

# Serenity Bay Homeowners Association

## ARB & Property Guidelines

Revised, Voted On, & Approved 11/13/2023

### Section 1: Standards and Guidelines

**1.1** The Architectural Guidelines consists of established minimum requirements, which will be used to regulate the construction and maintenance of homes in Serenity Bay in order to facilitate a level of high quality and maintain attractive appearance within the community. All contractors, architects, engineers, and property owners must adhere to the Architectural Guidelines in conjunction with all applicable building codes, The Americans with Disabilities Act, the terms and conditions of the Serenity Bay Covenants and Restrictions and the Communities Planned Unit Development (PUD) Ordinance, and all contractual requirements.

### Section 2: Review Process and Required Submittals:

The Architectural Guidelines are supported by the Associations Architectural Review Board (ARB) and will be used throughout the development process as criteria for objectively reviewing all development requests.

**2.1 Plan Review:** Please provide 1 copy of construction documentation and specifications, along with the application for desired property changes/improvements. Email all plans to management office for approval.

**2.2 Approval:** Upon written approval of the final plans by the ARB, construction may commence following the procedures described in the Architectural Guidelines and the Declaration of Covenants and the Restrictions.

### Section 3: Architectural Guidelines

#### 3.1 Preservation of Existing Vegetation

**a.** Other than the original construction by the developer, no site clearing shall occur prior to ARB approval of the site plan. All site plans shall be accompanied with a survey of existing hardwood trees with truck diameter of 8" or greater measured at breast height and landscape preservation plan, if applicable.

**b.** All structures and pavement shall be located in a manner which will preserve the majority of specimen vegetation on site.

**c.** Temporary barrier fencing shall occur around the areas to be preserved. Construction machinery and materials not driven or located within the preservation area. Grading, trenching and other methods of soil compaction are prohibited in preservation areas. Owners shall be solely responsible for any such activities which result in a violation of an applicable environmental permit.

**3.2 Grading and Drainage:** No portion of the property shall be graded and no changes in elevation of any portion of the property shall be made which would conflict with the “Lot Block Grading Plan” as established by the project engineer and approved by St. John’s County and the St. John’s River Water Management District.

**3.3 Landscape Standards:**

**a.** No landscape plant materials may obstruct areas of pedestrian or vehicular access and or view.

**b.** All plants used for screening shall have adequate size and density to form an opaque screen within one year.

**c.** No landscape materials shall encroach upon any conservation easement, wetlands area, or other restricted area at any time.

**d.** Florida tree and landscape ordinances shall be used to determine any additional planting that may be required.

**e.** All plant material sizes are at the discretion of the ARB and shall be considered by the ARB as a part of the formal review process.

**f. Landscape Design Plan**

**a.** A landscaped area shall be defined as all developed areas of an owner’s lot excluding those occupied by buildings, driveways, or hardscape. Owners are responsible for the regular upkeep of landscaped areas. Changes to landscaped areas require approval by the ARB. Replacing turf, plantings, or other landscaped areas attributes with substantially similar material shall be considered maintenance and not a change, even if the replacement material is not mature.

**b.** Landscape Design Plan (LDP): The Serenity Bay LDP seeks to promote aesthetic continuity, coastal living, and a balance between hardscape, turf, mulch, ground cover, rock, and plantings among all landscaped areas, both owner and association.

**c.** The purpose of the Serenity Bay Landscape Design Plan is to conserve water, minimize the use of fertilizers and pesticides, and protect our environment.

**d.** The specific attributes of the LDP are as follows:

1. Clustering plants with similar requirements and qualities, considering the plants water, light and soil requirements as well as pest, salt, and drought tolerance.

2. Eliminating invasive plantings on a regular basis.

3. Watering and fertilizing only when needed.

4. Mulching for water retention and weed control within 2-3 inches on planting beds and minimum 2-inch collar around tree trunks. Melaleuca, pine straw, and eucalyptus-minimizing cypress are encouraged. Mulch must be retained to prevent migration.

5. Using rock and ground cover where turf will not thrive or as a decorative accent, any use of rock must be retained in a similar fashion as mulch.

6. Managing yard pests responsibly by selecting pest-resistant plantings and placing in suitable locations-spot-treating selectively to promote for low maintenance, cost efficient and healthy landscapes.

e. All applications seeking changes to landscaping will be evaluated for consistency with the above attributes. The ARB may disapprove an item if it is inconsistent with the LDP above.

### **3.4 Construction Practices:**

a. No construction shall commence until receiving written approval of the final plans from the ARB.

b. Prior to site clearing, all conservation easements, wetlands areas, and other restricted areas must be identified on plans, located on site and properly protected with barrier fencing.

c. Sediment and erosion control provisions shall contain/control run-off and all silt and debris within the limits of construction.

d. All local state and federal regulations must be adhered to.

### **Section 4: Fences, Pools and Other Accessory Items:**

All items must be approved by the ARB unless part of the original construction. Attach a copy of survey with pool or fence location sketched on to it. \*Note all pools must be screened or fenced, email both plans to management office.

**4.1** Screened enclosures must have white or bronze frames with charcoal screens.

**4.2** The only fencing that will be allowed in this community is white vinyl. The fencing adjacent to street or public right-of-way is the homeowner's responsibility to maintain. If the fence is located between lots belonging to adjacent homeowners, then the homeowners shall be jointly responsible for the repair and maintenance of the fence. Fences located between homeowners' lots cannot be removed or modified without a written agreement between such owners.

#### **4.3 Fence setbacks**

Front yard – no fence is permitted in front yard

Side yard – property line, cannot extend beyond  $\frac{3}{4}$  from rear of the home

Rear yard – property line

Corner lots – fencing will extend from the rear corner of the home in line with the side of the house

**4.4** Pools and spas are not permitted in front yards. Pools shall be constructed in-ground and composed of materials thoroughly tested and accepted by the industry for such construction. The outside edge of the pool shall be a minimum distance of 4 feet from all sidewalks of the home.

**4.5** Athletic and play structures cannot be permanent, must be kept out of sight if not in active use

Front/Side yard – no structures shall be permitted

**4.6** NO FENCES, HEDGES, TREES OR OTHER OBJECTS WHICH MIGHT INTERFERE WITH THE UPKEEP, MAINTENANCE OR VIEW OF THE RETENTION PONDS, OR INTERFERE WITH THE DRAINAGE OF THE PROPERTY SHALL BE INSTALLED BY ANY OWNER.

#### **Section 5: Driveways:**

**5.1** Any increase of the width of the driveways must be approved by the ARB

**5.2** Loose, aggregate paving is not permitted (gravel/asphalt)

#### **Section 6: Vehicles and Vessels:**

**6.1** No motor vehicle that cannot operate on its own power or does not have a current license plate/registration shall not remain on property for more than 24 hours without permission from the ARB.

**6.2** No off-road vehicles or recreational vehicles, boats, RV's, golf carts or trailers may take up a parking spot intended for daily-use cars/trucks/motorcycles. These are to be kept inside your garage or backyard where visibility is minimized.

**6.3** No portion of the common grass areas may be used for parking.

**6.4** No vehicles can be parked on street blocking mailboxes, fire hydrants or intersections.

**6.5** Vehicles and vessels in noncompliance with these rules shall be subject to being towed by the Association, and the owner will be liable for the cost of such removal and storage.

#### **Section 7: Personal Property:**

**7.1** Personal property must be stored in the respective homes and garages.

**7.2** Garbage and recycling bins must be stored out of sight or camouflaged to not be seen from street. Loose trash is not to be strewn around the bins. Bins are to be returned to stored area as soon as possible on pick-up days.

**7.3** Recreational/toy items must be kept in garage or backyard.

**7.4** Grills and smokers must be kept in backyard.

**7.5** Yards must be uncluttered, mowed, edged (to include curbs) and weeded. Plants, flowers, and trees must be trimmed in order to present a neat and manicured appearance. No plant material shall overflow into the streets.

**7.6** Exterior of residences kept neat, cracks on stucco filled, and paint in good condition. Exterior paint must be clean and free of algae and mold.

**7.7** Fencing is the owner's responsibility to keep well maintained and clean. Both the interior and exterior are the owner's responsibility to clean and maintain. If you share a fence with another homeowner, it is both your responsibility to keep clean and maintained.

**7.8** Nothing shall be planted, erected, placed, parked or allowed to grow within any lot or anywhere within the property in such a manner as to materially impede vision at an intersection.

**7.9** All residents, owners and renters, will abide by the local noise ordinances and be respectful of the entire neighborhood.

**7.10** Tarps are not to be used where they are wholly visible from the street.

**Section 8: Common Areas: (These areas border the entire property line and retention ponds)**

**8.1** No resident may alter or use any portion of the Common Areas.

**Section 9: Pets:**

**9.1** All cats and dogs that reside in Serenity Bay must be collared and tagged to be recognizable and not assumed to be strays. Residents must observe the St. Johns County Leash Law, County Ordinance 2017-36. [Leash Law & Frequently Asked Questions \(st-johns.fl.us\)](http://st-johns.fl.us). If the cat is not collared and tagged, it will result in a call to Animal Control.

**9.2** All dogs and cats must be leashed or put on a lead outdoors in yard, as to not run free and risk fights or attacks with other animals or residents.

**9.3** Animal waste is the owner's responsibility to clean up, both in the Common Areas, resident yards, as well as your own yard.

**9.4** Prevent your animals from trespassing on other owners' property without their approval.

**9.5** If your pet is aggressive and may be a danger to residents/animals, a muzzle will be necessary while in Serenity Bay.

**Section 10: Exterior Paint:**

**10.1** All exterior paint color changes must be submitted to the ARB for approval. You must attach (or show the ARB Chair/members) color samples and denote body, trim and door colors in your email. The current color samples are on file at Sherwin Williams located at 2160 US-1 S, Saint Augustine, FL 32086, if you would like to color match your current paint for touch-ups or repaint.

**Section 11: Signs and Flags**

**11.1 Signs:** One sign promoting a home "For Sale" or "For Rent" may be placed in the front yard of the dwelling. Such signs shall not exceed a face size of 8"x11" in size with signposts that do not exceed 3.5 feet in height.

**11.2 Flags:** Flag rules are set in accordance with and in compliance with Federal Law (572 PUBLIC LAW 109-243—JULY 24, 2006) and State Law (Florida Statute 720.304).

**11.3** Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements by the association.

**11.4** Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.

**Every owner and occupant shall comply with these Rules and Regulations as set forth herein and as they may be subsequently amended, and the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association, as amended from time to time. Failure of an owner or occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. In addition to all other remedies, a fine or fines may be imposed upon an owner for failure of an owner, tenants, family, guests, invitees or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, or Articles of Incorporation or Bylaws, as provided by the Declaration.**

**All these rules and regulations shall apply to all owners and occupants even if not specifically so stated in portions hereof. The Board of Directors and ARB shall be permitted (but not required) to grant relief to one or more owners from specific rules and regulations upon written request.**

