Shutters

Hurricane shutter installations must be reviewed and approved by the DRC. Usage is subject to the following suggested operational criteria: Close no earlier than the official hurricane watch and open or take down within seventy-two (72) hours after the official watch is lifted.

Plywood hurricane barriers are discouraged and may be installed only during an official hurricane watch.

Satellite Dishes

No satellite dish greater than one meter (39") for transmission or reception of television signals or any other form of electromagnetic radiation shall be erected where visible from the street. Satellite dishes one meter (39") or less may be placed on a lot, but advance notice to the DRC as to location, color, and screening is required. The DRC will work with the owner on a design installation that is minimally visible without interrupting the signal or without significantly increasing the cost of the installation. Satellite dishes one meter (39") or less should also be situated to minimize visibility from the adjacent property, or may be required to be painted to match the residence.

Window Air Conditioning Units

No window air conditioning units shall be permitted where visible from the street or adjoining property.

LANDSCAPING AND OPEN SPACES STANDARDS

General

In general, existing vegetation shall be maintained on lots to the greatest extent possible. The existing vegetation in the coastal scrub zone borders most of neighborhood road right-of-way. It is a goal of these guidelines to preserve the continuity of this scrub as viewed from the road, and landscape plans should be developed to include this vegetation as an integral design component.

Any homesite that is altered from its natural state must be landscaped according to plans approved by the DRC. All shrubs, trees, grass, and plantings of every kind must be well maintained, properly cultivated and free of trash and other unsightly material.

The land seaward of the easterly property line shall be preserved in its existing state except for dune walkovers, dune restoration and re-vegetation, and maintenance by the HDOA.

Landscaping, as approved by the DRC, shall be complete at the time the home is ready to receive a Certificate of Occupancy.

Landscaping Plan

A landscaping plan for each homesite must be designed by a **REGISTERED FLORIDA LANDSCAPE ARCHITECT** and must be submitted to and approved by the DRC. The objective of the landscaping plan should be to provide landscaping around each home consistent with the high standards of design which this Design Review Manual promotes.

Incorporation of existing vegetation on the site into the landscaping plan is strongly encouraged. Existing trees intended to be removed should be shown and may not be removed without the prior approval of the DRC and Flagler County, if necessary.

Concept Landscape Plan at Final Review

A Conceptual Landscape Plan at 1" = 20 ft. showing existing vegetation to remain, proposed trees, shrubs, and ground cover plantings with preliminary plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and estimated quantities.

Final Landscape and Irrigation Plans

Final Landscape and Irrigation Plans are required to be submitted for approval at the time of Construction Milestone 2a of **EXHIBIT B: DESIGN REVIEW APPLICATION**.

Landscape Plan at 1" = 20 ft. showing existing vegetation to remain, proposed trees, shrubs, and ground cover plantings with plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and quantities.

Irrigation Plan at 1" = 20 ft. indicating point of connection, main lines, all zone valves, specifications for all heads and irrigation components.

Plant Palette and Materials Seaward of the CCCL

Because of existing climatic conditions, required preservation of existing vegetation, and desired level of consistency throughout the Carino la Mer and Playa del Sur neighborhoods, particularly as viewed from the neighborhood road, new plantings shall be native or naturalized species compatible with the existing vegetation and the neighborhood roadway landscaping.

Only native indigenous plantings allowed by the DEP will be approved seaward of the CCCL. On the remaining land, plant materials shall equal or exceed the standards for Florida No. 1, as given in

“Grades and Standards for Nursery Plants” Part I and Part II State of Florida Department of Agriculture and any amendments thereto.

Trees

In order that the natural beauty of the homesite may be preserved, no living tree having a diameter of three (3) inches or more, as measured four (4) feet from the natural grade, shall be destroyed or removed from the property unless approved by the DRC and Flagler County, if necessary, in connection with its approval of the plans and specifications for the construction of improvements on the property. The Builder shall take special care during construction not to injure or destroy trees or tree root systems by using protective barriers to keep equipment away from trees.

NOTE: Washington palms will not be permitted in landscape installations.

Shade trees shall not be planted in locations that would create a nuisance in the immediate or near future.

Sod

All areas within each homesite not covered with pavement, buildings, shrubs or groundcover shall be completely sodded with either Empire Zoysia (*Zoysia Tenuifolium*), preferred, or St. Augustine grass (*Stenotaphrum Secundatam* ‘Floratam’) unless otherwise approved by the DRC. All sodded areas shall be provided with an automatic underground irrigation system.

Mulch

All planting areas within each homesite shall be covered and maintained with three (3) inches or more of pine or cypress mulch or other suitable material approved by the DRC to reduce blowing sand. Organic materials are preferred, but crushed stone or other natural mulch material may be considered.

Plant Materials

Plant materials shall equal or exceed the standards for Florida No. 1, as given in “Grades and Standards for Nursery Plants” Part I and Part II State of Florida Department of Agriculture and any amendments thereto. All plant materials are subject to the review and approval of the DRC. Use of non-indigenous plants is discouraged.

The preservation of existing natural vegetation, use of native plant material, and use of xeriscape principals is strongly encouraged to minimize water usage.

Irrigation

All landscaped areas shall be provided with an automatic underground irrigation system. Irrigation must be provided to the back of the curb of the adjacent street and to the shoreline of all portions of a lake, marsh, or other watercourse within the homesite landscape areas. The use of rain switches shall be incorporated into the design. All homesites must use the irrigation water source(s) provided for such use. Use of water from on-site wells, lakes or ponds for irrigation will not be permitted.

The D.C.D.D. may impose additional charges for excessive water usage.

Underground irrigation systems are not allowed seaward of the CCCL. Only native indigenous plantings allowed by the DEP will be approved in these areas.

All other landscaped areas shall be provided with an automatic underground irrigation system. Irrigation must be provided to the SR A-1-A right-of-way and all landscaped areas within the homesite (**Carino la Mer**) and to the back of the curb of the adjacent street and to the shoreline of all new landscaped areas within the homesite (**Playa del Sur**). The use of rain switches shall be incorporated into the design. All homesites must use the irrigation water source(s) provided for such use. Use of water from on-site wells, lakes or ponds for irrigation will not be permitted.

Fertilizers and Pesticides

Only biodegradable fertilizers and pesticides approved by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation shall be used.

INVASIVE PLANT SPECIES

All properties, including vacant lots, shall remove and prevent invasive plant species. Contact the DRC prior to removal to determine if replacement plantings will be required.

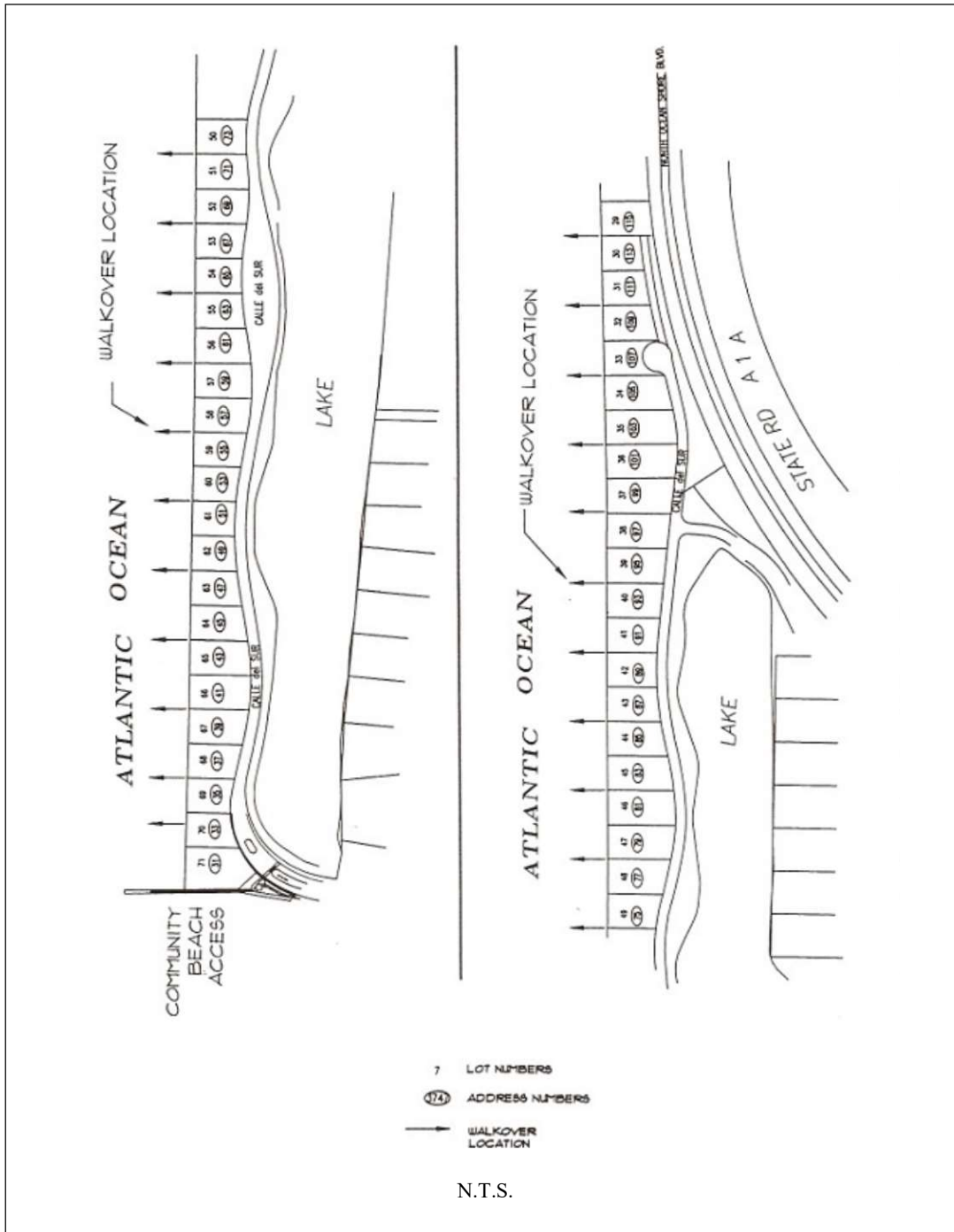


FIGURE 1A
Playa del Sur & Carino la Mer Site Maps (2-A and 2-B)

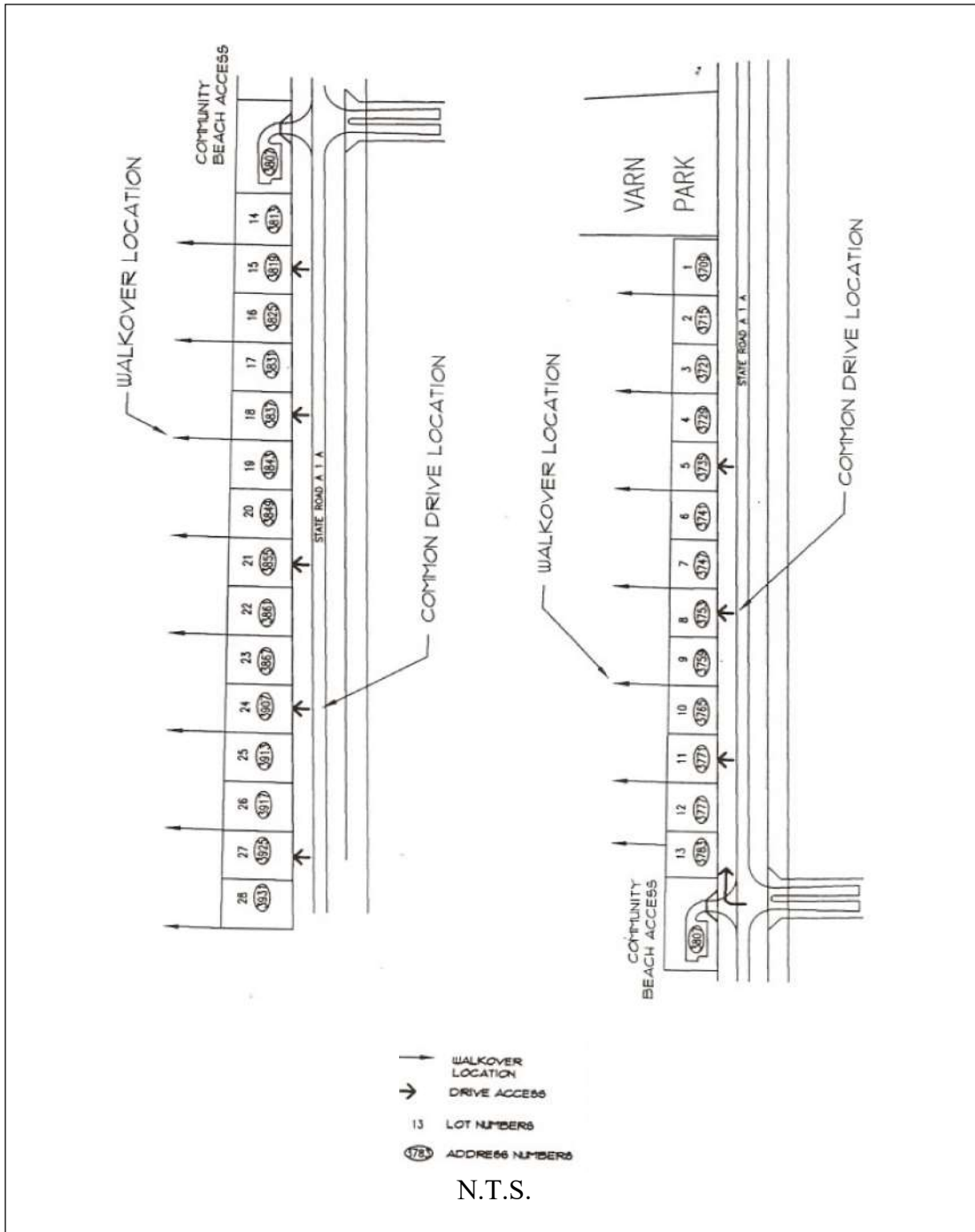
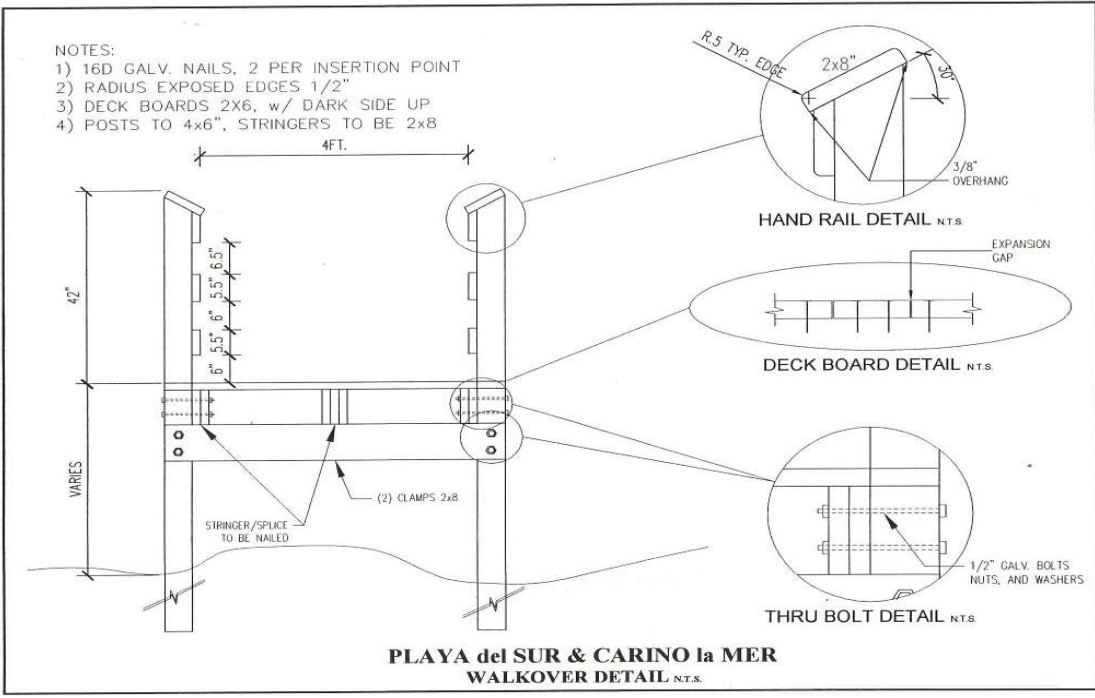
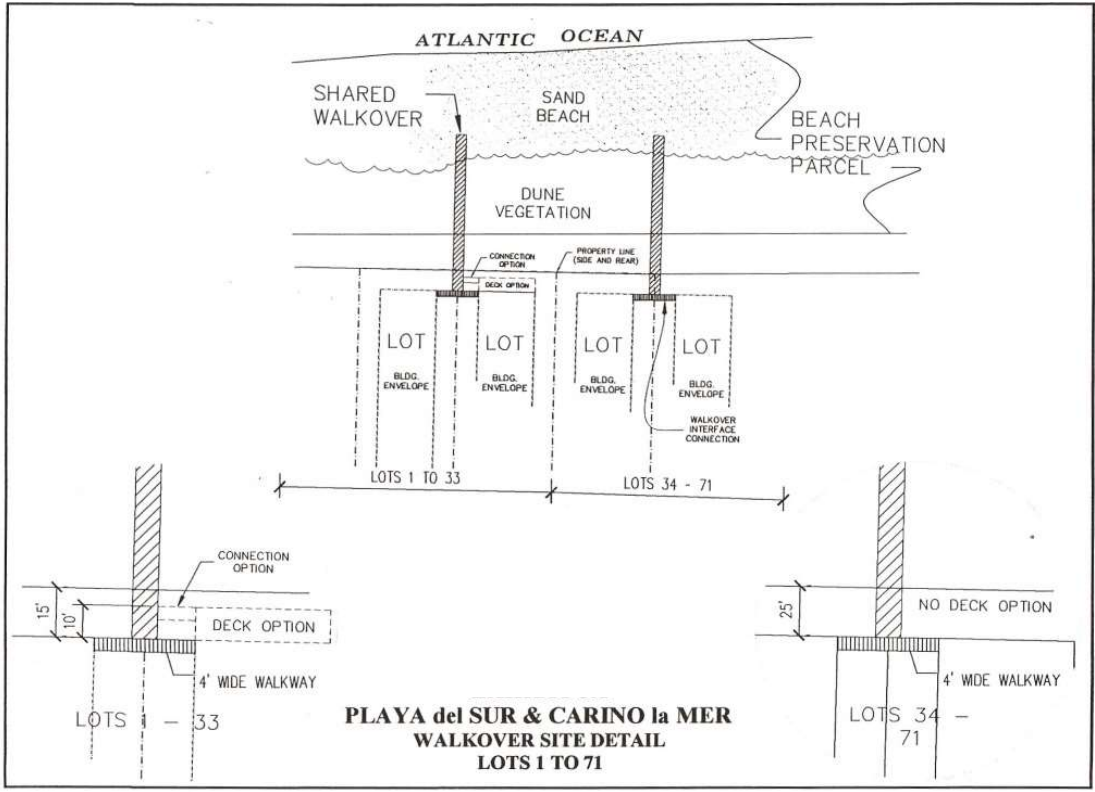


FIGURE 1B
Playa del Sur & Carino la Mer Site Maps (2-A and 2-B)



**FIGURE 2
Walkover Details**

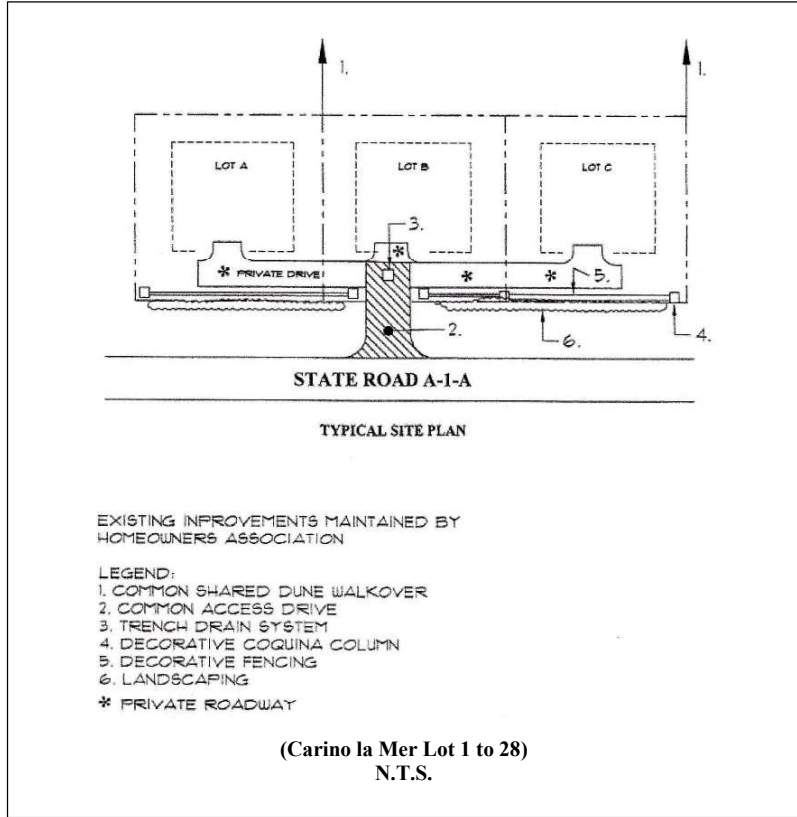


FIGURE 3
A-1-A Street Front Improvements

Hammock Dunes Design Review Committee

EXHIBIT A

SUBMITTAL/TRANSMITTAL CHECKLIST

SUBMITTED BY: _____

PHONE: _____ EMAIL: _____

SUBMITTAL

ADDRESS _____ LOT # _____

OWNER NAME: _____

MAILING

ADDRESS: _____ EMAIL: _____

Check all items applicable below

***Refer to DESIGN REVIEW MANUALS for complete
Details and Requirements.***

NOTE: ALL items must be submitted to be included on Hammock Dunes Design Review Committee Meeting, 10 days prior to meeting regularly First Monday of each month.

NEW RESIDENCE

CONCEPTUAL REVIEW ITEMS

- A. **EXHIBIT B: DESIGN REVIEW APPLICATION**
- B. **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**
- C. Conceptual Architectural floor plans and elevations
Signed and Sealed by **REGISTERED FLORIDA ARCHITECT**
- D. Conceptual site plan showing the approximate location and dimensions of all improvements. This plan should show the relationship of all building(s) on adjacent properties.

NOTE: For Island Estates Lots plans shall be to water's edge, and show required storm water retention area(s).

Signed and Sealed by a **REGISTERED FLORIDA LANDSCAPE ARCHITECT**

- F. Conceptual Landscape Plan showing existing vegetation to remain, proposed trees, shrubs and ground cover plantings

NOTE: For Island Estates Lots plans shall be to water's edge, and show required storm water retention area(s).

Signed and Sealed by a **REGISTERED FLORIDA LANDSCAPE ARCHITECT**

- G. Aerial photo from Google Earth or Flagler County Property Appraiser web site
- H. Photos of the existing site and adjacent homesites on sides across street
- I. Other information, photos, brochures, or items to further illustrate design elements
- J. Electronic submittal of "all" items included to Craig@ssmgfl.com or CD or thumb drive.

FINAL REVIEW ITEMS (Addressing all comments from Conceptual Review)

- A. **EXHIBIT B: DESIGN REVIEW APPLICATION**

- B. **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**

- C. Final Architectural Plans at ¼" = 1'-0" floor plans, elevations, sections, details
Exterior trim details at 1½" = 1'-0", space allocations; a/c, non-a/c, total sf.

Signed and sealed by **REGISTERED FLORIDA ARCHITECT**

- D. Site Plan/Survey at 1" = 20 ft., showing property dimensions, all proposed improvements, finished floor elevations, all setbacks, grading and drainage information, trees over 3" caliper

Signed and sealed by **REGISTERED FLORIDA LAND SURVEYOR**

NOTE: For Island Estates Lots, plans shall be to the water's edge and show required storm water retention area(s).

- E. Conceptual Landscape Plan at 1" = 20 ft. showing existing vegetation to remain, proposed trees, shrubs, and ground cover plantings with preliminary plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and estimated quantities

- F. **FINAL LANDSCAPE AND IRRIGATION PLANS**

Final Landscape and Irrigation Plans are required to be submitted for approval at the time of Construction Milestone 2a of **EXHIBIT B: DESIGN REVIEW APPLICATION.**

Landscape Plan at 1" = 20 ft. showing existing vegetation to remain, proposed trees, shrubs, and ground cover plantings with plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and quantities

Irrigation Plan at 1" = 20 ft. indicating point of connection, main lines, all zone valves, specifications for all heads and irrigation components

Signed and sealed by **REGISTERED FLORIDA LANDSCAPE ARCHITECT**

NOTE: For Island Estates Lots, plans shall be to water's edge and show required storm water retention area(s).

- G. Exterior Materials, Colors, and Finishes: Provide all associated exterior materials, colors, and finishes for improvements, e.g.: pavers, fences, screen enclosures, etc. with samples/color chips as required. (**EXHIBIT D: EXTERIOR COLORS AND MATERIALS**)
- H. Other, as may be specified by DRC.
- I. Electronic submittal of “all” items included to Craig@ssmgfl.com or CD or thumb drive.

ALTERATION OR ADDITION

CONCEPTUAL REVIEW ITEMS

- A. **EXHIBIT B: DESIGN REVIEW APPLICATION**
- B. **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**
- C. Conceptual Architectural floor plans and elevations shown on original Architectural Plans
Signed and Sealed by **REGISTERED FLORIDA ARCHITECT**
- D. Conceptual site plan showing the approximate location and dimensions of all improvements
Shown on existing sit plan/survey and showing the relationship of all building(s) on adjacent properties
NOTE: For Island Estates Lots plans shall be to water’s edge, and show required storm water retention area(s).
- E. Conceptual Landscape Plan showing existing vegetation, existing and proposed trees, shrubs and ground cover plantings
NOTE: For Island Estates Lots plans shall be to water’s edge, and show required storm water retention area(s).
Signed and Sealed by a **REGISTERED FLORIDA LANDSCAPE ARCHITECT**
- G. Aerial photo from Google Earth or Flagler County Property Appraiser web site
- H. Photos of the existing residence and site and adjacent homesites on sides across street
- I. Other information, photos, brochures, or items to further illustrate design elements
- J. Electronic submittal of “all” items included to Craig@ssmgfl.com or CD or thumb drive.

FINAL REVIEW ITEMS

- A. **EXHIBIT B: DESIGN REVIEW APPLICATION**
- B. **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**
- C. Final Architectural Plans at ¼” = 1’-0” floor plans, elevations, sections, details
Exterior trim details at 1½” = 1’-0”, space allocations, a/c, non-a/c, total sf.
Signed and sealed by **REGISTERED FLORIDA ARCHITECT**

- D. Site Plan/Survey at 1" = 20 ft., showing property dimensions, all proposed improvements, finished floor elevations, all setbacks, grading and drainage information, trees over 3" caliper

Signed and sealed by **REGISTERED FLORIDA LAND SURVEYOR**

NOTE: For Island Estates Lots, plans shall be to the water's edge and show required storm water retention area(s).

- E. Conceptual Landscape Plan at 1" = 20 ft. showing existing vegetation, existing and proposed trees, shrubs, and ground cover plantings with preliminary plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and estimated quantities

- F. **FINAL LANDSCAPE AND IRRIGATION PLANS**

Final Landscape and Irrigation Plans are required to be submitted for approval at the time of Construction Milestone 2a of **EXHIBIT B: DESIGN REVIEW APPLICATION**.

Landscape Plan at 1" = 20 ft. showing existing vegetation to remain, proposed trees, shrubs, and ground cover plantings with plant list indication size (ht. × spd.), spacing, sod, mulch, etc. and quantities

Irrigation Plan at 1" = 20 ft. indicating point of connection, main lines, all zone valves, specifications for all heads and irrigation components

NOTE: For Island Estates Lots, plans shall be to water's edge and show required storm water retention area(s).

Signed and sealed by **REGISTERED FLORIDA LANDSCAPE ARCHITECT**

- G. Exterior Materials, Colors, and Finishes: Provide all associated exterior materials, colors, and finishes for improvements, e.g.: pavers, fences, screen enclosures, etc. with samples/color chips as required. (**EXHIBIT D: EXTERIOR COLORS AND MATERIALS**)
- H. Other, as may be specified by DRC.
- I. Electronic submittal of "all" items included to Craig@ssmgfl.com or CD or thumb drive.

NEW BUILDER REVIEW (if required)

- A. **FLORIDA LICENSED GENERAL CONTRACTOR**
- B. Brief Builder Biography
- C. Builder company outline, staff, equipment etc.
- D. Builder Experience, e.g.: plans, photos, size, value.
- E. References
- F. Electronic submittal of "all" items included to Craig@ssmgfl.com or CD or thumb drive.

MISCELLANEOUS SUBMITTAL

(fence, paint, satellite dish, hardscape, landscape renovations, etc.)

- A. REPAINT: photos of existing, color samples of proposed colors/materials

- B. NEW FENCE: photos of existing property, location on property survey off property line, brochure or photo of fence, proposed buffer landscape plantings if required.
- C. SATELLITE DISH: photos of proposed location, location on property survey, brochure or photo of dish, proposed buffer landscape plantings if required
- D. NEW HARDSCAPE: photos of proposed location, location on property survey, brochure or photos of proposed item(s).
- E. Landscape Renovation: photos of proposed location(s), landscape plan showing existing vegetation, existing and proposed trees, shrubs, and ground cover with plant list indicating size (ht. × spd.), spacing, sod, mulch, etc. and quantities.
- F. EXISTING TREE REMOVAL: Indicate on site survey or existing landscape plan trees to be removed. Include tree type and size. Provide photos of trees and mark trees with a band of survey ribbon for field evaluation. Tree removal deposit if required.
- G. LAKE SLOPE TREATMENT: Indicate on site survey showing existing conditions the proposed lake slope treatment option from **EXHIBIT J: LAKE SLOPE TREATMENT OPTIONS**. (Not required for island estates.)
- H. Geothermal Closed Loop System see **EXHIBIT K: GEOTHERMAL CLOSED LOOP SYSTEM**.
- I. Other, contact DRC for requirements.
- J. Electronic submittal of “all” items included to Craig@ssmgfl.com or CD or thumb drive.

Hammock Dunes Design Review Committee

EXHIBIT B

DESIGN REVIEW APPLICATION

SUBMITTED BY: _____

PHONE: _____ EMAIL: _____

SUBMITTAL

ADDRESS _____ LOT # _____

OWNER NAME: _____

MAILING ADDRESS: _____

EMAIL: _____

REGISTERED FLORIDA ARCHITECT: _____

FLORIDA LICENSE NUMBER: _____

REGISTERED FLORIDA LANDSCAPE ARCHITECT: _____

FLORIDA LICENSE NUMBER: _____

LICENSED FLORIDA CONTRACTOR: _____

FLORIDA LICENSE NUMBER: _____

TYPE: _____ STANDARD MODEL: _____ (NAME)

_____ CUSTOM HOME _____ MAJOR HOME ADDITION _____ MINOR HOME ADDITION

_____ POOL _____ SPA _____ SCREEN ENCLOSURE

_____ MISC. (FENCE, PAINT, SATELLITE DISH, PAVERS, ETC.)

FEES: The Design Review Fee covers the normal review process of Design Application and Concept Review with comments back from Committee and Final Construction Plan Review with those comments being addressed. If comments are not addressed at Final Construction Plan Review or

major revisions are required for Final Construction Plan approval an additional fee covering the direct costs of the Committee will be charged. Design Review fees are as follows:

_____	\$4,000	New Home Construction
_____	\$1000	Major Alteration or Addition to an existing residence
_____	\$500	Minor Alteration or Addition to an existing residence or lake slope treatment
_____	\$500	Changes to or Resubmission of Plans
_____	\$1,500	New Builder review
_____	\$50	Review of files for previous construction
_____	\$25	Fence, paint, satellite dish, pavers, minor landscape changes

Notes (see **EXHIBIT C: FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS**)

- 1) Review fees for New Home Construction and Major Alteration or Addition include Design Review Committee Review plus up to two (2) hours professional review.
- 2) Review fee for Minor Alteration or Addition includes Design Review Committee Review plus up to one (1) hours professional review.
- 3) All fees are subject to \$150.00 per hour additional charge – which ever is greater.
- 4) Submittals for review from existing residences for minor changes (paint color, mailbox, fence, solar collection system, etc.) shall not require a review fee.

DESIGN REVIEWS

Concept Review: see **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** for all requirements.

Final Plan Review: see **EXHIBIT A: SUBMITTAL/TRANSMITTAL CHECKLIST** for all requirements.

CONSTRUCTION/ALTERATION/ADDITION MILESTONES: The Builder shall specify completion times (in months) for each new construction, alteration or addition milestone listed below. The Builder shall notify the DRC well in advance of any changes in these completion milestones:

Construction/Alteration/Addition Milestone*	Completion Time (Months)
1a. Lot Clearing/Demolition/Foundation: plumbing roughed in & slab poured. (Granada/Island Estates & Villas)	
1b. Lot Clearing/Demolition/Foundation: Pilings and Grade Beams poured. (Grande Mer, Playa del Sur, Carino la Mer)	
2a. Framing/Structure: exterior walls, roof trusses, roofing dry-in, windows & doors. (Granada/Island Estates & Villas)	

Construction/Alteration/Addition Milestone*	Completion Time (Months)
2b. Framing/Structure: exterior walls, roof trusses, roofing dry-in, plumbing roughed in, windows & doors. (Grande Mer, Playa del Sur, Carino la Mer)	
3. Outside & Inside Finishes: electric, plumbing, drywall, cabinetry, roof tile, paint.	
4. Driveway & Landscaping: Ready for Certificate of Occupancy.	
5. Certificate of Occupancy: Ready for Buyer Move-in.	

*See **EXHIBIT H: COMMON VIOLATION AND FINE SCHEDULE**
CONSTRUCTION START: (All items required for construction start)

- _____ Deposit/Irrevocable letter of credit/construction loan
- _____ \$15,000 Deposit (New Home Construction)
- _____ \$7,000 Deposit (Major Alteration or Addition)
- _____ \$4,000 Deposit for Minor Alteration or Addition to an existing residence or Lake Slope Treatment
- _____ \$1,000 Deposit for driveway brick paver renovation
- _____ **HDOA EXHIBIT F: CONSTRUCTION AGREEMENT**
- _____ Pre-Construction Meeting (At property with clearing limits marked)

FINAL INSPECTION AND ACCEPTANCE: (All items required for New Home Construction Final Inspection and Acceptance)

- _____ Final survey (For Island Estates show storm retention areas(s))
- _____ Completion transmittal
- _____ Certificate of Occupancy
- _____ For Island Estates storm water retention certification

Hammock Dunes Design Review Committee

EXHIBIT C

FEES AND CONSTRUCTION DEPOSIT REQUIREMENTS

FEES

New Home Construction

\$4000 Design Review Fee – Covers the normal process of evaluating concept architectural and landscape submittals and reviewing final plans that address DRC comments. Includes interim inspection of construction progress and final acceptance. Includes 1 conceptual, 1 preliminary, and 1 final review. Additional reviews will be charged at \$250 per meeting.

Additional Fees for New Home Construction:

- \$1,000, Pool and Extra Amenities
- \$500, Ocean Estates Private Walkover Connection
- \$1,000, Walkover, Intracoastal Seawalls and/or Docks
- \$500, Lake Seawalls
- \$6,500, Lot Binding (legal fees and recording fees will be additional)
- \$500, Solar Panels
- \$1,000, Closed Loop Well Systems

\$15,000 Refundable Construction Deposit – Required before construction begins. See **DEPOSITS** for specifics.

Major Alteration or Addition

\$1000 Design Review Fee – Covers structural or site modifications after original construction that affects or alters the existing exterior architecture, foot print and or square footage, or exterior appearance in any fashion or warrants the issuance of a building permit by a governmental authority. Also covers additions of pools, screen enclosures and docks. Includes up to two hours of professional review, but an additional fee of \$150 per hour may be charged for overly complex submittals.

\$7000 Refundable Construction Deposit – Required before work begins. See **DEPOSITS** for specifics.

Minor Alteration or Addition

\$500 Design Review Fee – Structural or site modifications of a relatively minor nature that do not require issuance of a building permit by a governmental authority. Also covers installation of lake slope treatment/seawalls, landscape alterations, solar panels, hurricane shutters,

windows/doors, landscape alteration requiring drainage plan, etc. Includes up to one hour of professional review; however additional reviews or time spent outside the normal review and inspection process may be subject to \$150 per hour additional charge.

\$4000 Refundable Construction Deposit – Within the discretion of the DRC, this deposit is required for installation of lake slope treatment or other minor alterations.

Plan Change Fee

\$500 Design Review Fee – This fee is required for re-submittals or any major change to the original approved plans during new home construction. (Note – An additional \$50 fee is required to retrieve prior construction plans)

New Builder Review Fee

\$1500 Review Fee – One time fee to obtain general contractor approval to build in Hammock Dunes

\$25 Fee

Minor improvements to an existing residence such as fence, pavers, satellite dish, exterior paint color change, rescreening of a lanai, small landscape projects. However, DRC approval is still required.

Dumpster and Porta Potty Fees and Deposits

\$500, Dumpster Fee for internal or external renovations that do not have an existing refundable deposit.

\$1,000, Dumpster Construction deposit (refundable).

\$500, Porta Potty Fee for internal or external renovations that do not have an existing refundable deposit.

\$1,000, Porto Potty Construction deposit (refundable).

DEPOSITS

CONSTRUCTION DEPOSIT

The Builder shall deposit fifteen thousand dollars (\$15,000) for New Construction or seven thousand dollars (\$7,000) for a Major Alteration or Addition with the HDOA. The construction deposit will be held in an interest bearing account until the improvements are complete and the DRC performs its Final Inspection and Acceptance. Any accruing interest will be used to fund the Hammock Dunes Owners’ Association administrative costs and not refunded. The construction deposit will be refunded to the person/entity that submitted the check (name on the check).

In the event the DRC finds the need to utilize these funds for any of the purposes enumerated below, the DRC shall notify the Builder about the deficiency and automatically withdraw funds from the Construction Deposit and/or the Letter of Credit to cover any expenses or fines. The Builder must replace any funds withdrawn from the construction deposit within five (5) business days of notification of the withdrawal by the DRC.

The construction deposit may be used to offset any costs incurred by the HDOA or the DRC to:

1. Repair damage to any property caused by the Builder or their subcontractors, suppliers and representatives during construction;
2. Pay for any cleanup of the site and adjacent property not performed by the Builder;
3. Bring the homesite and any structures thereon into compliance with the requirements of the Master and Neighborhood Declarations and the Design Review Manual;
4. Recover legal fees and other costs incurred by DRC in order to correct any construction or alteration not performed in substantial compliance with the plans receiving Final Approval;
5. Comply with the terms of the **EXHIBIT F: CONSTRUCTION AGREEMENT**.
6. **Pay any fines or expenses issued by the DRC per the FINE SCHEDULE, EXHIBIT H.**

COMPLETION GUARANTEE

Cash Deposit, Irrevocable Letter of Credit and Construction Loan Commitment – To verify adequate funds are available to complete the proposed construction, for each New Construction or Major Alteration or Addition, the Owner/Builder shall also provide one of the three (3) following requirements contemporaneous with signing the HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**:

1. **Cash Deposit** – The Owner/Builder may deposit with the Hammock Dunes Owners' Association the sum of one hundred thousand dollars (\$100,000) for New Construction OR ten percent (10%) of the documented cost of construction approved by the DRC (new home construction) not to exceed one hundred thousand dollars (\$100,000). For a major alteration or addition, the cash deposit is ten percent (10%) of the documented cost of construction. Any accruing interest will be used to fund the Hammock Dunes Owners' Association administrative costs and not refunded. The cash deposit will be refunded to the person/entity that submitted the check (name on the check).
2. **Irrevocable Letter of Credit** – Submit an Irrevocable Letter of Credit in the amount of one hundred thousand dollars (\$100,000) for New Construction or ten percent (10%) of the documented cost of construction approved by the DRC (new home construction) not to exceed one hundred thousand dollars (\$100,000) to be held by the HDOA until all requirements of this agreement, including Final Inspection and Acceptance, are complete. For a major alteration or addition, the irrevocable letter of credit is ten percent (10%) of the documented cost of construction. A sample of an Irrevocable Letter of Credit is attached (Appendix C).
3. **Construction Loan Commitment** – Provide to the DRC an original copy of the construction loan commitment from an institutional lender. The institutional lender and the form of the construction loan commitment are subject to review and approval of the DRC. The construction loan commitment shall be for the applicable residence only.

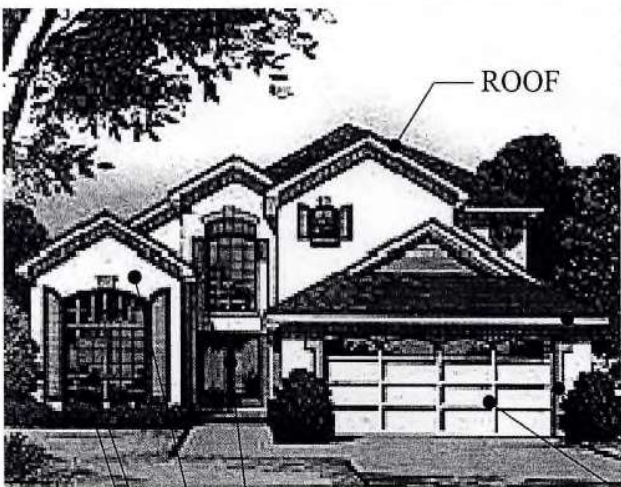
TREE REMOVAL DEPOSIT

When approval is granted by DRC for tree removal and a replacement tree is required a refundable deposit of \$400 per caliper inch of replacement is required until replacement tree is installed.

Hammock Dunes Design Review Committee

EXHIBIT D

EXTERIOR COLORS AND MATERIALS



EXTERIOR COLORS & MATERIALS
NOTE: SAMPLES and/or COLOR CHIPS OF ALL EXTERIOR FINISHES and MATERIALS MUST ACCOMPANY FINAL REVIEW SUBMITTAL.

A: ROOF
Color _____
Mfg _____
Material _____

B: FACIA
Color _____
Mfg _____
Material _____

C: SHUTTERS
Color _____
Mfg _____
Material _____

D: WALLS
Color _____
Mfg _____
Material _____

E: GARAGE DOOR
Color _____
Mfg _____
Material _____

F: TRIM BANDING
Color _____
Mfg _____
Material _____

G: WINDOW FRAMES
Color _____
Mfg _____
Material _____

H: FRONT DOOR(S)
Color _____
Mfg _____
Material _____

OTHER: _____
Color _____
Mfg _____
Material _____

OTHER: _____
Color _____
Mfg _____
Material _____

Hammock Dunes Design Review Committee

EXHIBIT E

SAMPLE LETTER OF CREDIT

Date

Travis Houk
Southern States Management Group
2 Camino del Mar
Palm Coast, FL 32137
Office: 386-446-6333
Fax: 386-446-1830

Dear Mr.

(Name of bank) hereby opens our Irrevocable Letter of Credit Number in favor of the Hammock Dunes Owners' Association, Inc. for the account of or benefit of (name and address of builder) in the amount of one hundred thousand dollars (\$100,000) (for New Construction) or ten percent (10%) of the proposed cost (for Major Alteration or Addition Construction), not to exceed one hundred thousand dollars (\$100,000), available by your drafts on us at sight to be accompanied by:

1. Copy of the letter of credit issued in favor of the Hammock Dunes Owners' Association, Inc.
2. Affidavit stating that the terms and conditions of the construction agreement between (name of builder) and Hammock Dunes Owners' Association, Inc. signed and approved are not being performed as per said construction agreement outlining the specific non-conforming areas, signed by an authorized official to Hammock Dunes Owners' Association, Inc. with acknowledgement that said signer is an authorized signer.
3. Copy of said contract between the Hammock Dunes Owners' Association, Inc. and (name of bank).

Any drafts under the credit must be marked "drawn under credit number _____ of (name of bank)". This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision), International Chamber of Commerce Brochure No. 400.

We hereby agree that any drafts drawn under and in compliance with the terms of this credit shall be duly honored on due presentation to (name and address of bank) on or before (36 months from date of agreement) or 30 days following issuance of a Certificate of Occupancy by the County of Flagler, Flagler County, Florida on (street address of homesite), also know as (legal description).

The expiration date of this credit is (36 months from date) of agreement or 30 calendar days following the issuance of the Certificate of Occupancy by the County of Flagler, whichever comes first on property at (street address of homesite), also know as (legal description).

Hammock Dunes Design Review Committee

EXHIBIT F

CONSTRUCTION AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2____, by and between THE HAMMOCK DUNES OWNERS' ASSOCIATION, INC., (the 'Association'), _____, the 'Builder,' and _____, the "Owner."

WITNESSETH:

WHEREAS, the Association's Design Review Committee (DRC) has approved the plans and specifications for new construction or alteration or addition at the location identified as:

NOW THEREFORE, in consideration of the mutual promises made herein, the parties agree as follows:

1. The Association may from time to time inspect the construction site and monitor compliance with approved plans and specifications, as well as requirements specified in the Hammock Dunes Private Community Master Declaration, the Neighborhood Design Review Manual, all of which are incorporated herein by reference, and collectively referred to as the "Governing Documents."
2. Such inspections shall be performed for the benefit of the Association only, and not for the benefit of the owner of the above-described property, adjacent owners, or the Builder.
3. Subject to approval by the DRC, Builder shall specify completion dates for each new construction, alteration or addition milestone listed below and shall complete each milestone so specified. The Builder shall notify and obtain approval from the DRC well in advance of any changes in these completion milestone dates. Unless otherwise approved by the DRC and due to unforeseeable circumstances, the Certificate of Occupancy must be issued within 24 months after construction has commenced.

Construction/Alteration/Addition Milestone	Completion Date
1a. Lot Clearing/Demolition/Foundation: plumbing roughed in & slab poured. (Granada/Island Estates & Villas)	
1b. Lot Clearing/Demolition/Foundation: Pilings and Grade Beams poured. (Grande Mer, Playa del Sur, Carino la Mer)	
2a. Framing/Structure: exterior walls, roof trusses, roofing dry-in, windows & doors. (Granada/Island Estates & Villas)	
2b. Framing/Structure: exterior walls, roof trusses, roofing dry-in, plumbing roughed in, windows & doors. (Grande Mer, Playa del Sur, Carino la Mer)	
3. Outside & Inside Finishes: electric, plumbing, drywall, cabinetry, roof tile, paint.	
4. Driveway & Landscaping: Ready for Certificate of Occupancy.	
5. Certificate of Occupancy: Ready for Move-in.	

4. The Association may from time to time notify the Builder as to any discrepancies between the actual construction and the approved plans or if the Builder or construction deviates from the terms of the Governing Documents.
5. Upon written request from the Builder, the Association may perform a final inspection and report, noting either full compliance with the approved plans and specifications or specific discrepancies that must be corrected prior to final approval.
6. The Builder acknowledges that he has read all requirements specified in the Governing Documents and agrees to perform all site work and construction in conformance with these requirements, the approved plans and specifications, and approved changes thereto.
7. The Builder shall correct any deviations from the approved plans and specifications and other requirements as communicated from the Association or its designated representatives within the time prescribed by the Association.
8. As of the effective date of this Exhibit F: Construction Agreement, the Lot's curb condition is as follows:

The Builder shall protect and maintain the above-described current condition of the Lot's curb and all adjoining property, including but not limited to common areas, rights-of-way, streets, curbs, property monuments, and other private or community properties, from any damage as a result of the Builders' operations, or by any actions by the Builders'

subcontractors, subsubcontractors, material men, suppliers, employees, or agents. If such damage occurs, the Builder shall, at the option of the Association:

- a. Restore all damaged property to its original state, completing corrective action within the time prescribed by the Association's notice of such damage, or
- b. Pay the owner of any property damaged by the Builder for all expenses entailed in the restoration of the damaged property to its former condition, or
- c. Provide such other remedies as may be allowed by Florida law.

The remedies in this paragraph are additional to any actions and remedies provided for by law for the adjoining owner.

9. The Builder shall install silt fencing around the construction perimeter.
10. The Builder shall, along with this Exhibit F: Construction Agreement, submit a construction deposit of fifteen thousand dollars (\$15,000) for New Construction or seven thousand dollars (\$7,000) for Major Alteration or Addition Construction.
 - a. The Builder forfeits to the Association all rights to the construction deposit if he fails to complete construction within 24 months after construction commences.
 - b. The Builder agrees that upon final approval by the DRC, the Association may refund any unused portion of the construction deposit to the Owner.
 - c. The Association, in its sole discretion, may withdraw funds from the construction deposit per **EXHIBIT H: COMMON VIOLATION AND FINE SCHEDULE**. Association will automatically withdraw the funds after providing notice of the violation and such funds must be replaced by the Builder within five (5) business days.
 - d. The construction deposit may be used to offset any costs incurred by the HDOA or the DRC to:
 - i. Repair damage to any property caused by the Builder or their subcontractors, suppliers and representatives during construction;
 - ii. Pay for any cleanup of the site and adjacent property not performed by the Builder;
 - iii. Bring the homesite and any structures thereon into compliance with the requirements of the Master and Neighborhood Declarations and the Design Review Manual;
 - iv. Recover legal fees and other costs incurred by DRC in order to correct any construction or alteration not performed in substantial compliance with the plans receiving Final Approval
 - v. Recover any legal fees and other costs incurred to enforce any provision of the Master and Neighborhood Declarations and the Design Review Manual whether litigation is commenced or not.
11. The Builder shall also provide one of the three (3) following items prior to signing Exhibit F: Construction Agreement

- a. Cash deposit of one hundred thousand dollars (\$100,000) for New Construction or ten percent (10%) of the documented cost of construction not to exceed one hundred thousand dollars (\$100,000). For a major alteration or addition, the cash deposit is ten percent (10%) of the documented cost of construction. The cash deposit will be refunded after final inspection and the conditions of this construction agreement have been satisfied.
 - b. Submit an Irrevocable Letter of Credit, in the amount of one hundred thousand dollars (\$100,000) or ten percent (10%) of the documented cost of construction not to exceed one hundred thousand dollars (\$100,000), to be held by the HDOA until all requirements of this agreement, including final inspection, have been completed. For a major alteration or addition the irrevocable letter of credit is ten percent (10%) of the documented cost of construction.
 - c. Provide to the DRC an original copy of the construction loan commitment from an institutional lender. The institutional lender and form of the construction loan commitment is subject to review and approval of the DRC.
12. The Association has the right, but not the obligation, to use the construction deposit, the cash deposit or irrevocable letter of credit to enter upon the Owner's lot and complete Construction upon Owner or Builder default of the terms of this Agreement or the Design Review Manual.
 13. The Builder shall make a written request for interim and final inspections from the Association as require by the Design Review Manual and shall be subject to compliance as noted above.
 14. This Agreement shall be binding on the Builder, his subcontractors, subsubcontractors, material men, agents, employees, suppliers, successors and assigns, and, as between the Association and the Builder, the Builder shall be liable for the acts or omissions of itself and all such other parties.
 15. Builder shall indemnify and hold harmless the Association, its officers, directors, agents and employees from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of, in whole or in part, any act, omission or default of the Builder, Subcontractor, Subsubcontractors, material men, suppliers, employees or agents of any tier or their respective employees. The Builder shall defend the Association, its officers, directors, agents and employees if any claim is made against them. The duty to defend is separate and distinct from the duty to indemnify, and is valid notwithstanding the enforceability of this indemnification provision. In claims against any person or entity indemnified under this paragraph by an employee of the Builder, a Subcontractor, material men, or agents of any tier or their respective employees, the indemnification obligation under this paragraph shall not be limited by compensation or benefits payable by or for the Builder or a Subcontractor under workers' compensation acts, disability benefit acts or other employee benefit acts.
 16. Builder will obtain and maintain in force during the term of the Construction comprehensive general public liability and property damage insurance in the amounts and categories established by Association and shall name Association as an additional insured in such

policies. Evidence of such insurance coverage shall be delivered by Builder to Association prior to commencement of any work.

17. Builder shall be fully insured under all applicable state and federal worker's compensation laws. Builder shall also insure that any and all subcontractors be likewise insured. Evidence of such insurance coverage shall be delivered by Builder to Association prior to commencement of any work.

18. Builder is solely the agent of the Owner and not of the Association. Exhibit F: Construction Agreement does not create any agency relationship between the Builder and the Association.

19. For the purposes of notice, the following individuals and addresses are specified:

a. For the Association:

b. For the Builder:

c. For the Owner:

20. The approval, rejection or withholding of any approval by the Association or the DRC, of the proposed plans and specifications and the location of all structures, and every alteration of any structure, shall not be construed or interpreted as a representation or determination that any building, plumbing, electrical code or other applicable governmental regulations or requirements have or have not been met. Each Builder shall be responsible to obtain necessary approvals of the appropriate governmental agencies as required for any work or construction.

For the ASSOCIATION:

Print Name: _____

For the BUILDER:

Print Name: _____

For the OWNER:

Print Name: _____

Hammock Dunes Design Review Committee

EXHIBIT G

BUILDER CONDUCT

All Owners and Builders shall be held responsible for the acts of their subcontractors, sub-subcontractors, material men, suppliers, laborers, or agents of any tier, or their respective employees and any other persons or parties involved in the construction or alteration of a homesite. In this regard, a Builder and Owner shall be responsible for the following:

- A. Ensuring that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion. Maintenance of dumpsters and portable toilets on site is required. There shall be no burning.
- B. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site or affect the quality of workmanship.
- C. Assuring that all Builder subcontractors, sub-subcontractors, material men, suppliers, laborers, or agents of any tier and their respective employees are properly insured.
- D. Assuring that all Builder subcontractors, sub-subcontractors, material men, suppliers, laborers, or agents of any tier and their respective employees do not commit any violations of the covenants, restrictions, rules and regulations of the HDOA or the DRC.
- E. Limiting working hours for construction personnel to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction work will be allowed on Sundays. Exceptions to this rule may be allowed by the DRC/HDOA under special circumstances and only with prior written authorization.
- F. Prohibiting construction personnel from having pets within Hammock Dunes Private Community.
- G. Maintaining portable toilets at the construction site.
- H. Prohibiting the playing of music or other sounds from non-construction activities which can be heard on adjoining property.
- I. Prohibiting use of adjacent property for access or storage of material or equipment. If this becomes a problem, the DRC should be contacted for assistance.
- J. Limiting all Builder subcontractors, sub-subcontractors, material men, suppliers, laborers, or agents of any tier and their respective employees to construction related activities at the designated site only. (NO FISHING, TOURING, ETC.)
- K. Ensuring Builder's employees, subcontractors and suppliers use only designated construction access routes as described by the DRC.
- L. Assuring that employee, subcontractor, supplier or construction vehicles do not limit or hinder access to the street or cul-de-sac or adjacent property driveways.

Violations of these rules may result in penalties imposed per HDOA **EXHIBIT F: CONSTRUCTION AGREEMENT**.

Hammock Dunes Design Review Committee

EXHIBIT H

COMMON VIOLATION AND FINE SCHEDULE*

Active construction before DRC final approval	\$500/week
No portable toilet on site	\$25/day
Failure to install silt fence	\$25/day
No dumpster on site	\$50/day
Failure to keep job site neat and clean	\$100/incident
Failure to correct damage to adjacent property	\$50/day
Failure to correct damage to common property	\$200/incident
Failure to keep streets clean	\$100/incident
Loud music, children or pets on job site	\$50/incident
Failure to meet an intermediate milestone date	\$500/month

Note: The administrative costs associated with imposing these fines shall also be assessed to the Builder. The above fines and administrative costs will be deducted from the Construction Deposit held by the DRC.

*The DRC may grant exceptions to the fine schedule with justified cause.

Hammock Dunes Design Review Committee

EXHIBIT I

CONSTRUCTION PORT-O-LET ENHANCEMENT



Illustration of typical Port-O-Let enhancement

- Framed lattice panels three sides
- Trellis top treatment
- Open side at door placed away from street view

Hammock Dunes Design Review Committee

EXHIBIT J

LAKE SLOPE TREATMENT OPTIONS

INTRODUCTION

The original concept for the Hammock Dunes community was to use natural indigenous vegetation as buffers between individual home and on original lake frontages, wherever possible. Since then, a number of factors have contributed to serious lake front erosion problems at many homesites. The Design Review Committee (DRC) has worked with homeowners on several design options to mitigate the erosion. The options have emphasized maintenance of the natural habitat and promoted the use of native materials and vegetation including natural Florida coquina stone.

There are 12 named lakes in the Hammock Dunes community. Lakes San Marco, Anastasia, Cordoba and Granada are examples of lake banks that are adjacent both to single family homes and Club property. Residents looking to control erosion on their lake banks should evaluate designs that are compatible with the natural landscaping and plantings on the golf course and repairs that have been made on neighboring properties. Consideration must also be given to the cost and long term maintenance of the design options presented herein.

APPROVED LAKE SLOPE TREATMENT OPTIONS

DRC has developed this information manual to assist homeowners evaluate and select designs for the stabilization of take edges and slopes. Critical to success is customizing a design solution that is proper for the specific Lake slope condition. Key factors for design consideration are: degree of slope from the finished grade to the lake edge; amount of erosion at the lake edge; depth and slope within the lake area; soil conditions; and erosion exposure, i.e. prevailing wind.

DRC has approved the following design options for various lake slopes:

Gradual Slope Condition—1 ft. drop for every 6 ft. of property:

- Native plantings
- Stabilization fabric with plantings, e.g. ShoreSox
- Minor coquina rock rip rap
- 2 ft. bulkhead with landscaping

Severe Slope Condition—1 ft. or greater drop for every 3 ft. of property:

- Stabilization fabric with plantings, e.g. ShoreSox
- Coquina rock rip rap
- Coquina rock retaining wall
- Sheet pile bulkhead faced with coquina rock
- 2 ft. bulkhead with coquina rock terraced planters

Illustrations of the various designs are attached. In these illustrations the design water surface elevation is 4.0 NGVD (approximately 4 feet above sea level), as permitted by the St. Johns River Water Management District and maintained by the Dunes Community Development District (DCDD), and will vary significantly above and below this level during different rainfall conditions.

The illustrations have been prepared as guidelines and are not intended to serve as engineered solutions for construction. Each particular homesite has different conditions of slope, soils, distances, etc. and will require an evaluation and design by a licensed contractor and/or engineer for a successful result as well as consistency with neighboring properties.

All erosion control designs and restoration options must be approved by DRC prior to installation.

ILLUSTRATIONS OF VARIOUS DESIGN OPTIONS

Illustration 1 shows the range of existing lake slope conditions: (1) the originally intended 1 foot drop for every 6 feet of property and (2) a 1 foot or greater drop for every 3 feet of property that probably resulted from construction and landscaping activities.

Illustration 2 shows the Stabilization Fabric with Plantings option as exemplified by the ShoreSox Erosion Control System. This approach uses a fabric tube with fill material (a mix of soil and mulch) that is anchored to the slope. Soil, vegetation and plantings are incorporated above, over and below the ShoreSox tube. To date six residents have installed the ShoreSox system providing a natural appearance along the lake banks. Long term performance of ShoreSox is not yet known.

Illustration 3 shows two coquina rock options – Coquina Rock Rip Rap for slopes of 3 to 1 maximum and Coquina Rock Retaining Wall for slopes of 1 to 1 maximum. When natural landscaping failed to control lakefront erosion, DRC approved the use of the coquina rock designs because they can follow a softer curve and conform to a number of slopes. The Coquina Stone Retaining Wall option may require periodic maintenance if the stone is not set on a supporting foundation. To date more than 20 residents have installed the coquina rock options.

DRC does not approve the use of sheet pile bulkheads for lake front erosion control unless faced with coquina rock. Two residents have installed the Sheet Pile Bulkhead Faced with Coquina Rock option in recent years. Sheet piling without coquina rock facing was approved on the east side of Lake San Gabriel in the fall of 2010 because of the unique conditions associated with the common property and because the 1800 foot wall presents a continuous architectural landscape feature. The project includes plantings along the top of the wall that eventually (two years or more) will grow down the concrete cap to buffer the pilings from view.

Introduction of the Lake San Gabriel architectural element for residential application would conflict with the natural theme guiding the design of the Hammock Dunes community. Application by individual homeowners would result in a problematic-and patchwork look throughout the lakes. However, DRC has developed a hybrid design option using a combination of elements with sheet

piling to maintain the desired natural appearance of the lake banks. These are shown in Illustrations 4 and 5.

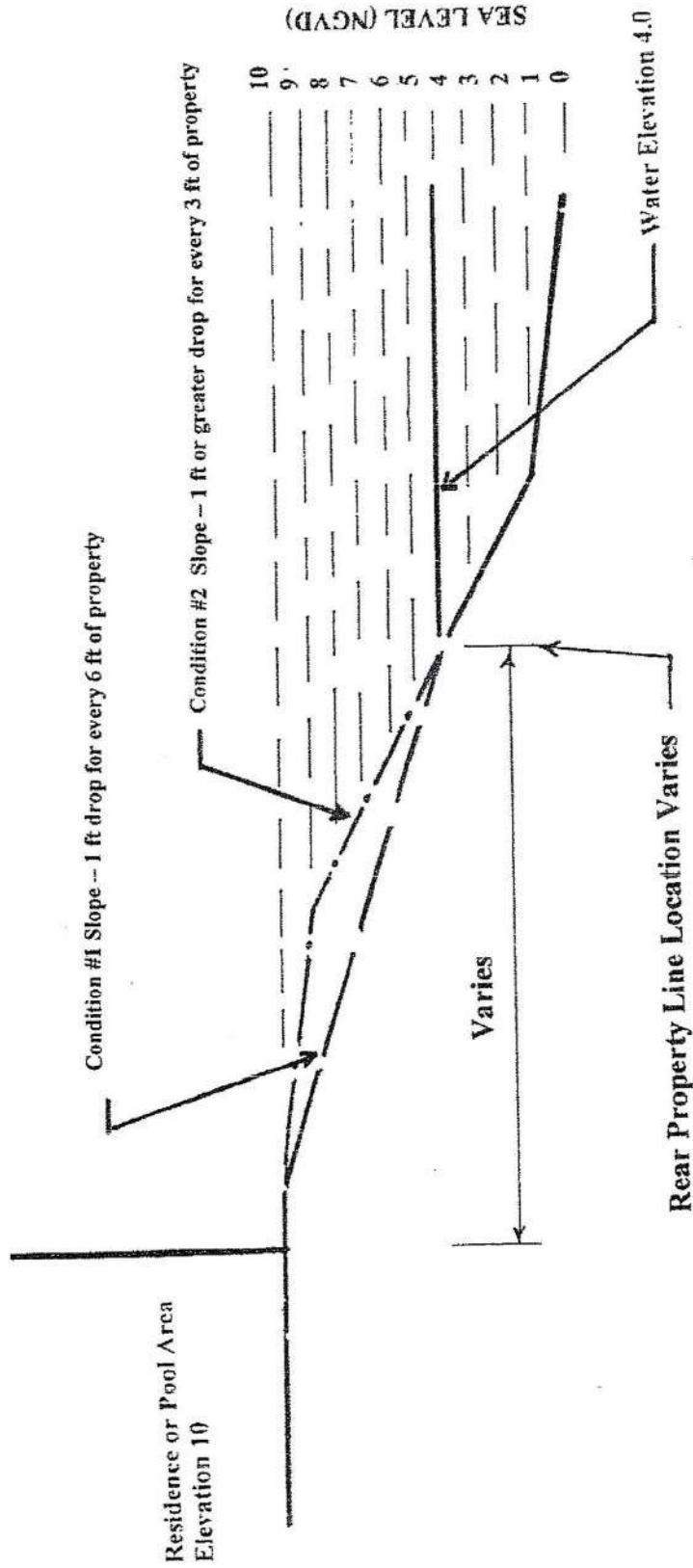
Illustration 4 shows the Bulkhead with Landscaping option for homesites with gradual slope conditions that incorporates a minimal 2 foot high sheet pile wall, i.e. 2 feet above the design water level of 4 feet NGVD. The design provides excellent stability for any landscaping that would be planted behind the bulkhead: The low wall height allows landscape plantings to grow over the terraced wall and soften the appearance in one growing season. This option may, during significant rains, cause the water elevation to flood the terrace planting area; therefore, plant types that survive flooding should be selected.

Illustration 5 shows the Bulkhead with Coquina Rock Terraced Planters option for homesites with steep slope conditions that incorporates a minimal 2 foot high sheet pile wall, i.e. 2 feet above the design water level of 4 feet NGVD. The design provides greater stability for the incorporated coquina rock wall compared to a higher sheet pile wall faced with coquina rock and also ends up requiring less coquina stone. Landscaping will soften the appearance in one growing season. This option may, during significant rains, cause the water elevation to flood the lower terrace planting area; therefore, plant types that survive flooding should be selected.

DUNES COMMUNITY DEVELOPMENT DISTRICT (DCDD)

All property boundaries are determined by deed. Property owners should check the location of the lake bank relative to the survey line-s. The DCDD property line may indicate that the lake bank is fully on their property, or it may indicate that the lake has eroded off their property onto property not owned by DCDD. DCDD operates the lakes under the direction of the Saint Johns River District and must follow their mandates. Coordination of proposed lake bank work with DCDD, as well as the DRC, will be necessary.

**Lake Slope Treatment Options
Hammock Dunes Design Review Committee**



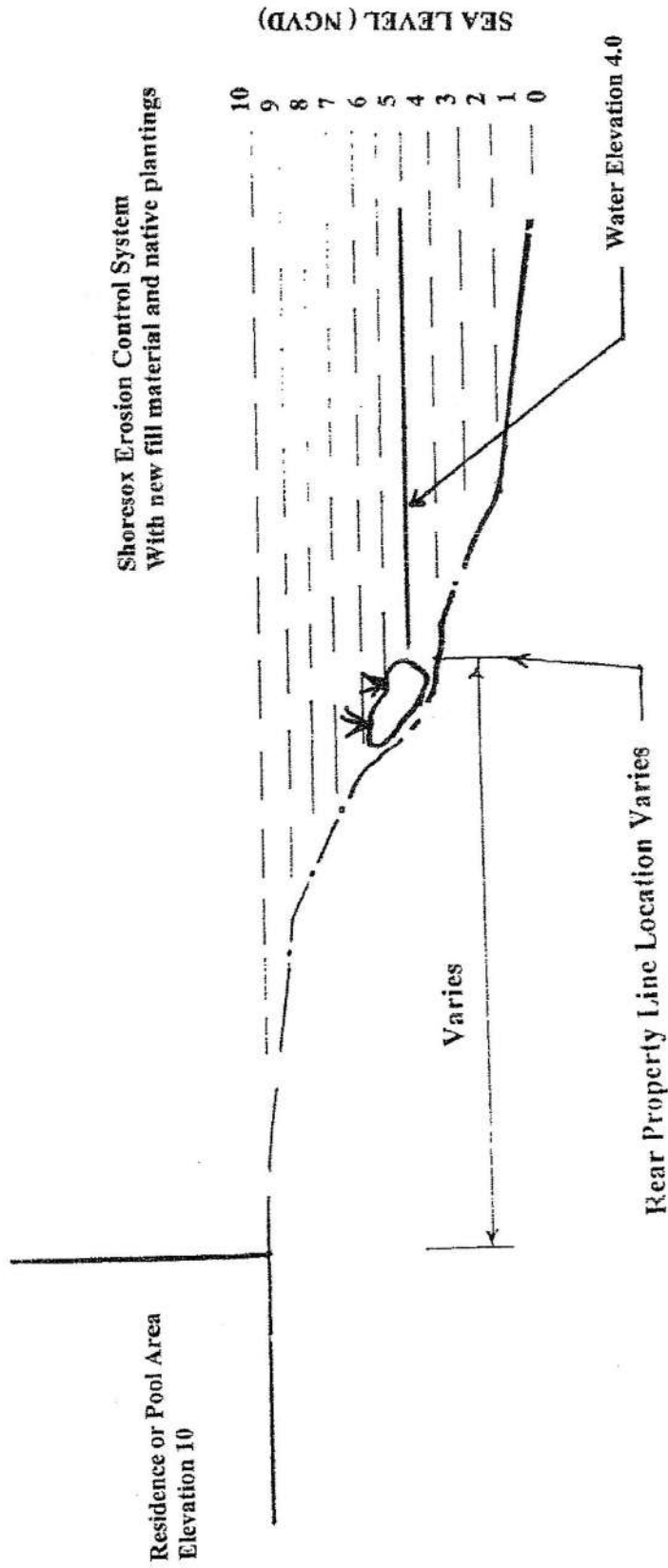
ALL ELEVATIONS SHOWN
ARE AT SEA LEVEL (NGVD)
AND ARE APPROXIMATE

Hammock Dunes Lake Slopes

Existing Conditions

ILLUSTRATION 1

**Lake Slope Treatment Options
Hammock Dunes Design Review Committee**



NOTE : These illustrations are for guideline purposes only and are not intended to serve as engineered solutions for construction.

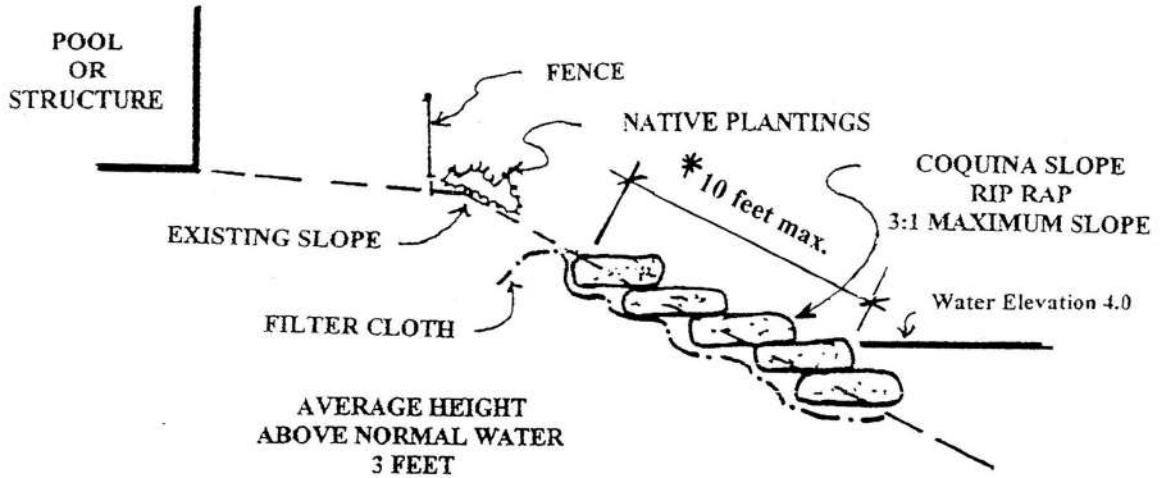
ALL ELEVATIONS SHOWN ARE AT SEA LEVEL (NGVD) AND ARE APPROXIMATE.

**Hammock Dunes Lake Slopes
Stabilization Fabric with Plantings e.g. ShoreSox**

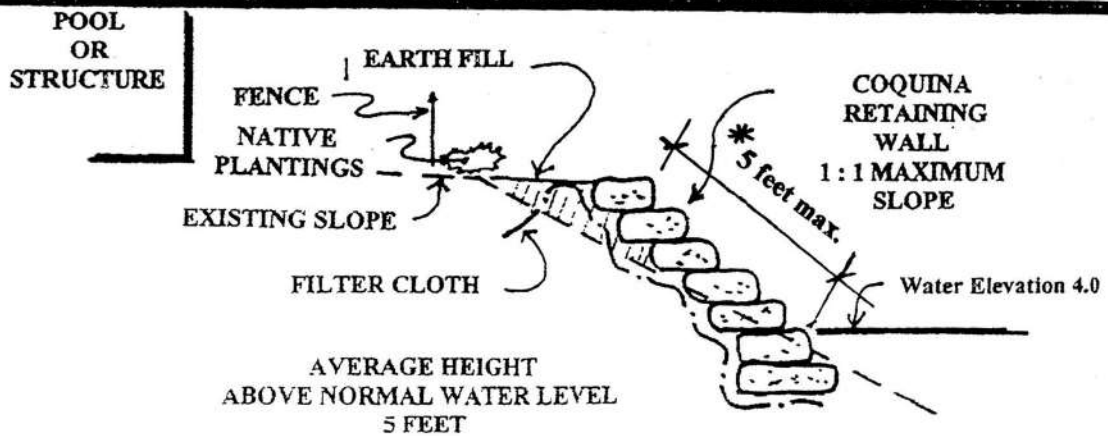
ILLUSTRATION 2

**Lake Slope Treatment Options
Hammock Dunes Design Review Committee**

NOTE : These illustrations are for guideline purposes only
and are not intended to serve as engineered
solutions for construction.



**Hammock Dunes Lake Slopes
Coquina Rock Rip Rap Option**

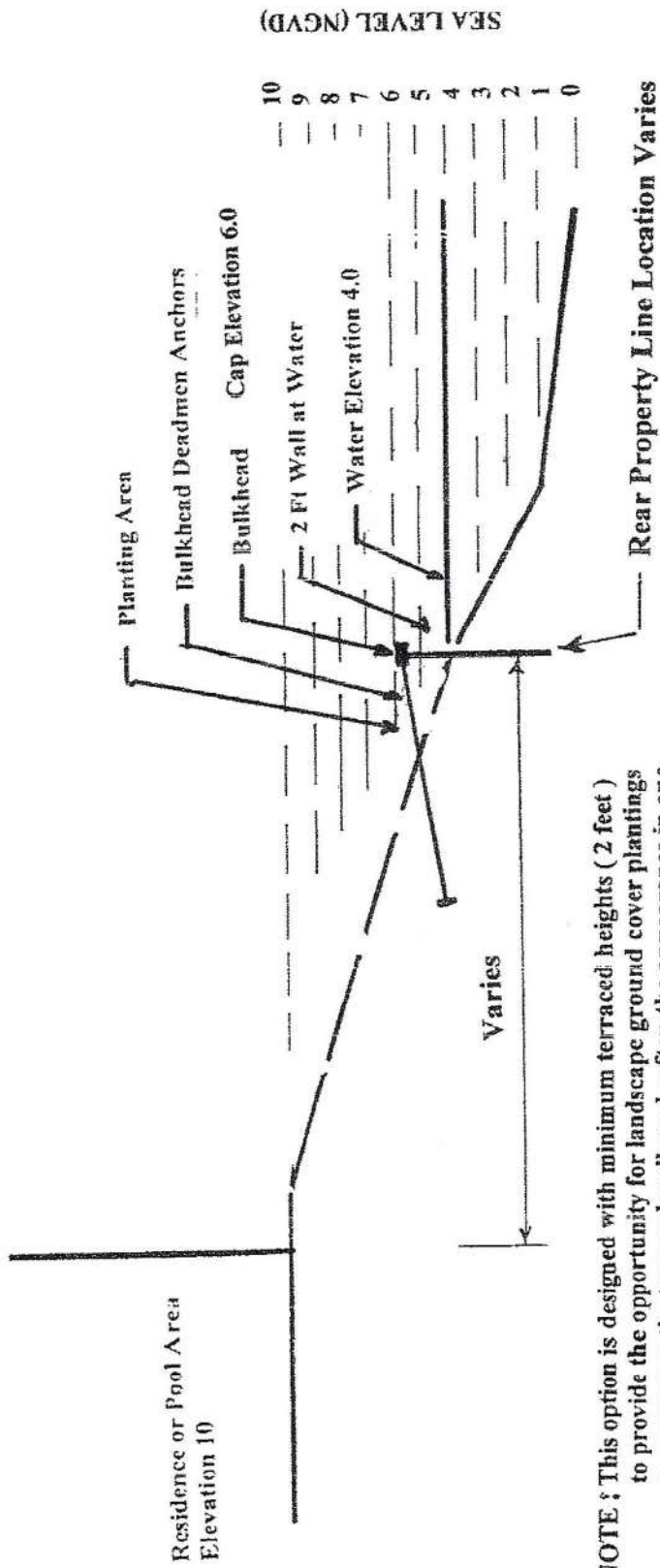


**Hammock Dunes Lake Slopes
Coquina Rock Retaining Wall Option**

ILLUSTRATION 3

* Revised July 1,2012

**Lake Slope Treatment Options
Hammock Dunes Design Review Committee**



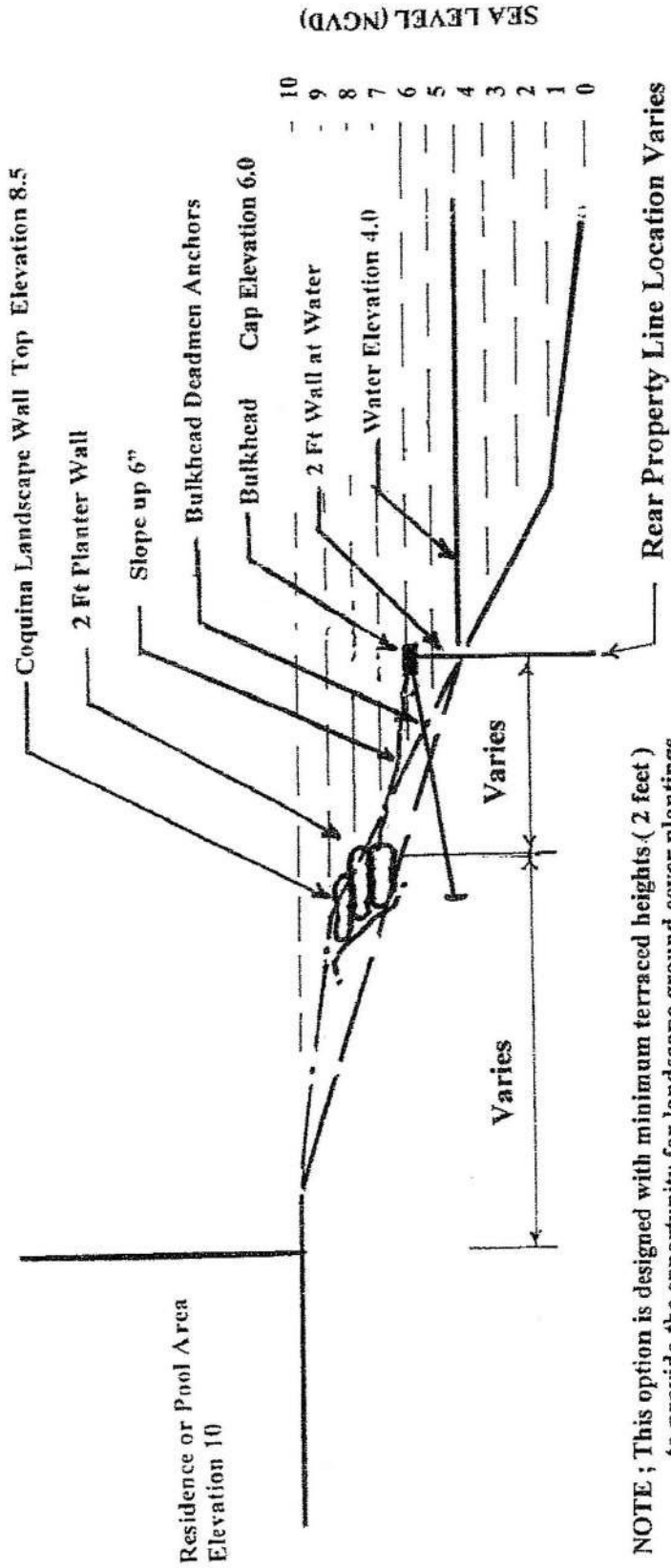
NOTE ; This option is designed with minimum terraced heights (2 feet) to provide the opportunity for landscape ground cover plantings to grow over the terraced walls and soften the appearance in one growing season . Significant rains may cause the water elevation to flood the lower terrace area ; therefore plant types that accept this condition need to be selected.

ALL ELEVATIONS SHOWN
ARE AT SEA LEVEL (NGVD)
AND ARE APPROXIMATE

**Hammock Dunes Lake Slopes
Bulkhead with Landscape Option
(For home sites with lake erosion and gradual slope conditions)**

NOTE : These illustrations are for guideline purposes only and are not intended to serve as engineered solutions for construction. ILLUSTRATION 4

**Lake Slope Treatment Options
Hammock Dunes Design Review Committee**



NOTE ; This option is designed with minimum terraced heights (2 feet) to provide the opportunity for landscape ground cover plantings to grow over the terraced walls and soften the appearance in one growing season . Significant rains may cause the water elevation to flood the lower terrace area ; therefore plant types that accept this condition need to be selected.

ALL ELEVATIONS SHOWN
ARE AT SEA LEVEL (NGVD)
AND ARE APPROXIMATE.

**Hammock Dunes Lake Slopes
Bulkhead with Coquina Rock Terraced Plantings Option
(For home sites with lake erosion and steep slope conditions)**

NOTE : These illustrations are for guideline purposes only and are not intended to serve as engineered solutions for construction. ILLUSTRATION 5

Hammock Dunes Design Review Committee

EXHIBIT K

GEOTHERMAL CLOSED LOOP SYSTEMS

A geothermal “closed-loop” system that utilized underground sealed piping loops to circulate water for heating and cooling purposes is supported by the Hammock Dunes Owners’ Association because they “do not utilize wells”. The St. Johns River Water Management District performs on-site inspections to ensure “closed-loop” geothermal systems do not penetrate to the depth of the aquifer, and after the piping loops are placed, the holes around the piping loops are backfilled. There is no casing, no penetration to the aquifer, and no pathway from the aquifer to the surface, or vice versa.

“Closed-loop” geothermal systems are currently more energy efficient when compared to more traditional methods of heating and air conditioning homes. **Thus, the position of the Hammock Dunes Owners’ Association is that, in allowing “closed-loop” systems, we are in compliance with the Florida Statute concerning renewable energy resources.**

Accordingly, the Hammock Dunes Owners’ Association supports the use of “closed-loop,” non-well, geothermal systems, so long as property owners planning to install them apply to the Design Review Committee (DRC) for review of their plans, just as homeowners must apply to the DRC for review of new home construction or any other major alterations to their structures and/or properties. All homeowners are cautioned not to install a geothermal system of any type without coordinating with the DRC. “Open-loop” systems are prohibited and will not be approved.

“Open-loop” systems—utilizes one well to extract water from the aquifer and bring that water to the surface, where it is used for cooling or heating purposes, depending on the season. The heated or cooled water is then discharged back into the aquifer through a second well. The volume of water and flow rate is significantly greater than the volume of water associated with a potable water well serving a single residence. **The Hammock Dunes’ Neighborhood Covenants prohibit “open-loop” systems because they require the installation of wells.**

A warning on “open-loop” geothermal systems: The DRC review will prohibit any geothermal installations that are “open-loop”, because these installations include “wells”.

Geothermal Closed Loop Submittal Requirements

1. Survey Plat with all proposed locations of underground piping. Setback from property line by at least 5 feet.
2. Survey Plat with actual locations of underground piping after installation (including vertical depths of each loop.) As Built after construction.
3. County and St. John’s Permits including all materials of construction and other installation details. Closed-loop systems use High Density Polyethylene Pipe; with specifications of

materials and plastic welding, pressure testing, loop to loop connections, valves to isolate leaks, etc.

4. Location of Cooling Tower (if applicable; horizontally and vertically). Above wave surge elevation, if East of CCCL.
5. Cooling Tower walled buffer to include Concrete Pad, CMU/Stucco wall, (as with any outside mechanical system), architecture/design/color compatible with exterior of home.
6. Walled cooling tower unit located similar to previous neighborhood respective homes.
7. Landscape plan revision per the improvement.