

**THE ESTUARY  
DESIGN CODE**

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## INTRODUCTION

The Estuary is a residential enclave nestled along the Choctawhatchee Bay shoreline within the Point Washington State Forest. This design code strives to preserve the character of the forest, protect the bay, provide individual flexibility for well-designed residences and implement conditions of the development's approval by state and county officials. The Estuary Architectural Review Board ("ARB") is responsible for the administration and evolution of The Estuary Design Code ("Design Code"). Through the ARB and the Design Code, The Estuary Owners Association Inc. ("Association") intends to establish a cooperative process for the design, approval and construction of residences on each Lot. Development within The Estuary must meet and in some aspects exceed the provisions of the Walton County Land Development Code, which may change from time to time.

### 1. BUILDINGS

**1.1 Structures.** The following structures may be constructed on a Lot: (a) the main residence, (b) a single outbuilding for a garage and/or an accessory apartment with no greater than 800 square feet, (c) pool houses, (d) pools, spas and associated mechanical installations, (e) pavilions, arbors, trellises, pergolas, (f) open decks and (g) docks as permitted in Section 2.16.

**1.2 Setbacks.** Buildings setbacks are shown on the following table. Setbacks are measured from the road right-of-way and from lot lines. The front lot line is defined as the lot line which abuts the street right-of-way. On a corner lot, the front lot line shall be the lot line having the shortest dimension adjoining a street. Decks, steps, covered stoops as well as roof overhangs and cantilevered balconies which are at least 8 feet above ground level may extend a maximum of 2.5 feet into setbacks. Air conditioning equipment including compressors, garden walls and fences shall be allowed within setbacks in accordance with the provisions of the Design Code.

<u>Lot#</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
1 through 20	30'	10' *	50' from wetland
21 through 29	30'	10' *	15'
30 through 38	30'	10' *	20'
39	30'	10' *	15'

\* Side setbacks along road right-of-ways shall be 20 feet.

**1.3 Heights.** Structures shall not exceed 3 levels. Building heights shall not exceed 50 feet as permitted in the Land Development Code. The ARB may approve at its sole discretion chimneys, roof finials, spires and other projections beyond the roof.

**1.4 First Floor Elevation.** The first floor elevation for main residences shall be a minimum of 8 inches and a maximum of 48 inches above the average grade at the front of the structure. Raised wood floors with crawl spaces are encouraged to accommodate a stormwater retention basin under the house. Garages are not subject to the minimum first floor elevation. With authorization from the ARB, certain utilitarian functions such as storage areas, elevators, mechanical areas, laundry rooms and wash rooms may be exempt from the minimum first floor elevation requirement.

**1.5 Roofs.** Roofing materials must be approved by the ARB at its sole discretion. Principal roof pitches shall be a minimum of 5 in 12 and a maximum of 10 in 12. Ancillary roofs shall have a pitch no less than 3 in 12. Flat roofs are permitted subject to ARB approval of railings, parapet walls and other details. Alternative roof pitches may be approved by the ARB at its sole discretion based upon architectural merit.

**1.6 Exterior Walls.** Permissible exterior building materials include brick, horizontal wood siding, sand-finish Portland-based conventional stucco clad masonry, and smooth fiber-cement board. Vertical board and batten as well as shingles made of wood or fiber-cement may be used as accent materials. Alternative exterior wall materials may be approved by the ARB at its sole discretion based upon architectural merit. Stucco trim articulations including materials and detailing must be approved by the ARB at its sole discretion.

Exterior walls must extend to existing grade unless the ARB approves an alternative crawl space skirting design such as horizontal 2x boards with a minimum 2 inch slats.

**1.7 Porches.** Front porches a minimum of 6 feet deep and 10 feet wide are required. Screened porches are allowed and should match the materials and style of the house. Screening material must be fiberglass construction and charcoal in color. Screened porches must have railings and must be shown in the drawings submitted to the ARB. Frame members for screened porches shall be designed as integral elements of the style of the house. Aluminum or vinyl screen posts and channels are prohibited. Framing members above porches for roof or porch above must be painted. The ARB may approve side porches, which extend to the front façade of the house and are a minimum of 6 feet deep, in lieu of a front porch. The ARB at its sole discretion may approve alternative first floor entry conditions based upon site conditions and aesthetic considerations.

**1.8 Garages.** Where feasible, garage doors should not face the street. Garage doors which face a street must be setback from the building façade a minimum of 4 feet except in special circumstances where a lesser setback may be approved by the ARB. In addition, the visual impact of garage doors shall be mitigated (a) by multiple single garage doors, (b) by the proportions, materials and detailing of the door, and (c) by the elements of the façade above the garage door such as porches, cantilevered balconies, arbors and trellises. Standard flush or raised panel garage doors are not allowed.

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

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

**1.11 Shutters.** Shutters shall be made of painted wood or high-quality fiberglass. Metal shutters are prohibited. Shutters shall be sized to cover window openings. All shutters must be approved by the ARB at its sole discretion.

**1.12 Awnings.** Awnings may be approved at the sole discretion of the ARB.

**1.13 Fascias and Soffits.** Fascias and soffits shall be made of smooth wood, Portland-based conventional stucco or alternative materials at the sole discretion of the ARB.

**1.14 Columns.** The ARB at its sole discretion must approve the spacing, dimensions, materials and detailing for all columns.

**1.15 Railings.** Railings shall be approved based upon architectural merit and typically shall be smooth painted wood or painted metal. Vinyl railings are prohibited. Alternatives such as masonry or stucco may be approved at the sole discretion of the ARB.

**1.16 Trim.** Metal and vinyl trim are prohibited.

**1.17 Colors.** Submitted colors are subject to the approval of the ARB at its sole discretion. Colors which blend with or accentuate the natural surroundings are highly encouraged. Pastels, bright or intense colors are prohibited.

**1.18 Aesthetic Standards.** Structures and other improvements placed on the Lots shall meet the following aesthetic standards as determined by the ARB at its sole discretion: (a) contribute to an attractive, cohesive streetscape, yet strive to blend with the native environment; (b) avoid negative impacts on neighboring properties; (c) present attractive building facades; (d) consist of well proportioned structures and architectural elements; (e) maintain consistency with the main house; and (f) avoid substantially duplicating previously approved structures.

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

## 2. HOMESITES

**2.1 Subdivision.** Lots may not be subdivided or separated into smaller Lots, nor shall any portion of a Lot be conveyed separately.

**2.2 Wetland Protection Zone.** All development shall comply with wetland protection provisions included in the Land Development Code.

**2.3 Bay Shoreline Protection Zone.** All development shall comply with bay shoreline protection provisions included in the Land Development Code.

**2.4 Native Vegetation and Habitat Preservation.** All Lots must be planned carefully to minimize destruction of existing trees and vegetation. The design review submittal package shall include a tree survey identifying by species all trees 4 inches or greater in caliper measured 12 inches above grade. The ARB encourages the utilization of existing vegetation, whenever possible, to preserve the natural character of the Lot. The minimum natural mixed hardwood and pine native upland community vegetation area that must be retained on each Lot (excluding the sidewalk and utility easement area) is listed on the Habitat Preservation Table shown below. In addition, all the natural mixed hardwood and pine native upland community vegetation within the sidewalk and utility easement excluding the sidewalk, utilities and driveway on each Lot as shown on The Estuary subdivision plat shall be retained to the extent that it is not disturbed by the construction of the sidewalk and utilities. The native vegetation and habitat preservation areas shall be delineated for each Lot on the site plan submitted to the ARB for approval prior to any modification to the Lot.

**Habitat Preservation Table (Square Feet)**

<u>Lot</u>	<u>Area</u>	<u>Lot</u>	<u>Area</u>	<u>Lot</u>	<u>Area</u>	<u>Lot</u>	<u>Area</u>
1	7,882	11	5,877	21	3,100	31	5,248
2	6,849	12	5,344	22	3,429	32	4,270
3	6,427	13	5,076	23	3,984	33	4,536
4	6,554	14	5,445	24	4,788	34	4,531
5	8,980	15	6,472	25	4,903	35	4,410
6	7,801	16	7,094	26	5,022	36	5,411
7	8,158	17	12,736	27	5,070	37	4,291
8	8,943	18	9,047	28	3,878	38	4,174
9	22,467	19	5,832	29	4,871	39	4,126
10	6,121	20	5,295	30	6,183		

**2.5 Conservation Easement.** Portions of Lots 1 through 9 and Lot 19 as shown on The Estuary subdivision plat are subject to a Conservation Easement Deed recorded in Book 2575 Pages 1769 through 1776 of the Official Records of Walton County, Florida. The conservation easement burdens all wetlands within The Estuary as well as 25-foot-wide buffer along the wetlands of Lots 2 through 8 and Lot 19 as well as along approximately the north 170 feet of the Lot 1 wetlands. The following activities are prohibited on the property subject to this Conservation Easement:

- (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground; provided however, that properly permitted docks and erosion control measures such as rip-rap shall be allowed as exceptions to this prohibition;
- (b) Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
- (c) Removal or destruction of trees, shrubs, or other vegetation; with the exception of nuisance and exotic plant species as may be required by the Florida Department of Environmental Protection; provided however, that clearing of native vegetation not to exceed 10 percent of the total upland area within the conservation easement shall be allowed;
- (d) Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface;
- (e) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
- (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;
- (g) Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and
- (h) Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

**2.6 Parking.** A minimum of three on-site parking spaces shall be provided for each residence with up to 4 bedrooms. Four parking spaces are required for 5 bedroom residences. One additional parking space will be required for each additional 2 bedrooms. Stacked and/or tandem parking for cars is acceptable. A minimum 5-foot landscape area shall be provided between the parking area and the house except for garage parking access. Where possible, the view of the parking areas from the street shall be obscured.

**2.7 Driveways.** Driveways shall be a minimum of 10 feet wide, shall be constructed of material acceptable to the ARB and shall be situated at least 8 feet from the side lot line. The portion of the driveway within the right-of-way and front setback shall not exceed 10 feet in width except for 5-foot turning radii at the street. The ARB at its sole discretion may make exceptions to the driveway requirements under special circumstances.

**2.8 Stormwater Retention.** Stormwater retention areas shall be provided for each lot as shown in The Estuary Stormwater Management Plan. In most cases, the stormwater retention areas should be situated under the house to satisfy other design code requirements such as impervious areas and native vegetation preservation. At its sole discretion, the ARB may approve alternative drainage plans and may require additional fees for a civil engineer to review the proposed drainage plan and possibly modify The Estuary Stormwater Management Plan.

**2.9 Antennae and Satellite Dishes.** All antennae and satellite dishes must be approved by the ARB. Satellite dishes shall be less than 36" in diameter and shall be positioned to minimize the visual impact to nearby properties.

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

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

- (a) All proposed fixtures, within a lot, shall be appropriately shielded, louvered and/or recessed.
- (b) Fixtures shall be low-mounted through the use of bollards, ground level fixtures, or low wall mounts.
- (c) Only low intensity lighting shall be utilized in parking areas and on any exterior lighting located on houses constructed on the Lots. High intensity exterior lighting including flood lights is prohibited.

**2.12 Mechanical and Electrical Equipment.** Exterior mechanical equipment such as air conditioner condensing units shall be placed in side yards completely screened from view from any street or adjoining property. Equipment shall be no closer than 5 feet from a property line and shall be properly ventilated. Electrical meters and equipment shall be located in a side yard and shall not be visible from any street.

**2.13 Fences.** Fences are allowed (a) along setback lines next to road right-of-ways, (b) along setback lines next to water bodies and (c) along property lines in all other instances; provided that fences shall not extend into front setback areas or the Bay Shoreline Protection Zone. Fences between road right-of-ways and building façades as well as fences along waterfront setbacks shall be a maximum of 48" high. Other fences shall be a maximum of 72" high. Both sides of all fences shall be finished. Fences shall be aligned, to the extent reasonably feasible, to preserve trees which would enhance the landscape plan. Fence designs and locations must be approved by the ARB, at its sole discretion.

**2.14 House Numbers.** House numbers may be placed on the residence near the main entry door or other locations approved by the ARB. These numbers shall be aesthetically pleasing and shall not be the "peel and stick" types. The maximum height for numbers is 4 inches.

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

**2.16 Docks.** Docks are allowed at the rear of only Lots 1 through 20, subject to necessary state permitting. Applicants must receive ARB approval, at its sole discretion, of dock designs and all improvements associated with docks before applying for permits from the state. Dock designs shall minimize negative impacts to nearby properties. The ARB, at its sole discretion, may adopt and enforce more detailed dock design requirements.

**2.17 Pools and Spas.** All swimming pool and spa locations must be submitted to the DRB for approval. Swimming pools can be open or enclosed. Colors of the frame, door & frame and other structural members shall compliment the main home. Screen enclosures shall be fiberglass and charcoal in color unless the ARB approves an alternative color. Pool cabanas, if any, must be designed to compliment the main home. Pools, spas, pool decks and pool fences shall not encroach into the building setback areas.

**2.18 Play Equipment.** Play equipment shall be positioned, proportioned and maintained to minimize negative impacts to adjoining properties as determined by the ARB, at its sole discretion.

**2.19 Garbage Containers.** Garbage containers shall be kept in a garage or in a side yard completely screened and secured from any street or public area, shall be ventilated properly and shall not impact negatively any neighbor. Trash receptacles shall be scavenger-resistant and shall be located no closer than 5 feet from any property line.

**2.20 Mail Boxes.** Mailboxes must be approved by the ARB at its sole discretion.

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

### 3. LANDSCAPE

All landscaping and landscape maintenance within The Estuary including individual Lots shall conform to the provisions of The Estuary Landscape Plan, which may be amended periodically by the ARB. All landscape plans must be prepared by an approved landscape architect or designer. In order to become an approved landscape architect or designer, the person or company seeking approval must submit a portfolio. Please contact the developer or association manager for details of the portfolio submission. Site specific approvals as well as approvals pending submission of portfolio may be given at the sole discretion of the ARB.

### 4. APPROVALS

**4.1 Approval Administration.** All approval-related materials including design review applications shall be submitted to an email address or web site specified by the ARB in a digital format acceptable to the ARB. If requested by the ARB, the applicant shall submit site plan layers identified by the ARB in an AutoCad dwg format for inclusion in a current overall site plan for The Estuary. In addition, unless otherwise agreed upon by ARB, all approval-related materials including design review applications shall be submitted to an address specified by the ARB.

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

**4.3 Compliance.** The ARB will make decisions regarding approvals and denials based upon compliance with this Design Code. The ARB members will endeavor to make fair and just decisions on all projects, but will have the authority to deny plans based on their opinions as they relate to the interpretation of the Design Code. Approval of a project does not constitute that the Board warrants construction means, methods or quality, nor the conformance to zoning, building or other regulatory codes affecting building construction in Walton County and the State of Florida.

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

**4.4 Variances.** Variances may be granted at the ARB's sole discretion for architectural merit, existing site conditions or demonstrated hardship. The granting of a variance once does not guarantee the granting of a similar variance.

**4.5 Design Review Fees.** The ARB will conduct 1 full project review, which includes up to 3 design review meetings per project for the review fee of \$1000.00. For each additional meeting, the Owner shall submit an additional \$500.00. The review fee must be submitted with the conceptual design review package.

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

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

The Conceptual Design Review package shall include a \$1000.00 review fee and 4 complete sets of the following:

- (a) Conceptual Design Review Application Form
- (b) Certified topographic and boundary survey showing existing grades at one foot contours and existing vegetation with all trees species 4 inches or greater in caliper measured 12 inches above grade.
- (c) Site Plan at a minimum 1/16" scale to a maximum of 1/8" scale. The following must be on the site plan:
  - Scale and north arrow
  - Building/outbuilding/structures footprint and placement
  - Required setbacks
  - Improvements within the road right-of-way adjoining the lot
  - Driveways, parking areas, walks, garden walls and fencing
  - Porches, patios, pools and/or spas etc.
  - Conceptual storm water retention methods
  - Conceptual massing of existing and proposed landscape
  - Habitat Preservation Area
  - Florida Master File Site 8WL543C (Lot 9 only)
  - Secondary Wetland Protection Zone
  - Bay Shoreline Protection Zone
  - Conservation Easement area
  - Sidewalk and Utility Easement area
- (d) Floor Plans at 1/8" scale or 1/4" scale
- (e) All elevations (same scale as floor plan) showing:
  - Porches and balconies
  - Doors, windows, other openings
  - Heights of each floor and overall height of main and highest roof
  - Roof pitches indicated
- (f) Conceptual Design Variance Request Form (if any)

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

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

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

- (a) Final Design Review Application Form showing ARB's approval
- (b) Final Design Variance Request Form (if any)
- (c) Site plan at a minimum 1/16" scale to a maximum of 1/8" scale. The following must be on the site plan:
  - Scale and north arrow
  - Building / outbuilding / structures footprint and placement
  - Required setbacks
  - Actual setbacks
  - Storm water retention
  - Driveways, parking areas, walks, garden walls and fencing

- Porches, patios, decks, etc.
- Swimming pools and spas
- Mechanical and garbage screening
- Dimensions to all structures
- Finish floor elevations
- Roof overhangs
- Habitat Preservation Area
- Florida Master File Site 8WL543C (Lot 9 only)
- Secondary Wetland Protection Zone
- Bay Shoreline Protection Zone
- Conservation Easement area
- Sidewalk and Utility Easement area
- (d) Floor plans at 1/8" scale or 1/4" scale for all structures (dimensional and labeled)
- (e) Roof plan for all structures (same scale as floor plan)
- (f) All elevations showing:
  - Porches and balconies
  - Doors, windows, other openings
  - All exterior materials
  - Heights of each floor and overall height of main and highest roof
  - Roof pitches indicated
  - Color samples of all exterior colors and their location shown on the exterior elevations
- (g) Construction details including wall sections
- (h) Details as required showing design intent on specialty features
- (i) Landscape plan indicating:
  - Existing trees and understory vegetation to remain
  - Proposed new trees and understory vegetation
  - Plant identification by botanical and common name, size and quantity
  - Notes for implementation, soil amendments, finishes and industry plant grades
  - Notes for irrigation methods, water source and coverage
- (j) Calculations per review applications

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

## 5. CONSTRUCTION

**5.1 Approved Construction Contractors.** Only construction contractors who are currently approved by the Design Review Board shall be allowed to build within The Estuary. Contractors seeking approval must complete a Contractor Application, agree to the Construction Rules and Regulations and post all required contractor deposits.

**5.2 Owner/Contractor Responsibilities.** The owner and contractor shall be responsible for complying with all of the rules and regulations of The Estuary. A copy of these rules and regulations will be provided to the owner along with the review application form. The design review board shall have the right to change these rules and regulations from time to time at the ARB's discretion. The contractor will be required to sign a construction agreement which specifies construction period rules and may be required to post a deposit as required therein before commencing work. Contractors who violate the construction agreement may forfeit the deposit and may be prohibited from working within The Estuary. Failure of the contractor to abide by the above rules, or failure to require compliance by employees or subcontractors, or the lapse of any of the insurance requirements will, at the ARB's discretion, result in suspension of building privileges within The Estuary and will be subject to fines. The owner and contractor will also be subject to fines for failure to comply with any rules and/or approved plans.

**5.3 Construction Commencement.** The owner may commence construction upon receipt of a building permit from the County, provided that the ARB has granted formal written approval to commence construction. No development activities including land clearing shall take place on any Lot until the Owner has received all necessary approvals from the ARB and the county. The owner must submit a construction commencement date and a construction completion date to the ARB. Requirements for this scheduling may be obtained from the ARB.

**5.4 Inspections.** The owner shall provide the ARB with a foundation survey upon completion of the foundation. The ARB shall have the right to make periodic inspections of the property during the construction phase and shall have broad discretionary powers including fines regarding the correction of any non-complying construction. The contractor shall notify the ARB when the project is complete including all landscaping. The ARB shall inspect the project for final approval and upon approval will issue a certificate of final approval to the property owner.

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

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

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

**5.8 Habitat Preservation Areas.** The contractor shall erect and maintain screening acceptable to the ARB to protect the Habitat Preservation Areas. The ARB at its sole discretion may penalize any Owner on whose Lot the Habitat Preservation Area is disturbed in violation of approved plans. The penalties may include significant fines and extensive landscape restoration expenses. The ARB at its sole discretion may prohibit a Contractor who fails to protect the Habitat Preservation Areas from building in The Estuary.