

THE RETREAT OF SOUTH WALTON COUNTY HOMEOWNERS ASSOCIATION, INC.

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APPROVED AMENDMENTS **Design Review Guidelines (Exhibit “A”)** **Amendments Overview – Reference Guide**

1. 5’ Site Wall Amendment (VII – 11 BUILDING GUIDELINES AND ARCHITECTURAL STANDARDS)

Amendment approved on April 10, 2015

Site walls and fences must maintain a minimum of 5’ distance from side property lines and minimum 8’ distance from the front property line. Interior lot site walls and fences must maintain a minimum of 5’ from rear property lines.

Site walls are allowed up to a 48" height, with a singular minor accent feature allowable upon review and approval. On terrain challenging properties, grade changes may create conditions for site wall heights to be reviewed on a case-by-case basis by the DRB.

[Click here to view amendment placement.](#)

2. Cantilevers Amendment (VII – 7 BUILDING GUIDELINES AND ARCHITECTURAL STANDARDS)

Amendment approved on April 10, 2015

Any cantilever structure extending over property setback lines shall be subject to current county regulations and is also contingent upon DRB review and approval. Typically no cantilever shall be allowed over a setback if it impedes a view corridor.

[Click here to view amendment placement.](#)

3. 40% Development Rule Clarification/Amendment (VII – 4 BUILDING GUIDELINES AND ARCHITECTURAL STANDARDS)

Amendment approved on April 10, 2015

Retreat guidelines allow a maximum 40% lot coverage as calculated under roof, including air conditioned and non-air conditioned structures. Current Walton County lot coverage restrictions differ for any *Coastal Dune Lake* properties. It is the responsibility of the property owner and their selected professionals to research any additional county conditions that may apply.

[Click here to view amendment placement.](#)

4. Fencing Colors Amendment (VII – 11 BUILDING GUIDELINES AND ARCHITECTURAL STANDARDS)

Amendment approved on April 10, 2015

All metal fencing for pool decking or other ground level usage shall be dark earth tone colors such as dark brown, dark green, dark grey, or black. Color choices must be submitted for review and approval prior to installation.

[Click here to view amendment placement.](#)

5. Construction 20-Month Completion Amendment (IV – H DESIGN REVIEW PROCEDURES)

Amendment approved on April 10, 2015

New Home Construction:

Complete installation of the footings and pouring of the building slab for the single-family residence shall evidence “commencement of construction”. Once commencement of construction starts, construction shall be diligently and continuously pursued to completion. Construction shall be completed within twenty (20) months from the commencement of construction.

Completion of construction shall be evidenced by issuance by the applicable government agency of a certificate of occupancy, installation of all landscaping and related site improvements, and a final inspection performed by the Design Review Board. A final survey certificate and as-built set of drawings are also required before issuance of the final approval letter meeting the satisfaction of the Design Review Board.

If construction is not completed on or before the twenty (20) month timeframe, the owner must pay the sum of one thousand U.S. Dollars (\$1,000.00) per month for each month (or portion thereof) for which completion of construction exceeds said timeline.

[Click here to view amendment placement.](#)

6. Gulf Front Homes / Rear Fencing Amendment (VII – 11 BUILDING GUIDELINES AND ARCHITECTURAL STANDARDS)

Amendment approved on April 10, 2015

A fenced area extending a maximum 15’ beyond the property’s original CCCL will be allowed provided the improvements are DEP permitted. The 5’ minimum distance for fencing from side property lines still applies.

[Click here to view amendment placement.](#)

7. Landscape Lighting Amendment (V – C #6 LANDSCAPING STANDARDS)

Amendment approved on April 10, 2015

Landscape lighting, if desired, shall be placed in a manner to enhance the landscape only and not to light a structure. Placement of lighting should not interfere with vehicular traffic or become a nuisance to neighbors by adversely affecting the nighttime natural lighting environment of adjacent properties.

Low wattage bulbs must be used in recessed or down lighting and landscape up lighting. Floodlights are prohibited.

Designs for lights must be presented as part of the overall landscape submission and no lights are to be installed without the written approval of the DRB.

All post mounted and building mounted fixtures will be reviewed for compliance following installation. Among other remedies, the DRB may require the fixture to be removed or the wattage lowered to a more acceptable level.

All landscape lighting must meet Walton County Wildlife Lighting Ordinances and Florida law if applicable.

[Click here to view amendment placement.](#)

8. Job Site Tropical Storm and Hurricane Preparedness Amendment (VI – Q CONTRACTOR STANDARDS)

Amendment approved on April 10, 2015

These measures must be in place 24 hours before projected landfall, and no work will be allowed during that 24-hour period.

All roofing materials must be tied down while stacked on the roof during an official storm warning.

In order to protect against potential injury, property damage and significant liability situations, the following requirements must be accomplished prior to a storm. Each infraction may result in a \$500 fine.

Ladders and scaffolding need to be taken down and removed from property or secured.

Dumpsters need to be emptied if they are more than half full. If dumpsters are less than ½ full, they must be securely covered.

All loose building material must be moved inside and secured.

Portable toilets are the responsibility of the contractor and must be removed or secured.

All doors and windows should be closed.

All sand and silt fencing should be properly installed and secured.

[Click here to view amendment placement.](#)

9. Contractor – Additional Requirements & Reminders Amendment (VI – R CONTRACTOR STANDARDS)

Amendment approved on April 10, 2015

See attachment.

[Click here to view amendment placement.](#)

10. Primary Plant List Amendment (EXHIBIT “B”)

Amendment approved on April 10, 2015

See attachment.

[Click here to view amendment placement.](#)

11.Secondary/Accent Plant List Amendment (EXHIBIT “C”)

Amendment approved on April 10, 2015

See attachment.

[Click here to view amendment placement.](#)

12. Foundation Survey Requirement (IV – D DESIGN REVIEW PROCEDURES)

Amendment approved on June 27, 2014

Upon completion of the project’s foundation construction, the contractor of record shall order a Certified Foundation Survey from a licensed surveyor for The Retreats Design Review Board to review and approve prior to contractor commencing any further project construction activities.

[Click here to view amendment placement.](#)

13.Architect Structure on the Design Review Board (III – F DESIGN REVIEW BOARD)

Amendment approved on June 27, 2014

Architects and paid members serving on the Design Review Board have no voting privileges and act in a consulting capacity only.

[Click here to view amendment placement.](#)

14.Coastal Control Line (VII - 7 SETBACK CRITERIA)

Amendment approved on September 27, 2013

See attachment.

[Click here to view amendment placement.](#)

15.Construction Start and Finish (IV – F DESIGN REVIEW PROCEDURES)

Amendment approved on July 19, 2013

All projects submitted to the Design Review Board will require the following:

1. A timeline for completion
2. A site plan for parking
3. A site plan for dumpster and port-o-let placement

There will be a non-refundable fee of \$500 per month charged if projects exceed the timeline for completion.

This amendment applies to all existing home modifications, exterior and interior, if they require a dumpster and port-o-let placement.

[Click here to view amendment placement.](#)

16.Meander Line / Draper Lake (VII - 7 SETBACK CRITERIA)

Amendment approved on April 30, 2013

See attachment.

[Click here to view amendment placement.](#)

17.Unapproved Architect Fee (III – K #3 DESIGN REVIEW BOARD)

Amendment approved on February 15, 2013

If a lot chooses to use an unapproved architect, the owner must submit the architect for approval to the Design Review Board. The submission fee for this is \$2,500. The DRB then determines if the architect can be approved, and if approved, then the owner can use that architect to design their home.

[Click here to view amendment placement.](#)

18.Fee Structure Modifications (III – K #4 DESIGN REVIEW BOARD)

Amendment approved on February 15, 2013

The non-refundable administrative fee for new single family residences will be increased from \$750.00 to \$1,500.00.

The non-refundable administrative fee for modifications to existing structures or grounds will be increased from \$150.00 to \$1,500.00.

The minimum refundable compliance deposit for new single family residences will be increased from \$2,500.00 to \$7,500.00.

The maximum refundable compliance deposit for modifications to existing structures or grounds will be increased from \$2,500.00 to \$7,500.00.

The non-refundable impact fee paid prior to commencement of construction will be increased from \$750.00 to \$2,000.00.

Any changes to the application following submission to the Design Review Board will incur a non-refundable charge of \$250.00.

[Click here to view amendment placement.](#)

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I. STATEMENT OF PURPOSES & OBJECTIVES

The Developer of "The Retreat", the Declarant, is desirous of an aesthetically pleasing and functionally convenient community and for that purpose has declared and recorded Declaration of Covenants and Restrictions for the Retreat, ("covenants") applicable to all improvements within The Retreat. The Covenants establish The Retreat Home Owners Association (RHOA) and the Design Review Board (DRB) and sets forth its jurisdiction, powers, obligations and rules and regulations under which it will conduct its review of proposed improvements. Statements in this document are intended to condense, amplify, or clarify provisions of the Declaration. In the event of conflicts, the Declaration's provisions will prevail.

The DRB has been established to define and interpret aesthetic standards in The Retreat and examine, approve or disapprove all proposed vertical or horizontal improvements for all residences.

DRB approval must be obtained for, but not limited to: dwellings; garages; any type of outbuilding, decks, terraces, patios, courtyards, sidewalks, driveways, parking areas, swimming pools, greenhouses, walls, fences, docks, bulkheads, exterior lighting; and any exterior changes or limitation, colors of any exterior surface or material.

DRB approval must be obtained for landscaping, cut and fill operations, and drainage, as well as the removal of any existing vegetation.

The development philosophy for The Retreat is rooted in a commitment to design quality ensuring that materials are best used to enhance the natural beauty. In all instances, the Declarant has a strong determination and desire to create a superior living environment for generations to come through the preservation of the natural character of the community.

Presented herein are the Design Guidelines with regard to residential design and landscaping. Our intent is to present the overall design concept of the community and to give your design professionals reasonable parameters in which to work in a creative manner. It is our hope that this manual will inspire and encourage outstanding individually designed residences which, when viewed together, produce an equally outstanding and harmonious community environment.

As The Retreat is developed, we hope that each individual property owner will take an active interest and concern for the quality of our surroundings by designing their own environment with an eye for quality in design, workmanship and materials.

Each stage of activity will be carefully monitored to assure compliance with our philosophy and this manual. We are determined that specific principles and standards

be observed by all owners, as each detail herein has been carefully formulated to assure an attractive environment for all residents. Our commitment to the property

owner is the reason behind these guidelines and the spirit in which all of the professionals associated with creating this community have approached their roles and responsibilities. We encourage property owners to embrace our commitment to excellence and the standards established herein.

II. DESIGN PHILOSOPHY

The Design concept for The Retreat is that buildings should be elegantly scaled and proportioned in form and mass with detailing and color that enhances and embraces the natural setting.

The style and geographic influences endorsed for the architectural character of The Retreat is rooted in the Caribbean Islands with simple forms and materials adorned with rich detailing and color that heeds the natural environment while extending beyond the structural walls of individual residences. The main concern is that The Retreat be wholly harmonious in feeling, with architecture that explores individuality yet is free of impact and is non-competitive visually with its neighbors.

It is summarized with the statement that design considerations extend beyond building walls to include the entire site with exterior material being of a form, texture and color that enhances the natural beauty of The Retreat.

* See Exhibit A for examples

III. DESIGN REVIEW BOARD

A. PURPOSE

The Design Review Board and review process has been established for the purpose of defining aesthetic standards for construction in The Retreat, and for examining, approving or disapproving any and all proposed or modified improvements for building sites.

B. OBJECTIVES

Architectural and design review shall focus on, but not limited to, the following objectives.

1. Preventing excessive or unsightly grading, indiscriminate earth moving or clearing of property, removal of trees and vegetation which could cause disruption of natural water courses or scar natural land forms.
2. Ensuring that the location and configuration of the proposed improvements are visually harmonious with the terrain and do not unnecessarily block scenic views from existing structures or tend to dominate any general development or natural landscape.
3. Ensuring that the architectural design of proposed improvements and their materials and colors visually enhance The Retreat's overall appearance.
4. Ensuring the plans for landscaping provide visually pleasing settings for structures on the same lot and on adjoining or nearby lots, and blend harmoniously with the natural landscape.
5. Ensuring that any proposed improvements comply with the provisions of these guidelines and the covenants and restrictions set forth in the applicable declarations.
6. Promoting building design and construction techniques that respond to energy consumption and environmental quality consideration such as heat loss, air emissions, and run-off water quality.

C. ENFORCEMENT POWERS

1. The DRB reserves the right during construction of the proposed improvements as a part of its approval process, to enter into the lot to inspect the proposed improvements to assure their compliance with the approved plans and specifications.
2. If any proposed improvements shall be made without the approval of the DRB, or are not in compliance with the approved plans and specifications, then owner shall, upon written demand, cause the proposed improvements to be removed or restored within ten (10) days from the date of the written demand to their original conditions, and such owner shall bear all costs and expenses of such restoration or removal, including costs and reasonable attorney's fees of the DRB.
3. If owner has not removed or restored or commenced to remove or restore the unapproved proposed improvements within the period set forth in subparagraph 2 hereof, the DRB shall have the right to institute an action to recover sums due, for damages or to seek injunctive relief to require the owner to cease, remove or restore the unapproved proposed improvements. It is hereby declared that any violation of the requirements, set forth herein may not be adequately compensated by recovery of damages and, accordingly, the DRB, on behalf of the Association, may seek an injunction to restrain a violation or breach or threatened violation or breach.
4. In addition to the foregoing, the DRB may enforce the provisions hereof in accordance with the compliance deposit hereinafter set forth.

All the remedies set forth herein are cumulative. No delay, failure or omission on the part of the DRB in exercising any right, power, or remedy herein provided shall be construed as an acquiescence thereto or a waiver of the right to enforce its rights, powers or remedies. No right of action shall accrue nor shall any action be brought or maintained by anyone whatsoever against the DRB, the Association, declarant or any owner on account of any failure to bring any action on account of any violation or breach of the provisions of these Design Guidelines.

5. In all enforcement actions, the prevailing party shall be entitled to be reimbursed for its attorney's fees, prior to or at trial or on appeal and all reasonable court costs.

D. BASIS FOR DECISION

Approval shall be granted or denied by the DRB based upon the standards and guidelines promulgated by the DRB from time-to-time, including:

- 1) Compliance with the provisions of these Design Guidelines;
- 2) The quality of workmanship and materials;
- 3) The harmony of external design with the surrounds;
- 4) The effect of the construction on the appearance from surrounding property; and
- 5) Such other factors, including purely aesthetic considerations, which in the sole opinion of the DRB shall affect the desirability or suitability of the construction.

E. LIMITATIONS OF RESPONSIBILITY

The primary goal of the DRB is to review the application, plans, materials, and samples submitted to determine if the proposed structure conforms in appearance with the Design Guidelines and does not assume responsibility for the following:

1. Structural adequacy, capacity, or safety features of the proposed structure.
2. Soil conditions or erosion requirements.
3. Compliance with all building codes, safety requirements, governmental laws, regulations, or ordinances.
4. Performance or quality of work by any contractor.
5. Any owner making or causing to be made any proposed improvement, agrees and shall be deemed to have agreed, for such owner and his heirs, personal representatives, successors and assigns to hold the DRB, The Retreat Home Owners Association, Inc. and all other owners harmless from any liability, damage of property and from expenses arising from the construction and installation of any proposed improvements or in any way relating to the subject matter of any such reviews, acceptances, inspections, permissions, consents or required approvals, whether given, granted or withheld, and such owner shall be solely responsible for the maintenance, repair and insurance of any proposed

improvement and for assuring that the proposed improvement is in full compliance with all local, state and federal laws, rules and regulations.

F. MEMBERSHIP

[Click here to view amendment.](#)

The Design Review Board shall be appointed by the Declarant or its assign and shall have the duties and function described in the Declaration. The Design Review Board shall consist of a minimum of three (3) members who need not be members of The Retreat Home Owners Association. The Developer shall appoint at least one (1) architect or building contractor to such Board.

G. ADMINISTRATOR

The DRB may appoint an Administrator to handle the day-to-day responsibilities of processing submissions and coordinating with owners, including the following:

1. Explanation and interpretation of Design Guidelines.
2. Providing pre-design conferences to consider existing data relating to a particular homesite, adjacent, or planned homes, easements, setbacks, etc.
3. Scheduling of all meetings and member notification.
4. Review job progress, schedule DRB inspections, and issue applicable DRB permits and certifications.

H. MEETINGS

The DRB will conduct regular meetings. Special meetings may be called by the Administrator with two days written notification of time, date and place.

Anyone wishing to appear before the DRB in conjunction with the construction application shall notify the DRB Administrator and request to appear. All appearances before the DRB shall be limited to five (5) minutes. Due to the technical nature of the proceedings, it is preferred that the architect make such presentations.

I. MINUTES/NOTIFICATION

All decisions of the DRB will be recorded in minutes taken at DRB meetings. Although owners will not be present at meetings, recorded minutes will be available upon request. Plans and specifications will be retained by the DRB as part of the record. Applicants will be notified within five (5) working days of all decisions by the Board.

J. APPEALS

If an application has been denied, or the approval is subject to conditions which the owner feels are unacceptable, the owner may request a hearing before the Developer.

K. FEES AND BONDS

1. Administration Fee

The DRB requires the payment of an administration fee at the time of application. The fee is non-refundable and should be made payable to "The St. Joe Company" or its assign.

a. Modifications to existing structures or grounds \$150.00

b. Single Family Residences \$750.00

2. Compliance Deposit

a. The DRB requires that each owner submitting plans and specifications for a proposed improvement shall place in escrow with the RHOA a sum of money, which shall be a compliance deposit. The purpose of the compliance deposit is to provide the DRB with funds to complete the proposed improvement in the event that the owner fails to complete construction of the proposed improvements in accordance with the approved plans and specifications, including the approved landscaping or fails to clean up the construction site. In addition, the compliance deposit funds may be used to pay the attorney's fees of the DRB in the event that it is required to obtain the services of an attorney to enforce compliance. The funds constituting the compliance deposit shall be held in a non-interest bearing account.

b. The amount of the compliance deposit shall be computed as follows:

- (i) Existing structures or grounds: Minimum deposit of One Thousand Dollars (\$1,000) shall be required, but in no event shall the compliance deposit exceed ten percent (10%) of the cost of the proposed improvement or Two Thousand Five Hundred Dollars (\$2,500).
- (ii) New construction: Minimum deposit of Two Thousand Five Hundred (\$2,500) shall be required.

The foregoing amounts shall not constitute a limit on the owner's liability but will be applied against the total cost of enforcement of these provisions including, without limitation, the cost of removal or restoration, construction in accordance with the approved plans and specifications, attorneys fees and court costs.

The DRB has the authority to grant exceptions to the foregoing amounts, on a case-by-case basis, relative to the number of compliance deposits to be on-hand for any one builder.

- c. In the event that the owner does not comply with his obligations hereunder including, without limitation, construction of any unapproved proposed improvement or failure to construct in full accordance with the approved plans and specifications. The DRB shall give the owner written notice of the non-compliance and ten (10) days to cure the non-compliance. If such non-compliance is not cured, the DRB may use the compliance deposit to complete the construction or remove and restore the unapproved proposed improvements or to retain an attorney. Upon a violation as set forth herein, the DRB shall be entitled to retain the entire compliance deposit amount, even if the entire amount is not utilized. Such coverage shall be deemed a penalty for such failure.
- d. In order to determine compliance and completion for disposition of compliance deposit, owner/builder shall contact the DRB for final in-field inspection and provide a County Building Department Certificate of Occupancy (CO).

[Click here to view amendment.](#)

[Click here to view amendment.](#)

L. VARIANCES

All variance requests pertaining to DRB approvals must be made in writing to the DRB. Any variances granted shall be considered unique and will not set any precedent for future decisions.

M. ADDITIONAL REQUIREMENTS

These Design Guidelines have been adopted to assist the owners within The Retreat and the DRB in connection with the architectural approval process. These are merely guidelines, and the DRB will have the right to waive any of the requirements, or will have the right to require additional or more stringent requirements.

IV. DESIGN REVIEW PROCEDURES

The following is an outline of the procedures for plan submissions for single-family detached homes. All plans are to be submitted to the DRB for review.

Once approved, applications are valid for one (1) year from date of approval. After one (1) year, applications expire and become invalid. If applicant wishes to proceed with project after date of expiration, he must reapply for new approval. See Design Review Application for new construction.

A. PROFESSIONAL CONSULTANTS

Selection of a Florida registered architect and landscape architect is required.

B. PRELIMINARY PLANS

At the discretion of the applicant, a schematic or design concept may be submitted to the DRB in order to determine suitability of a particular design for The Retreat. Preliminary plan submission is recommended to resolve potential problems before going to the time and expense of contract documents.

Preliminary plans shall include, but are not limited to:

1. Application form.
2. Site plan at 1/8" or other suitable scale showing all trees with a caliper greater than 4 inches (4") at a height greater than 4 feet (4') above grade, all grades, horizontal and vertical improvements with pertinent dimensions, setbacks, easements, etc.
3. Floor plans may be shown on site plan.
4. Key elevations or sketches to define exterior.
5. List of materials or locations of materials.

The DRB will render an opinion as to whether the preliminary submittal would be acceptable. The opinion will be strictly non-binding and will be offered in an effort to save the applicant time and expense.

6. Application Fee.

C. FINAL SUBMISSION

In order to provide a systematic and uniform review of the proposed construction, two (2) sets of architectural plans and specifications signed and sealed by a registered Florida architect are required. Plans and specifications shall be completed and detailed to the point that all significant aspects of construction are clearly identified and understandable by construction professionals.

As a minimum, the drawings shall include:

1. Site Plan

Scale in size appropriate to show detail, but not less than 1" = 20' - 0", indicating:

- a. Access street(s) and walkway(s), drives and other exterior improvements, including material and color.
- b. Grading drainage plan, including on-site retention areas.
- c. Fill plan, if any (indicating run-off and tree preservation method).
- d. Culvert(s), location and size and flow direction.
- e. Foundation plan if other than slab-on-grade.
- f. Exterior lighting plan.
- g. Service yards.
- h. Service entry to lot, of water electricity and telephone.
- i. Tree survey showing location and species of trees four inches (4") or larger in diameter at a point four feet (4') above ground.
- j. Building plan to scale, overlaid on tree survey indicating all structures and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed (at the same scale as boundary/tree survey).
- k. Location and identification of special features (e.g., drainage ditch, dune, nearby lake easements, adjacent structures, etc.).
- l. Mechanical equipment showing location and screening details.

- m. Location of contractor ID sign and outdoor toilet facility.

2. Floor Plans

In a scale appropriate to show all detail including an exact computation of the square footage stated by floor in the case of multi-floored residences and finished floor elevations.

3. Roof Plans

In size appropriate to show detail.

4. Foundation Plans

In size appropriate to show detail.

5. Elevations

Depicting all four (4) sides, including hidden views.

- a. Existing and finished grade.
- b. Total height dimension.
- c. Exterior treatment to include all materials, door and window fenestration, walls, fences, etc.

6. Typical Wall and Building Sections

Depicting:

- a. Materials.
- b. Roof pitch.
- c. Fences, screens, exterior walls, etc.

7. Details

Depicting:

- a. Design features and other improvements requiring clarifications.
- b. Fascia and trim details.
- c. Doors and windows.

- d. Garage doors.
- 8. Patios, Decks, Balconies, Verandas, Porches, etc.
- 9. Exterior Lighting

Details with product photos.

10. **Landscape Plan**

At a scale of site plan, including:

- a. Boundary: Indicate all perimeter property lines, setbacks, dedicated easements and north arrow.
- b. Structures: Position all structures on the property and indicate the location of all windows, doors and permanent construction elements, which are proposed.
- c. Perimeter Areas: Reflect all adjacent site conditions and surrounding roadways, lakes and pertinent features, which may affect the subject property.
- d. Hardscape: Indicate all proposed vehicular and pedestrian circulation treatments, swimming pool location and configuration, miscellaneous amenity elements, garden features and permanent site furnishings which may affect the use of the site.
- e. Utility elements: Show all air conditioner equipment locations, exposed utility meters, garbage areas, LP gas tank, pool equipment and any service or utility elements which may require landscape treatment or buffer screening.
- f. Decorative Grading: Indicate general existing grades and all proposed decorative grading (earth berming) at one foot (1') intervals.
- g. Existing Vegetation: Based upon the current tree survey, accurately identify and locate all existing vegetation with a caliper of four inches (4") or greater, which is intended to be removed, remain or be relocated on the site.
- h. Proposed Vegetation: Provide a comprehensive landscape layout for all trees, palms, shrubs, ground covers, vines and sod which are proposed throughout the site.

- i. Street Tree Location.
- j. Plant List: Identify all proposed vegetation with a plant list that reflects the scientific and accepted common name, height, spread, caliper, or size at time of installation as well as any necessary remarks which may be required to clearly portray the technical needs for design review, and/or final installation purposes.

D. FINAL STAKEOUT

[Click here to view amendment.](#)

Concurrent with final submission, the owner or contractor will provide a string stakeout of the lot lines and building lines for review by the DRB, if required. All trees to be removed must be clearly indicated.

E. BUILDING PERMIT

Upon approval by the DRB of the final plans and the stakeout, the owner may then submit to the county or other agencies for a building permit.

F. CONSTRUCTION START

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Upon receipt of the DRB approval and the county building permit, the owner may commence with construction. The DRB reserves the right to inspect in the field for compliance during any stage of construction.

G. SURVEY/CERTIFICATE OF OCCUPANCY/COMPLIANCE DEPOSIT

Upon completion of construction, the following will be submitted to the DRB:

- a. Final survey certificate by surveyor.
- b. As-built set of drawings.
- c. Certificate of Occupancy by the county.

Upon certification by the DRB that all improvements have satisfied the Design Guidelines, the DRB will issue a final approval. No residence within The Retreat may be occupied by any person until a final approval is issued by the DRB, and a Certificate of Occupancy is issued by the county. Upon final approval, the DRB will return the compliance deposit as is appropriate.

[Click here to view amendment.](#)

THE RETREAT
Declarant Design Review Application Form
New Construction

DATE: _____

TO: _____

OWNER: _____

Name

Street

City State Zip

Telephone

**BUILDER/
CONSTRUCTOR**

Name

Street

City State Zip

Telephone FL License #

**RESIDENTIAL
ARCHITECT**

Name

Street

City State Zip

Telephone FL License #

**LANDSCAPE
ARCHITECT**

Name

Street

City State Zip

Telephone FL License #

LOT # _____

REVIEW DEPOSIT \$ _____ CHECK NUMBER _____

COMPLIANCE DEPOSIT \$ _____ CHECK NUMBER _____

THE RETREAT
Design Review Application Form
New Construction – Page Two

The application is being submitted for:

Preliminary Review _____
Final Review _____

Impervious Lot coverage _____ %

Air Conditioned Space (First Floor) _____ sq. ft.

Air Conditioned Space (Second Floor) _____ sq. ft.

Total Net Sq. Ft. _____ sq. ft.

Covered Porches/Entries, etc. _____ sq. ft.

Garage _____ sq. ft.

Other: _____ sq. ft.

Total Gross Sq. Ft. _____ sq. ft.

GENERAL INFORMATION:

Lot Dimensions: _____

Lot Sq. Ft. _____ Stories _____

Bedrooms _____ Baths _____

Height from Slab; to top
Of roof excl. appendages: _____

Finished first floor _____

Elevation _____

Finished Grade Elevation _____

THE RETREAT
Design Review Application Form
New Construction – Page Three

Exterior Features	Color/Finish	Description
Driveway	_____	_____
Entry Walk	_____	_____
Siding	_____	_____
Trim	_____	_____
Shutters	_____	_____
Windows	_____	_____
Window Trim	_____	_____
Entry Door	_____	_____
Garage Door	_____	_____
Other Doors	_____	_____
Roofing	_____	_____
Fascia	_____	_____
Soffit	_____	_____
Gutters	_____	_____
Chimney	_____	_____
Screening	_____	_____
Walls	_____	_____

The preceding application is submitted for review by the Design Review Board.
Required design documents are attached.

SUBMITTED BY:

Title

Firm

V. LANDSCAPING STANDARDS

A. INTRODUCTION

The goal of the Design Review Board (DRB) is to provide for the sensitive enhancement of the environment by the encouragement of an on-going planting program, which adheres to a "natural theme". Plant material selections and planting arrangements which reinforce naturalistic settings in keeping with the character of the site will be expected and the use of plant species prescribed in the list at the end of this chapter will be a requirement.

B. SUBMITTAL REQUIREMENTS

To ensure that the unique elements which create the visual appeal of the community are preserved and enhanced, and that any proposed vegetative improvements are kept consistent for the benefit of all, a comprehensive landscape plan and plant list will be required for all proposed home site construction projects. The DRB reserves the right to approve or disapprove any such submission, and may at its sole discretion make suggestions or require modifications which may be appropriate to bring the proposed landscape plan into compliance with the Design Guidelines of The Retreat.

In order to insure a mature, grown-in appearance upon installation, the DRB may require a minimum of five percent (5%) (excluding automatic irrigation system) of the total estimated construction cost and lot value to be applied toward landscaping. At its discretion, the DRB further retains the right to increase landscape expenditures as it sees fit, to a maximum of ten percent (10%) of the said total of house and property. For this reason the protection and retention of existing vegetation during site clearing and construction is mandatory.

The Landscape Plan shall be prepared by a landscape architect, licensed in the state of Florida, or by an experienced landscape designer familiar with the restrictions and limitations of the local coastal environment, and submitted to the DRB. Additionally, an Irrigation Plan, at the same scale as the Landscape Plan, showing the layout of an automatic sprinkler system shall be submitted. Two (2) signed and sealed copies of the landscape documents shall be delivered to the DRB for review and comments. No installation work may commence prior to receipt of written approval by the DRB of the landscape documents.

C. DESIGN REQUIREMENTS

1. Design Intent

The general landscape design theme for The Retreat is intended to be natural and informal, using sufficient plant material to present an established appearance at time of installation. The goal is to have a continuous flow of the landscape from one lot to another between the street and the front of the house, rather than making each lot an autonomous island from lot line to lot line.

2. Street Frontage/Right-of-Way Landscaping

To reinforce the common streetscape design character through the community, each residential property will participate in the creation of a unified street landscape program for the community. The right-of-way portion of each home site, between its front lot-line and the street pavement, shall be landscaped with a mix of at least five of the following plants: Gulf Muhleygrass, Saltmeadow Cordgrass, Sand Cordgrass, Saw Palmetto, Conradina, Woody Goldenrod, Wooly Goldenaster, Adam's Needle, Florida Rosemary. Grass species should comprise approximately seventy-five percent (75%) of the planted area and shall be installed in sizes sufficient to present a mature, grown-in appearance (minimum one-gallon container). The remaining twenty-five percent (25%) shall be a selection placed in a natural, random pattern that mimics nature as best it can.

3. Plant Palette

All home sites at The Retreat are located within the coastal dune scrub ecosystem. Vegetation in this unique and increasingly rare zone owes its form and make-up to its perpetual exposure to the pruning effects of wind and salt spray. Trees and shrubs exposed to the full force of the wind and salt are stunted and their canopies, such as they are, tend to lean down-wind. Only specialized plants which can endure this harsh environment will grow here. The site is blessed with totally native plant species with very few exotic plants found anywhere on the site. The intent is to keep it that way as development proceeds. This means that future landscape installations will be required to utilize strictly native or indigenous plants with exceptions only as specified in this chapter. While there are a number of exotic plants that thrive in this environment, it is the intent of the DRB to restrict all landscape plantings visible from the roads to species that are indigenous to the site. A detailed list of acceptable landscape material is included at the end of this

chapter. Any deviation from this list will only be with written approval of the DRB.

4. Front Yard Landscaping

All front yard plantings visible from the street shall be landscaped with plants from the approved plant palette. Where existing vegetation was preserved, every effort shall be made to landscape adjacent areas with more of the same species to achieve a look of continuity.

Areas enclosed by walls or fences may be planted with adaptable, non-native species provided they are not and will not become visible from the street. Plants such as ligustrums, pindo palms, pittosporums, etc that have the potential to grow above the fence lines are not acceptable. Small areas of turfgrass are also acceptable provided they are enclosed from view.

Should large (six feet tall and taller) plants be desired by an applicant, the use of Sand Live Oak, Sand Pine or Slash Pine, all of which are available in large sizes, is strongly encouraged.

5. Irrigation

All developed homes sites shall be required to have an automatic irrigation system utilizing either domestic potable water or water from a shallow well supplied by the lot owner. Domestic water is the preferred choice, since it does not present the iron staining problems often found with shallow well water.

The required use of native plants is intended to minimize the need for irrigation water throughout the neighborhood. Once initial landscape plantings are established, it is hoped that irrigation systems can essentially be turned off and used only during periods of severe drought.

All street rights-of-way on which each lot fronts will be on an automatic irrigation system operated and maintained by the Retreat Homeowners Association. For soil stabilization purposes, these rights-of-way will be planted and irrigated with various grasses and shrubs and will be maintained as such, until a lot owner begins to develop his lot. At that time, the HOA roadside irrigation heads along the street on which the owner's lot fronts will be capped off and from that time henceforth the lot owner will be responsible for landscaping, irrigating and maintaining that space.

[Click here to view amendment.](#)

TYPICAL LANDSCAPE PLAN

ORNAMENTAL SHRUBS,
FLOWERS AND LAWNS
PERMITTED IN ENCLOSED
FRONT AND REAR YARDS

10' SIDEYARD SETBACK
(CLEAR MINIMAL VEGETA-
TION TO ACCOMMODATE
BUILDINGS AND DRIVE)

CABBAGE PALMS AT
STAGGERED HEIGHTS

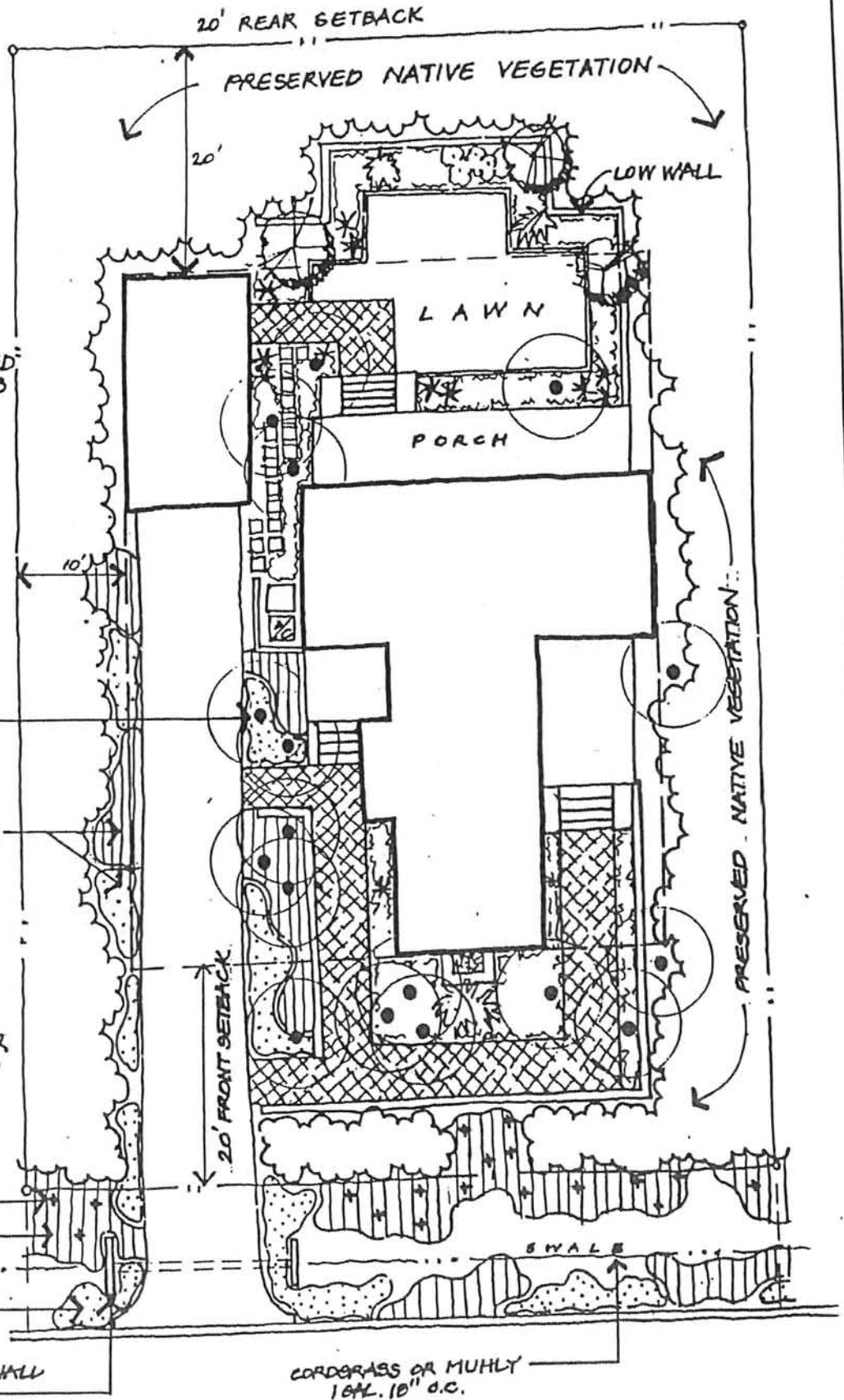
NATIVE SHRUBS AND
PERENNIALS ALONG DRIVE
B.O.

- WOODY GOLDENROD
- GOLDEN ASTER
- CORAL BEAN
- SPIDERWORT
- CONRADINA
- BLAZING STAR
- LUPINE
- MUHLEY GRASS
- BLANKET FLOWER
- BUTTERFLY WEED
- PALMETTO
- YUCCA

MYRTLE SAND LIVE OAK
8" GAL.
BAW PALMETTO
3 GAL. @ 3' O.C.

NATIVE PERENNIALS

STUCCO MASONRY HEADWALL
W/ MIN. 10" DIA. PIPE



VI. CONTRACTOR STANDARDS

The following shall apply to any and all construction, improvement, alteration or maintenance of any structure, to any change to the exterior of any structure and to grading, excavating, tree removal, landscaping or any other change to the grounds of a single-family site within The Retreat. In the event a violation of these criteria and guidelines takes place, the construction or work being performed shall cease until conformance is achieved. Infractions of the construction rules may be cause for a \$500.00 fine per infraction and/or suspension of a contractor or subcontractor from the community.

A. BUILDING CONTRACTORS

All builders and general contractors must have all appropriate Florida licenses.

B. START OF CONSTRUCTION

No lot clearing or placement of portable toilets will be permitted until all required governmental permits are obtained and formal written approval of the DRB has been granted.

C. PORTABLE TOILETS

Prior to commencing work, a portable toilet must be placed on the job site and in a manner so as to least disturb other residences and other construction.

D. CONSTRUCTION TRAFFIC

All construction traffic shall access the community through the designated construction entrance. For security purposes, all contractors must register a complete list of their sub-contractors and other employees who are permitted entry into the community with the homeowners association.

No vehicle shall be parked on any lots, other than their specific job site. There will be no washing of any trucks on the streets.

E. CONSTRUCTION HOURS

The construction working hours are currently from 7:30 am to 6:00 PM, Monday through Saturday, except on nationally recognized holidays. These hours are subject to change by the DRB. A 24-hour emergency telephone number must be kept on file at the sales center.

F. SITE CLEAN-UP

All construction sites must be maintained in a neat and orderly fashion. All contractors are required to provide at least one (1) covered trash dumpster for every residence under construction. Dumpsters must be emptied on a regular basis. The builder is responsible for trash that blows off the site and shall retrieve such trash immediately.

No trash shall be stockpiled on the lot. There will be no stockpiling or dumping on adjacent lots or on streets. Contractors will use only the utilities provided on the site on which they are working.

G. CLEARING

Only plants, vegetation and trees directly within the planned structure, roof overhangs, or driveway shall be removed. Any plants, vegetation or trees uprooted or cut down on the job site shall be removed from the job site and from the community as soon as is practical but not later than five (5) working days.

H. CONSTRUCTION DAMAGE

Any damage to streets and curbs, drainage inlets, sidewalks, street lights, street markers, mailboxes, walls, etc., will be repaired by the Declarant or the homeowners association and such costs billed to the responsible contractor.

I. CONSTRUCTION SPILLAGE

Operators of vehicles are required to see that they do not spill any damaging materials while within the community. If spillage of a load occurs, operators are responsible for cleaning it up. Clean-ups done by the association will be billed to the responsible party. Please report any spills as soon as possible.

J. TELEPHONE/CABLE TV LINES

If any telephone, cable television, electrical, water, etc., lines are cut; it is the contractor's responsibility to report the accident to the Declarant within thirty (30) minutes.

K. DRESS

All construction workers will be required to wear clothing compatible with their specific job requirements. Shirts will be worn at all times.

L. CONSTRUCTION SITE APPEARANCE

All personnel working in the community are to keep all of their areas free of discarded materials such as lunch bags and odd materials. Objects should not be thrown out of cars and trucks.

M. NOISE LEVELS

Loud radios or noise will not be allowed within the community. Normal radio levels are acceptable; however, speakers mounted on vehicles or outside of homes under construction are not permitted.

N. VEHICLES AND EQUIPMENT

No vehicles (trucks, vans, cars, etc.) may be left in the community overnight. Construction equipment may be left on the site while needed, but must not be kept on the street, unless prior permission has been granted.

O. PERSONNEL

Only bona fide workers are allowed on the property and are required to exit the property upon completion of their work. Spouses may drive workers to and from the site, but must not remain on the property unless they are actual employees of the sub-contractor. For safety reasons, children will not be permitted on the job site. No alcoholic beverages are permitted on or near the job site. Contractor personnel will not be permitted to bring pets on the property.

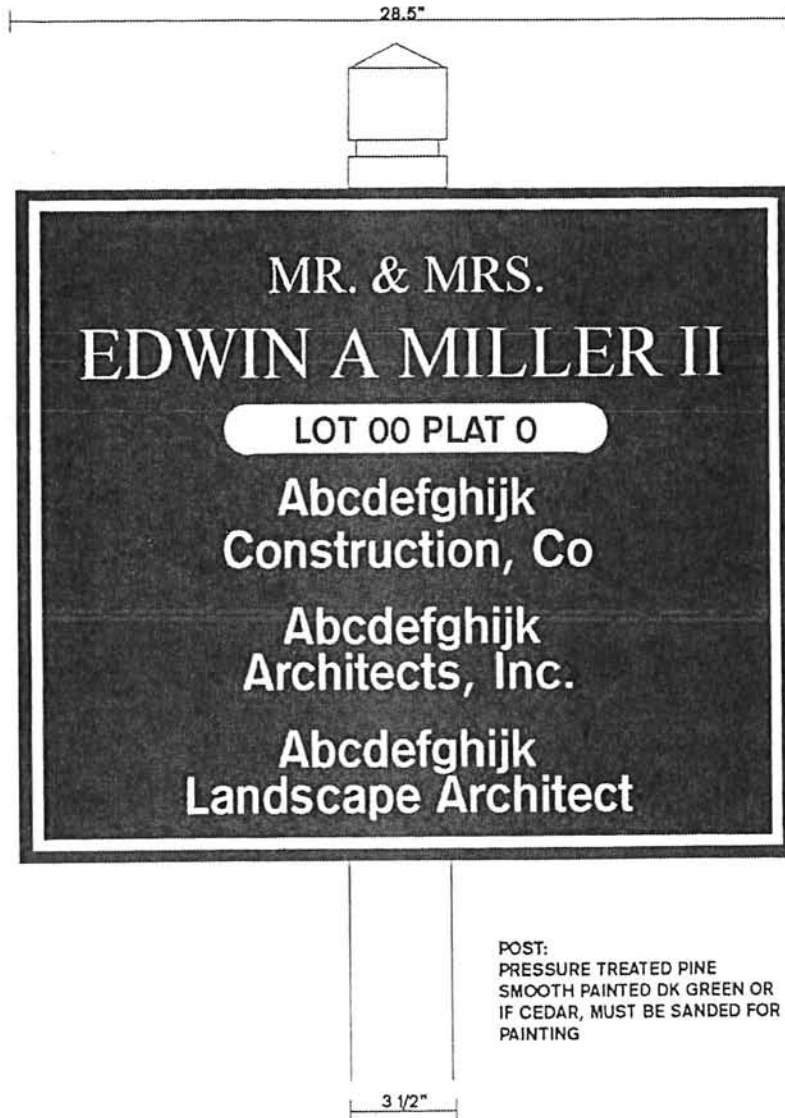
P. SIGNAGE

During construction, one (1) approved standard construction sign shall be allowed within the front setback of the lot to assist sub-contractors and others in locating the job site (see page 29).

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STANDARD CONSTRUCTION SIGN



INSERT 1/4" WHITE BORDER
1/2" FROM EDGE

1 3/16" WHITE BERKLEY OLDSTYLE MEDIUM

1 5/8" WHITE BERKLEY OLDSTYLE MEDIUM

1 5/8" X 14 7/8" WHITE OVAL WITH
7/8" BLACK HELVETICA COPY

1 3/16" WHITE UPPER AND LOWER CASE
HELVETICA

NOTE: COLOR FOR DK GREEN TO MATCH
PMS # 328

HIGH GLOSS DK GREEN MEDEX BACKGROUND
(WOOD PRODUCT WITH NO GRAIN).
EDGES AND BACK FINISHED
STAINLESS STEEL SCREWS
LETTERS ARE HIGH PERFORMANCE VINYL

POST:
PRESSURE TREATED PINE
SMOOTH PAINTED DK GREEN OR
IF CEDAR, MUST BE SANDED FOR
PAINTING

4' OUT OF
GROUND

VII. BUILDING GUIDELINES & ARCHITECTURAL STANDARDS

1. ACCESSORY STRUCTURES

Gazebos, cabanas and detached garages are permissible where lot sizes warrant. If built, the accessory structures must be located within the required setbacks and match the architectural details of the home to include wall and roof materials and color.

2. BUILDING/ACCESSORY STRUCTURES SETBACKS

The building setbacks and envelope illustrations that follow graphically represent the placement of buildings, garages, decks, patios, walls, fences and hedges, dependent on the lot's location. Where lots vary from the illustrations, due to special factors, the DRB will establish setbacks on these lots in consultation with the owners and/or their architect during the initial review stage.

3. BUILDING HEIGHTS

Maximum building height of residences shall be forty two feet (42') measured from the first floor elevation to the highest point of the roof excluding chimneys, weathervanes, etc. or forty six feet (46') above the average grade of the lot within the building envelope.

Where homes are elevated above existing grade due to topography sloping away from the street or are cut into the existing topography, the maximum height of the structure will be determined in consultation with the owner and/or their architect during the initial review.

Whenever possible, the third floor of any structure shall be tucked into or related to the roof structure with dormers, small roof trusses, etc to diminish the scale of the structure.

4. MAXIMUM BUILDING COVERAGE

A maximum of forty percent (40%) of the lot can be covered by the building. The building shall mean areas contained under the roof, including air-conditioned or non-air conditioned space.

[Click here to view amendment.](#)

5. SQUARE FOOTAGE & STORIES

All single family structures shall have minimum and maximum square footage as set forth below.

<u>LOT</u>	<u>SQ. FT. MIN</u>	<u>SQ. FT. MAX</u>	<u>GR. FL. OF 2 STORY</u>
Gulf Front			
Single Story	2000 SF	3000 SF	1200 SF
Other		7000 SF	
Lake Front			
Single Story	2000 SF	4000 SF	1200 SF
Other		7000 SF	
Interior			
Single Story	1800 SF	3000 SF	1200 SF
Other		6000 SF	
Conservation			
Single Story	1600 SF	2700 SF	1000 SF
Other		5000 SF	

6. FINISH FLOOR ELEVATIONS

The minimum finished floor (first floor) shall be eighteen inches (18") above the crown of the adjacent roadway or the adjacent natural elevation, whichever is greater. The maximum finished floor elevation of residences shall be forty-eight inches (48") above the crown of the road or the adjacent natural elevation, whichever is greater.

Lots where grade at the building setback is above or below the street elevation by more than twenty-four inches (24") will be reviewed individually based on the design of the residence and the proposed method for off-street parking.

7. SETBACK CRITERIA

General setback requirements shall be as follows:

Side yard setbacks:	10 feet
Front yard setbacks:	20 feet
Rear yard setbacks:	
Gulf front	Coastal Control Line
Lake front	100 feet from lake edge
Interior:	20 feet adjacent property
Conservation:	Building setback per plat

[Click here to view amendment.](#)

[Click here to view amendment.](#)

[Click here to view amendment.](#)

Specific setbacks include:

Lot # 24	20 ft. on North property line adjacent to lot # 25
Lot # 46	7.5 ft. on Northeast property line 10 ft. on West property line for garage, 20 ft for residence
Lot # 57	7.5 ft. on East property line
Lot # 90	7.5 ft. on West property line

Specific garage/drive entries:

From Bermuda Road:

Lots # 58
65
66
71
72

From St. Lucia Road:

Lots # 61
62
68
69
74

Where two lots are joined for a single home, the side setbacks shall be doubled with allowable area increased by 50%.

Corner lots shall be deemed to have front yard setbacks off one street frontage, as defined by the DRB in consultation with owner and/or designer.

Exception: Lots which have exceptional circumstances can apply for a hardship variance with the DRB. Each case will be considered on its individual merits and decisions will not set precedent for cases past, pending or future on other lots. Variances will be granted only if it is proven that the subject property cannot adequately conform to the current setbacks, or if conformance will cause substantial detriment to the community as a whole. Purchasers are cautioned to fully examine their proposed lot for ability to comply with the setback requirements as part of normal due diligence involved with the purchase of real property.

Lots # 6, 7, 19 and 20 will be allowed to attach directly to the dune walk areas with boardwalks provided that the connection is a minimum of eight feet (8'0") land ward of the shelters at the C.C.L., no greater than four feet (4'0") in width, and that the design is compatible with that of the existing crossovers.

8. EXTERIOR APPEARANCE

- A. **Walls and Siding:** The architectural design throughout The Retreat will utilize the Caribbean style that allows a combination of masonry (stucco finish) and wood siding. If wood is to be utilized as the major exterior finish, masonry shall be included to reflect the image with walls, fencing, chimneys, etc. Colors will be selected from a range of subtle earth tones with the more vibrant accents used sparingly.

Acceptable materials include stucco, vertical and horizontal wood siding or Hardi Plank or preferably a mix of both.

While stucco banding may be appropriate, the use of keystones and quoins is not permitted.

- B. **Windows:** Wood frame windows are strongly suggested, as is the use of French doors in combination with windows. They should be carefully proportioned to enhance the exterior appearance and interior light quality. While not preferred, vinyl or aluminum clad wood and aluminum windows will be permitted, subject to color approval.

Lightly tinted glass is acceptable, but foil or reflective material is not allowed. Drapery liners of a neutral color are required to provide a consistent exterior appearance. Roof overhangs, awnings and shutters are appropriate sun screening devices with approval of design, material and colors.

- C. **Roofs, Materials and Appurtenances:** The roofs of all residences within the community, while perhaps different in material and color, shall have a similarity of form to provide for a homogeneous character, with all gable and hip roofs having a minimum roof slope of 3/12 and maximum of 8/12.

Roofing less than 3/12 slope is acceptable only in minor areas (not to exceed 15% of roofing area) with primary acceptability in use as a connection to more dominant themes of the roofing mass. All connecting roofs, i.e., garage to main structure or freestanding garage, etc., shall have a roof with material compatible with the main structure.

Roof materials may be chosen from a selection of cedar shakes, cedar shingles, imitation cedar shingle, standing seam metal, corrugated or 5V crimp metal, slate or flat concrete shingles.

Roof overhangs form an integral part of the architectural character of the community and should be maximized wherever possible to provide shelter from both the subtropical sun and rain showers. In many cases, the roof overhangs may incorporate balconies, decks and screened porches.

Roof overhangs shall be a minimum of twenty-four inches (24").

Roof attachments, whether ornamental or functional such as ornamental ridge caps, weather vanes, oversized fireplace flues, etc., are not only permissible but encouraged to give an additional scale of detail to the dwellings.

All roof accessories, such as vent stacks and roof vents shall be either painted to match the roof color, or accentuated to form a statement. Wherever possible, vents shall be located away from the entry elevations. Flashing is recommended to be copper except in the case of metal roofs, where it shall be of the same material.

The use of solar energy producing devices (active and/or passive) and personal satellite dishes are entirely subject to the DRB approval, and in all cases must be completely hidden from view from the street and adjacent properties.

- D. **Chimneys:** Chimneys, along with other projections above roofing surfaces, play a dominant role in depicting the character desired. Chimney dimensions shall be compatible in scale to the structure; however, the minimum size shall be two feet six inches (2'6") by four feet six inches (4'6"). Prefab metal fireplaces, when used, must have coverings for all exposed flue pipes. No direct vent fireplaces will be permitted.
- E. **Doors:** Front doors should make a strong architectural statement. Wood or glass exterior doors are recommended to exceed a height of seven feet (7'). The use of double front entry doors, or doors enhanced by side and /or top window panels are encouraged. Sliding patio doors are not to be utilized where they are visible from the street or used as a front entrance. Garage doors should be solid and be compatible with the exterior wall design and color.
- F. **Shutters:** Louvered shutters are encouraged, but bevel board and panel shutters are acceptable. Louvered shutters can be allowed to tilt from the top or swing open. All shutters must be operable and sized to fit the window, and must be painted wood, or pre-approved authentic-looking materials. Anodized aluminum is acceptable for louvered shutters.

9. DRIVEWAYS

Driveway widths should be a maximum of twelve feet (12'), except in the vehicular parking area or as the drive enters the garage enclosure. Driveway entry from the street should generally be located at least three feet (3') from the side property lines and, where possible, should gracefully curve to the garage entrance.

The maximum driveway width at the intersection of the curb shall not exceed eighteen feet (18') and should have a curved or geometric pattern intersecting with the driveway. This cleared area shall be part of the submission for approval as part of the hardscape drawings on the landscape site plan.

Drive surfaces shall be concrete pavers with rigidly defined parameters. Each drive shall be noted on the site plan for hardscape and landscape design.

10. GARAGES

No garage may be built to contain more than two cars. Garages may be detached from the main residence, but must fall within the allowable building area as defined in the attached building setbacks. In detached garages, homeowners are encouraged to incorporate garage apartments or extra bedrooms into space above garages. Where possible, the volume should be included within the roof structure and enhanced with dormers, balconies, etc.

Carports or covered parking may be accomplished by the use of Pergolas or trellising to match similar elements of the house.

11. WALL/FENCES/HEDGES

Walls constructed between the front and rear building setback, but within the side building setback have a maximum height of six feet (6') above the finished first floor elevation of the house provided such floor elevation does not exceed twenty-four inches (24") above crown of roadway. Where elevations are adjusted above or below the twenty-four inches (24") due to topography within individual lots, wall heights shall be reviewed with the DRB for allowable heights. Pilasters may extend an additional twenty-four inches (24") above wall elevations.

Courtyard walls may extend into all setbacks with approval of the DRB. These walls will be reviewed by the DRB for consistency with individual home design, streetscape of existing residences and to preclude the blocking of views from adjacent properties. It is recommended that these

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[Click here to view amendment.](#)

[Click here to view amendment.](#)

walls not exceed thirty-six inches (36") and that they be a combination of masonry/stucco with metal or picket infill.

Pool enclosures shall be built in such a way as to not obstruct the views of adjoining property using open aluminum or wrought iron not more than four feet (4'0") off grade.

Hedges are encouraged as alternatives to fencing and should be in a supporting role to the landscape. The height limit of walls would be consistent with hedges, and they should not be the dominant theme of any installation.

12. PORCHES, DECKS, VERANDAS AND BALCONIES

The creative use of wide verandas on the front, sides or rear of the residences is strongly encouraged.

Handrails and/or columns form an integral part of the veranda concept. The handrails and columns should either be stone, wood, painted aluminum or wrought iron (with proper rust prohibitor), and designed to be architecturally compatible with the residence. Columns and handrails must be relatively simple, properly proportioned to the scale and mass of the house and be understated rather than overly ornate and fussy.

Porch or deck enclosures may not be freestanding. If screening is desired, the enclosure must be designed as an integral part of the roof and walls, and not appear as an added appendage.

13. COLORS

Exterior Colors

The general color theme of the Retreat is to utilize the intense and lively colors of the Caribbean Island including the colors of nature (sky, flowers, trees, gulf, sand) and bleach them into fresh but more subtle or muted shades.

Stucco colors shall be warm in nature and lighter than surrounding siding materials with a mat finish. Accent colors may be more brilliant in nature subject to DRB approval. Walls and fences should match the body colors of the main structure.

A sample palette and recommended colors is available for individual review, these palettes will serve as a guide, although other colors and intensities may be appropriate which will be added in consultation with the DRB.

In reviewing exterior colors, the DRB will take into account the combination and intensity of colors selected, their appropriate use, and the palette of surrounding residences. For all color review, sample panels of at least four feet by four feet (4'x 4') of main body materials will be erected on the site.

14. EXTERIOR LIGHTING

Exterior lighting must be provided for safety and security. Recessed or down lighting, and vertical landscape lighting are recommended in lieu of flood lights which is prohibited.

No lighting should be located as to interfere with vehicular traffic or become a nuisance to neighbors by adversely affecting the night time environment of adjacent properties. The DRB will approve all post mounted and building mounted fixtures which are visible from other properties.

15. GARDENS/GREENHOUSES

Detached greenhouses will be reviewed on a case by case basis. Greenhouses must be designed by a licensed architect and must be located within the fence location area. The DRB will take into account the impact of the structure on neighboring residences and views.

16. DOCKS

Docks are permitted on lots # 39 - # 46, subject to necessary state permitting and DRB approval. Docks shall extend no further than 20' into the water with a maximum width of 4'0". Bench seating on the dock is permissible.

Exhibit "B"

[Click here to view amendment.](#)

THE RETREAT

Approved Plant List

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>COMMENTS</u>
TREES		
<i>Chamaecyparis thyoides</i>	Atlantic White Cedar	
<i>Crataegus flava</i>	Yellow Haw	
<i>Ilex cassine</i>	Dahoon Holly	
<i>Ilex vomitoria</i>	Yaupon Holly	
<i>Magnolia grandiflora</i>	Southern Magnolia	
<i>Magnolia virginiana</i>	Sweetbay Magnolia	
<i>Persea borbonia</i>	Red Bay	
<i>Persea palustris</i>	Swamp Bay	Prefers moist sites
<i>Pinus clausa</i>	Sand Pine	
<i>Quercus chapmanii</i>	Chapman's Oak	
<i>Quercus geminata</i>	Sand Live Oak	
<i>Quercus myrtifolia</i>	Myrtle Oak	
<i>Sabal palmetto</i>	Cabbage Palm	
SHRUBS		
<i>Aronia arbutifolia</i>	Chokeberry	Prefers moist sites
<i>Baccharis halmifolia</i>	Groundsel Bush	
<i>Callicarpa americana</i>	American Beautyberry	
<i>Ceratiola ericoides</i>	Florida Rosemary	
<i>Chrysoma pauciflosculosa</i>	Woody Goldenrod	
<i>Clethra alnifolia</i>	Summersweet	Prefers moist sites
<i>Conradina canescens</i>	Conradina, Minty Rosemary	
<i>Hypericum reductum</i>	Atlantic St. Johnswort	
<i>Ilex glabra compacta</i>	Compact Gallberry	
<i>Ilex vomitoria</i> 'Shillings'	Dwarf Yaupon Holly	
<i>Iva imbricata</i>	Beach Elder	
<i>Lyonia ferruginea</i>	Rusty Lyonia	
<i>Lyonia lucida</i>	Fetterbush	Prefers moist sites
<i>Myrica cerifera</i>	Wax Myrtle	Dwf. varieties avail.
<i>Osmanthus americanus</i>	Wild Olive, Devilwood	

SHRUBS, cont'

Rhododendron austrinum	Florida Azalea	No salt tolerance
Rhododendron serrulatum	Swamp Azalea	No salt tolerance
Rhus copallina	Winged Sumac	
Serenoa repens	Saw Palmetto	
Vaccinium arboreum	Sparkleberry	
Vaccinium darrowi	Glaucous Blueberry	
Vaccinium myrsinites	Shiny Blueberry	
Vaccinium stamineum	Deerberry	
Yucca flaccida	Adam's Needle, Beargrass	

GROUNDCOVERS AND PERENNIALS

Agalinus fasciculata	Gerardia	
Asclepias tuberosus	Butterfly Weed	
Borrichia frutescens	Sea Oxeye	
Calamintha coccinea	Red Calamint	
Carphephorus odoratissimus	Deer Tongue, Vanilla Plant	
Chrysopsis sp.	Wooly Goldenaster	
Erythrina herbacea	Coralbean	
Gaillardia pulchella	Blanket Flower	
Gaura angustifolia	Gaura	
Helianthus angustifolius	October Daisy	Prefers moist sites
Helianthus debilis	Beach Sunflower	
Hibiscus coccineus	Scarlet Hibiscus	Prefers moist sites
Ipomopsis rubra	Standing Cypress	
Liatris chapmanii	Blazing Star, Gayfeather	
Licania michauxii	Gopher Apple	
Lilium catesbaei	Pine Lily	
Lupinus diffusus (or westianus)	Beach Lupine	
Polygonella spp	Jointweed	
Solidago sempervirens	Seaside Goldenrod	
Tradescantia ohioensis	Spiderwort	

VINES

Campsis radicans	Trumpet Creeper
Ipomea pes-caprae	Railroad Vine
Parthenocissus quinquefolia	Virginia Creeper
Smilax auriculata	Greenbriar
Vitis rotundifolia	Muscadine Grape
Wisteria frutescens	Wisteria (native)

GRASSES

Muhlenbergia capillaris
Panicum amarum
Panicum virgatum
Schizachyrium maritimum
Spartina bakeri
Spartina patens
Uniola paniculata

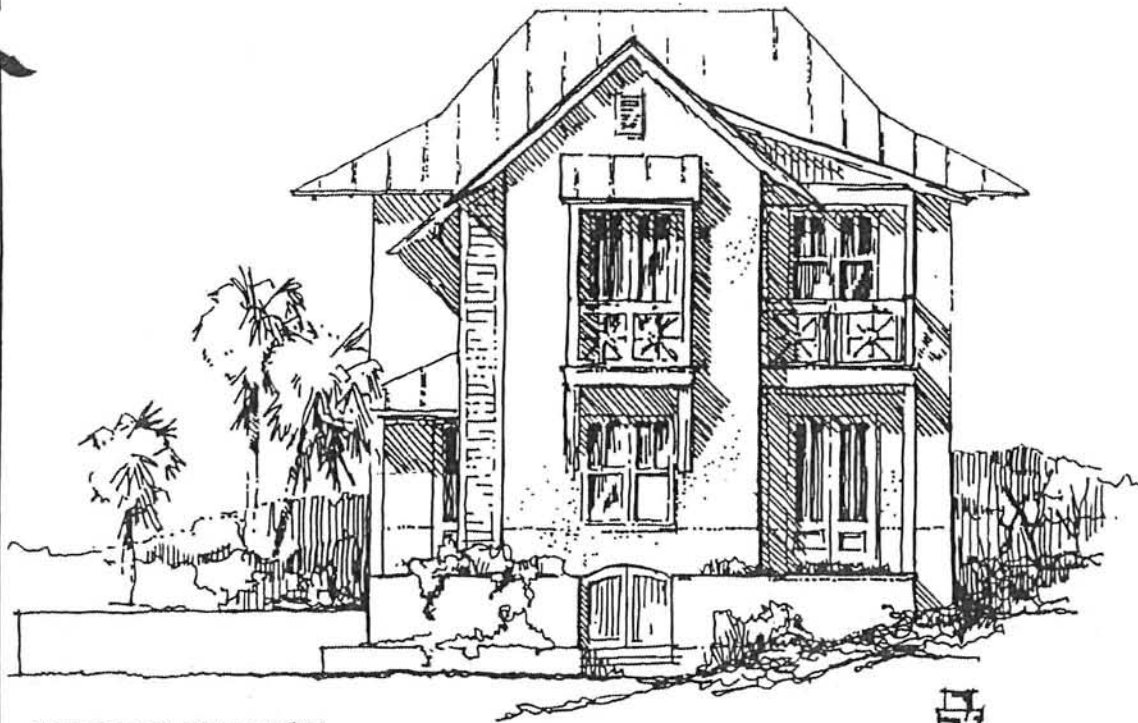
Gulf Muhley
Dune Panic Grass
Switch Grass
Gulf Bluestem
Sand Cordgrass
Saltmeadow Cordgrass
Sea Oats

WETLANDS/ AQUATIC PLANTS

Cladium jamaicense
Iris hexagona
Iris virginica
Juncus effusus
Juncus roemerianus
Nymphaea odorata
Pontederia cordata
Sagittaria spp.
Scirpus californicus
Scirpus validus
Spartina bakeri
Spartina patens

Sawgrass
Blue Flag Iris
Blue Flag Iris
Soft Rush
Black Needlerush
Waterlily
Pickerel Weed
Duck Potato, Arrowhead
Giant Bulrush
Soft-stem Bulrush
Sand Cordgrass
Saltmeadow Cordgrass

ARCHITECTURAL STYLES & DETAILS



ENTRY ELEVATION



SIDE ELEVATION w/ GARAGE

The following residential designs were prepared for St. Joe/Arvida and The Retreat by:

Christ & Associates
Architects and Planners, P.A.

FL 606976 B 2016 P 86
CO:WALTON ST:FL

ARCHITECTURAL STYLES & DETAILS



GARAGE ELEVATION



SIDE ELEVATION

The following residential designs were prepared for St. Joe/Arvida and The Retreat by:

Christ & Associates
Architects and Planners, P.A.

FL 606976 B 2016 P 87
CO:WALTON ST:FL

EXHIBIT A

ARCHITECTURAL STYLES & DETAILS



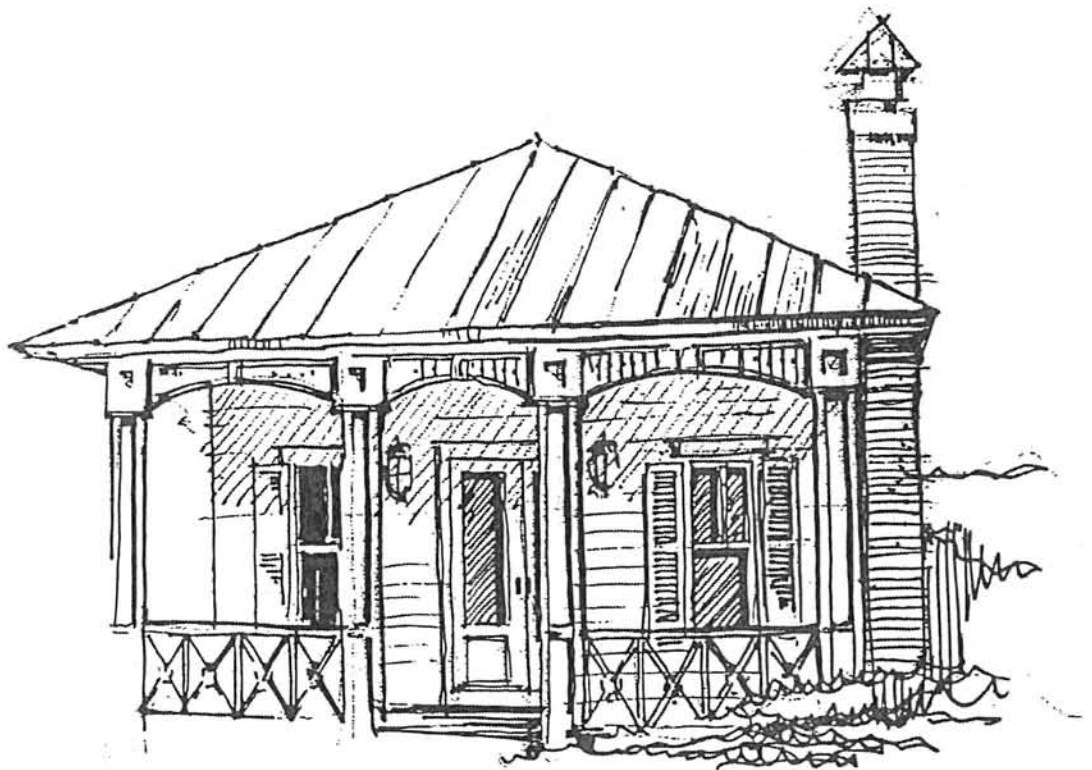
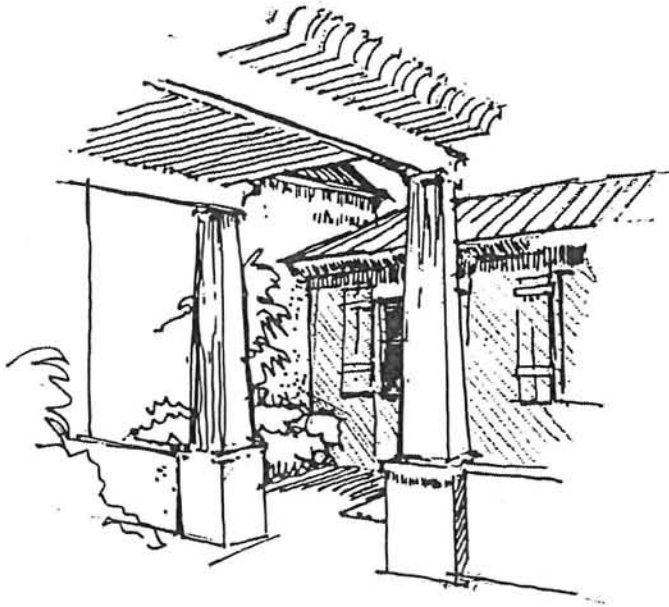
VIEW ELEVATION

The following residential designs were prepared for St. Joe/Arvida and The Retreat by:

Christ & Associates
Architects and Planners, P.A.

FL 606976 B 2016 P 88
CO:WALTON ST:FL

ARCHITECTURAL STYLES & DETAILS



ORMS, GARDENS & ARBORS

FL 606976 B 2016 P 89
CO:WALTON ST:FL

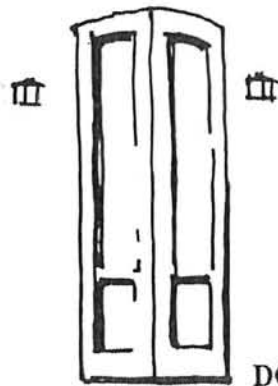
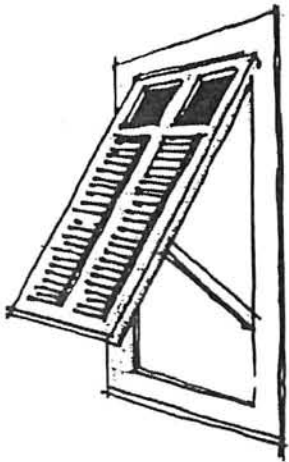
ARCHITECTURAL STYLES & DETAILS



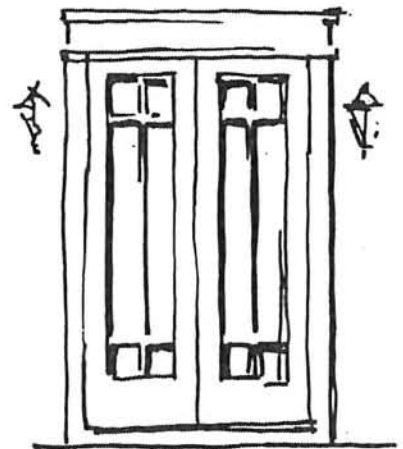
DE YARD GARDEN ENTRANCES
FRONT & SHUTTERED PORCHES

FL 606976 B 2016 P 90
CO:WALTON ST:FL

ARCHITECTURAL STYLES & DETAILS



DOORS



SHUTTERS & WINDOWS



TOWERS



The Retreat

CONTRACTOR STANDARDS (VI – R)

ADDITIONAL REQUIREMENTS & REMINDERS

The following shall apply to any and all construction, improvement, alteration, or maintenance of any structure, to any change made to the exterior of any structure and to grading, excavation, tree removal, and landscaping or any other change to the grounds of a single-family home in The Retreat. In the event a violation of these criteria and guidelines takes place, the construction or work being performed shall cease until conformance is achieved. Infractions of the construction rules may be cause for a \$500.00 fine per infraction and/or suspension of a contractor or sub-contractor from the community.

Additional Job Site Rules, Appearance & Cleanliness Protocol

- Firearms or weapons of any kind are never allowed on Retreat property by any contractor or vendor alike.
- All dumpsters must be tarped/covered at the end of each work day, prior to 6:00pm.
- Silt sand fencing is required to ensure washouts or erosion as to not impact adjacent and/or adjoining properties. In addition, sandbags are required to line each job site to prevent sand washing out into the streets or on adjoining properties.
- Each job site and the surrounding areas shall be cleaned daily, including the community property and roadways.
- All job sites and surrounding areas affected by the work on a specific lot must be kept in prime condition at all times. Raking of sand and laying fresh pine straw is required (i.e. if your job site has been given permission to park on, store a dumpster or port-o-let on another homeowners lot).
- Lattice work covering the port-o-let's is required (see attached example).
- If you allow smoking on your jobsite (which is discouraged), a designated area must be implemented and a cigarette disposal area (i.e. a bucket filled with sand) must be adhered to at all times to avoid the risk of fire. You are responsible for any damage done by your employees and subcontractors.
- Please designate a lunch area for your workers, to ensure trash and/or debris is contained and there are no disruptions to the surrounding areas.



Exhibit "B"

THE RETREAT Primary Plant List

BOTANICAL NAME	COMMON NAME	COMMENTS
TREES		
<i>Chamaecyparis thyoides</i>	Atlantic White Cedar	
<i>Crataegus flava</i>	Yellow Haw	
<i>Ilex cassine</i>	Dahoon Holly	
<i>Ilex vomitoria</i>	Yaupon Holly	
<i>Magnolia grandiflora</i>	Southern Magnolia	
<i>Magnolia virginiana</i>	Sweetbay Magnolia	
<i>Persea borbonia</i>	Red Bay	
<i>Persea palustris</i>	Swamp Bay	Prefers moist sites
<i>Pinus clausa</i>	Sand Pine	
<i>Quercus chapmanii</i>	Chapman's Oak	
<i>Quercus geminata</i>	Sand Live Oak	
<i>Quercus myrtifolia</i>	Myrtle Oak	
<i>Sabal palmetto</i>	Cabbage Palm	
SHRUBS		
<i>Aronia arbutifolia</i>	Chokeberry	Prefers moist sites
<i>Callicarpa Americana</i>	American Beautyberry	
<i>Ceratiola ericoides</i>	Florida Rosemary	
<i>Chrysoma pauciflosculosa</i>	Woody Goldenrod	
<i>Clethra alnifolia</i>	Summersweet	Prefers moist sites
<i>Conradina canescens</i>	Conradina, Minty Rosemary	
<i>Hypericum reductum</i>	Atlantic St. Johnswort	
<i>Ilex glabra compacta</i>	Compact Gallberry	
<i>Ilex vomitoria</i> 'Shillings'	Dwarf Yaupon Holly	
<i>Iva imbricata</i>	Beach Elder	
<i>Lyonia ferruginea</i>	Rusty Lyonia	
<i>Lyonia lucida</i>	Fetterbush	Prefers moist sites
<i>Myrica cerifera</i>	Wax Myrtle	Dwf. varieties avail.
<i>Osmanthus americanus</i>	Wild Olive, Devilwood	
<i>Rhododendron austrinum</i>	Florida Azalea	No salt tolerance
<i>Rhododendron serrulatum</i>	Swamp Azalea	No salt tolerance
SHRUBS, cont'		

<i>Rhus copallina</i>	Winged Sumac
<i>Serenoa repens</i>	Saw Palmetto
<i>Vaccinium arboreum</i>	Sparkleberry
<i>Vaccinium darrowi</i>	Glaucous Blueberry
<i>Vaccinium myrsinites</i>	Shiny Blueberry
<i>Vaccinium stamineum</i>	Deerberry
<i>Yucca flaccida</i>	Adam's Needle, Beargrass

GROUNDCOVERS AND PERENNIALS

<i>Agalinus fasciculate</i>	<i>Gerardia</i>	
<i>Asclepias tuberosus</i>	Butterfly Weed	
<i>Borrichia frutescens</i>	Sea Oxeeye	
<i>Calamintha coccinea</i>	Red Calamint	
<i>Carphephorus odoratissimus</i>	Deer Tongue, Vanilla Plant	
<i>Chrysopsis</i> sp.	Wooly Goldenaster	
<i>Erythrina herbacea</i>	Coralbean	
<i>Gaillardia pulchella</i>	Blanket Flower	
<i>Gaura angustifolia</i>	<i>Gaura</i>	
<i>Helianthus angustifolius</i>	October Daisy	Prefers moist sites
<i>Helianthus debilis</i>	Beach Sunflower	
<i>Hibiscus coccineus</i>	Scarlet Hibiscus	Prefers moist sites
<i>Ipomopsis rubra</i>	Standing Cypress	
<i>Liatris chapmanii</i>	Blazing Star, Gayfeather	
<i>Licania michauxii</i>	Gopher Apple	
<i>Lilium catesbaei</i>	Pine Lily	
<i>Lupinus diffusus</i> (or <i>westianus</i>)	Beach Lupine	
<i>Polygonella</i> spp	Jointweed	
<i>Solidago sempervirens</i>	Seaside Goldenrod	
<i>Tradescantia ohioensis</i>	Spiderwort	

VINES

<i>Campsis radicans</i>	Trumpet Creeper
<i>Ipomea pes-caprae</i>	Railroad Vine
<i>Parthenocissus quinquefolia</i>	Virginia Creeper
<i>Smilax auriculata</i>	Greenbriar
<i>Vitis rotundifolia</i>	Muscadine Grape
<i>Wisteria frutescens</i>	Wisteria (native)

GRASSES

Muhlenbergia capillaris	Gulf Muhley
Panicum amarum	Dune Panic Grass
Panicum virgatum	Switch Grass
Schizachyrium maritimum	Gulf Bluestem
Spartina bakeri	Sand Cordgrass
Spartina patens	Saltmeadow Cordgrass
Uniola paniculata	Sea Oats

WETLANDS/AQUATIC PLANTS

Cladium jamaicense	Sawgrass
Iris hexagona	Blue Flag Iris
Iris virginica	Blue Flag Iris
Juncus effusus	Soft Rush
Juncus roemerianus	Black Needlerush
Nymphaea odorata	Waterlily
Pontederia cordata	Pickrel Weed
Sagittaria spp.	Duck Potato, Arrowhead
Scirpus californicus	Giant Bulrush
Scirpus validus	Soft-stem Bulrush
Spartina bakeri	Sand Cordgrass
Spartina patens	Saltmeadow Cordgrass

Exhibit "C"

THE RETREAT Secondary/Accent Plant List

Each home in The Retreat should be landscaped with a majority of indigenous plants and trees from the "Approved Primary Plant List", and a minority from the "Approved Secondary/Accent Plant List". Your approved landscape architect should guide you on the proper usage of plants based on your individual needs, and should be consulted prior to review/approval by the DRB and before installation.

BOTANICAL NAME	COMMON NAME	COMMENTS
PALMS		
<i>Butia capitata</i>	Pindo Palm	
<i>Phoenix dactylifera</i>	Majule Palm	
<i>Cycas revoluta</i>	Sago Palm	Poisonous to animals.
<i>Rhapidophyllum</i>	Needle Palm	
<i>Zamia pumila</i>	Coontie Palm	Poisonous to animals.
<i>Phoenix sylvestris</i>	Silvester Palm	
TREES		
<i>Cercis canadensis</i>	Red Bud	
<i>Magnolia grandiflora</i>	Little Gem Magnolia	
<i>Juniperus chinensis</i>	Torolusa or Hollywood Juniper	Location and quantity require approval.
<i>Citrusus sp.</i>	Citrus Trees	Only to be planted on side, back or in courtyard. Limited quantity – to be approved.
<i>Cupressus sempervirens</i>	Cypress Trees	
SHRUBS/BUSHES		
<i>Viburnum obovatum</i>	Densa Viburnum/Dwarf Walter's	
<i>Agave tequilana</i>	Blue Agave	
<i>Dryopteris erythosora</i>	Autumn Ferns	
<i>Evolvulus glomeratus</i>	Blue Days/Blue Daze	
SHRUBS/BUSHES, cont'		

Bougainvillea Vine	Bougainvillea	Because of its upright nature, it is recommended to soften a courtyard wall, trash enclosures, HVAC enclosures, etc., not freestanding in the middle of the yard. No quantity limitations. Location approval is required.
Cuphea hyssopifolia	Mexican Heather	
Lantana	Lantana	
Strelitzia reginea	Birds of Paradise	
Rhaphiolepis indica	Indian Hawthorne	
Salvia splendens	Red Salvia	
Podocarpus	Japanese Yew	
Callistemon	Bottle Brush	Limited quantity.
Plumbago auriculata	Plumbago	Limited quantity.
Hemerocallis	Lily	
Equisetum hyemale	Horsetail Reed	Only in contained space such as a planter, due to invasive qualities.

ADDITIONAL NOTES

- Areas enclosed by walls or fences may be planted with adaptable, non-native species provided they are not and will not become visible from the street. Plants such as ligustrums, pindo palms, pittosporums, etc that have the potential to grow above the fence lines are not acceptable. Small areas of turfgrass are also acceptable provided they are enclosed from view.
- Pine straw is the preferred primary ground cover, however bark mulch is accepted in small accent areas (red bark mulch is never accepted).

Click here to return to
the Reference Guide.

This instrument prepared by:

Farrar J. Barker

Clark, Partington, Hart, Larry, Bond & Stackhouse
34990 Emerald Coast Pkwy., Suite 301
Destin, FL 32541
(850) 650-3304

INSTR # 1256667
OR BK 2933 Pages 2209 - 2212
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ALEX ALFORD, WALTON COUNTY
CLERK OF COURT
DEPUTY CLERK S BELL
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**STATE OF FLORIDA
COUNTY OF WALTON**

AFFIDAVIT

*(Re: The Retreat at South Walton, a subdivision
as recorded in Plat Book 14, Pages 4-4A)*

BEFORE ME, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared **FARRAR J. BARKER**, (hereinafter the "Affiant"), who, after being by me first duly sworn, says on oath as follows:

1. That the document attached hereto as Exhibit "A" is a true and correct copy of a certified copy of the resolution of the Board of Directors of The Retreat of South Walton County Homeowners Association, Inc. amending Section 7 of Article VII of the Design Guidelines for The Retreat related to the general rear yard setback for Gulf front lots.
2. That Affiant is familiar with the nature of an oath; and with the penalties provided by the laws of the State for falsely swearing to statements made in an instrument of this nature.

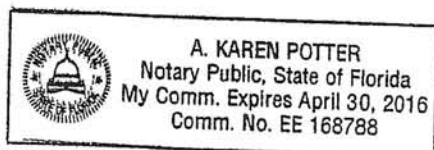
FURTHER AFFIANT SAYETH NOT.

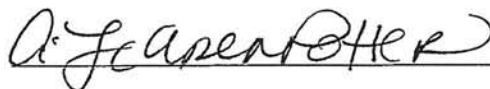

FARRAR J. BARKER

**STATE OF FLORIDA
COUNTY OF OKALOOSA**

The foregoing instrument was sworn to, subscribed, and acknowledged before me this 10th day of October, 2013, by **FARRAR J. BARKER**, who is personally known to me.

[NOTARY SEAL]




[Type/Print Name of Notary]
NOTARY PUBLIC
My Commission Expires: _____
Commission Number: _____

**CERTIFIED COPY OF RESOLUTION OF THE BOARD OF DIRECTORS
OF THE RETREAT OF SOUTH WALTON COUNTY HOMEOWNERS ASSOCIATION, INC.**

The undersigned, WILLIAM LINDER, as Secretary of THE RETREAT OF SOUTH WALTON COUNTY HOMEOWNERS ASSOCIATION, INC., a corporation not for profit incorporated under the laws of the State of Florida (the "Corporation"), hereby certifies that the following is a full, true, and correct copy of the resolutions of the Board of Directors of the Corporation, which resolutions were duly and regularly passed and adopted at a meeting of the Board of Directors of the Corporation held on September 27, 2013:

WHEREAS:

A. The plat for the Retreat at South Walton was recorded in Plat Book 14, at pages 4 and 4A of the Public Records of Walton County, Florida (the "Plat"), and the Declaration of Covenants and Restrictions was recorded on May 20, 1999, at OR Book 2016, beginning at page 8, of the Public Records of Walton County, Florida (the "Covenants").

B. Exhibit A to the Covenants sets forth the Design Guidelines to be used by the owners and the Design Review Board in connection with the architectural approval process.

C. Section 7 of Article VII "SETBACK CRITERIA" provides that the general rear yard setback for Gulf front lots is the "Coastal Control Line."

D. On August 26, 2009, the Department of Environmental Protection moved the Coastal Control Line landward various distances from the platted Coastal Control Line, and the Department of Environmental Protection may move the Coastal Control Line again in the future.

E. The Board has determined that it is the best interests of the Corporation and the owners to clarify that the term "Coastal Control Line," for purposes of establishing the general rear yard setback for Gulf front lots, means the Coastal Control Line as determined by the Department of Environmental Protection from time to time, provided that the general rear yard setback shall never be further seaward than the Coastal Control Line as it existed on the date of the recording of the Plat and Covenants and as shown on the Plat.

F. The Board has determined that it is in the best interests of the Corporation and the owners to further provide that the Design Review Board ("DRB") will honor any variances granted to an owner of a Gulf front lot by the Florida Department of Environmental Protection and any applicable local governmental authority that allows the owner to have a rear yard

setback that is further seaward than the current Coastal Control Line, provided that the permitted rear yard setback is no further seaward than the Coastal Control Line as it existed on the date of the recording of the Plat and Covenants and as shown on the Plat and is consistent with the most seaward corners of existing homes.

G. The Board has further determined that in order for the Design Review Board to make such a determination, the Design Guidelines should require the owner of a Gulf front lot to include in the site plan submitted to the Design Review Board the platted Coastal Control Line, the Coastal Control Line as it exists at the time of submission, the variance to the Coastal Control Line granted by the Department of Environmental Protection and any applicable local governmental authority, and the most seaward corners of adjacent homes.

H. The Board has further determined that it is in the best interests of the Corporation and the owners to provide that existing Gulf front homes that received final approval from the DRB are in compliance with the rear yard setback requirements notwithstanding any landward adjustment to the Coastal Control Line by the Department of Environmental Protection.

NOW, THEREFORE, BE IT RESOLVED, that Section 7 of Article VII of the Design Guidelines shall be amended to include the following:

“For purposes of the rear yard setback requirements for Gulf front lots, “Coastal Control Line” shall mean the Coastal Control Line as determined by the Florida Department of Environmental Protection from time to time, provided, that the general rear yard setback for Gulf front lots shall never be further seaward than the Coastal Control Line as it existed on the date of the recording of the Plat and Covenants and as shown on the Plat.

If the owner of a Gulf front lot has obtained a variance from the Florida Department of Environmental Protection and any applicable local governmental authority that permits the owner to have a rear yard setback that is further seaward than the current Coastal Control Line, the DRB will honor such variance, provided that the permitted rear yard setback is no further seaward than the Coastal Control Line as it existed on the date of the recording of the Plat and Covenants and as shown on the Plat and is consistent with the most seaward corners of existing homes. To enable the DRB to make such a determination, the site plan submitted to the DRB as part of the schematic or design concept shall include the location of the platted Coastal Control Line, the Coastal Control Line as it exists at the time of submission, the variance to the Coastal Control Line granted by the Department of Environmental Protection and any applicable local governmental authority, and the most seaward corners of adjacent homes.

Existing Gulf front homes that received final approval from the DRB shall be deemed in compliance with the rear yard setback requirements notwithstanding any landward adjustment of the Coastal Control Line by the Department of Environmental Protection."

FURTHER RESOLVED, that the officers of this Corporation are authorized and directed, in the name and on behalf of the Corporation, to make all arrangements; to do and perform all such acts and things; to execute, file and deliver all documents, instruments and other papers and to take any and all other action as they shall, in their judgment, deem necessary, proper, or advisable to carry into effect the purpose and intent of the foregoing resolutions; and

FURTHER RESOLVED, that any and all actions taken by any director or officer of the Corporation in connection with above resolutions prior to the date hereof are hereby ratified, affirmed and approved in all respects.

The undersigned does hereby further certify that said resolutions have not be revoked, canceled, annulled or amended in any manner and are in full force and effect on the date hereof.



WILLIAM LINDER, Secretary

Date: 10/1, 2013

**ACTION TAKEN BY WRITTEN CONSENT OF THE BOARD OF DIRECTORS
OF THE RETREAT AT SOUTH WALTON HOMEOWNERS' ASSOCIATION, INC.**

April 30, 2013

Acting by unanimous written consent pursuant to applicable provisions of Florida law, the undersigned, being all of the directors of The Retreat at South Walton Homeowners' Association, Inc., a corporation not for profit incorporated under the laws of the State of Florida (the "Corporation") hereby waive notice of a meeting and consent to and adopt the following resolutions as the action of the Board of Directors (the "Board") in lieu of a meeting and direct that this written consent be delivered to the Corporation for filing with the minutes of the proceedings of the Board.

WHEREAS:

- A. The plat for the Retreat at South Walton was recorded in Plat Book 14, at pages 4 and 4A of the Public Records of Walton County, Florida (the "Plat"), and the Declaration of Covenants and Restrictions was recorded on May 20, 1999, at OR Book 2016, beginning at page 8, of the Public Records of Walton County, Florida (the "Covenants").
- B. The Plat and the Covenants both require a building setback of 100 feet from the edge of Draper Lake.
- C. Because some lot owners have raised questions and confirmed their uncertainty as to the meaning of the "Lake Edge" of Draper Lake, the Board conducted an investigation, including obtaining the opinion of the original surveyor who platted the subdivision.
- D. Due to the uncertainty among some of the lot owners along Draper Lake, the purpose of this Consent and the resolutions set forth herein is to confirm and clarify for all lot owners the location of this setback as already provided by the Plat and Covenants.
- E. The Board has concluded and determined, after such investigation and consultation, that the "Lake Edge" of Draper Lake for purposes of the building setback called for in the Plat and the Covenants is the ordinary high water line as it existed on the date of the recording of the Plat and Covenants, and as defined on the Plat, at page 2, by the meander line shown on sheet 2 of the Plat depicting precise locatable points around Draper Lake. Therefore, the 100 foot building setback under the Plat and Covenants is calculated from the meander line, minus the distance shown on the Plat at the pertinent points between the meander line and the Lake Edge at the time of the Plat. For example, if the distance shown between the meander line and the Lake Edge on the plat is called out to be fifteen feet (15') then the 100' setback would be 85 feet landward of the meander line.

F. The meander line is reflected on a drawing, attached hereto and issued by the original surveyor, together with an affidavit by the original surveyor who prepared the Plat, which also depicts the setback for all lots around the lake.

NOW, THEREFORE, BE IT RESOLVED, that the 100 foot building setback required by the Plat and the Covenants as described in this Consent and the attached affidavit is determined by calculating the 100' foot setback from the meander line, as reflected on the drawing attached hereto and on the second page of the Plat, minus the distance shown on the Plat at the pertinent points between the meander line and the Lake Edge at the time of the Plat, and the Board shall strictly enforce the setback requirement;

FURTHER RESOLVED, that the officers of this Corporation are authorized and directed, in the name and on behalf of the Corporation, to make all arrangements; to do and perform all such acts and things; to execute, file and deliver all documents, instruments and other papers and to take any and all other action as they shall, in their judgment, deem necessary, proper, or advisable to carry into effect the purpose and intent of the foregoing resolutions; and

FURTHER RESOLVED, that any and all actions taken by any director or officer of the Corporation in connection with above resolutions or the matters discussed or addressed in this Consent prior to the date hereof shall be construed and interpreted as consistent with this Consent.

IN WITNESS WHEREOF, the undersigned, being all of the directors of the Corporation, hereby consent to the foregoing resolutions described herein as of the date set forth above.

William H. Linder

Director signature

William H. Linder

Printed name

Director signature

Printed name

Director signature

Printed name

Director signature

Printed name

Director signature

Printed name

Director signature

Printed name

**STATE OF FLORIDA
COUNTY OF WALTON**

AFFIDAVIT OF ALLEN TUCKER

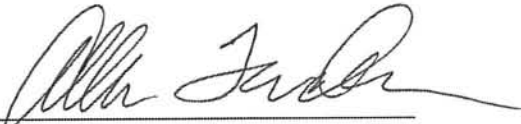
BEFORE ME, the undersigned authority, personally appeared Allen Tucker, who, after being first duly sworn, deposes and says:

1. I am over the age of 18 and competent. I have personal knowledge of the matters set forth herein.
2. I am a licensed Florida Surveyor and Mapper, having license number LS4584. I have been licensed continuously in Florida since 1988.
3. I was the surveyor of record for the plat of "The Retreat" subdivision in Walton County, Florida, which plat was recorded in Plat Book 14, at pages 4 and 4A of the Public Records of Walton County.
4. Indicated on the first page of the Plat is a 100 foot building setback dashed line from the edge of Draper Lake. It was the intent of the original developer, and the plat prepared by me, that the 100 foot building setback be fixed and not move as the edge of the lake may move over time. The "Lake Edge" on the plat was the ordinary high water line as it existed on the date of the plat. Therefore, the setback line was intended to be fixed based upon the location of the Lake Edge as of the date of the plat.
5. Accordingly, the second page of the plat shows a surveyed meander line around Draper Lake with the distance from various points shown on the meander line and the Lake Edge at the time of the plat specifically indicated. Because the meander line is fixed and locatable through ordinary surveying methodology, the intent of the survey was for the 100 foot building setback line to be determinable based upon the distance from the meander line, taking into account the distance from the Lake Edge called out on the plat. For example, if the distance called out on the plat between the meander line and the Lake Edge was 15 feet, then the building setback would be 85 feet further inland from that point on the meander line.

[THIS SPACE LEFT BLANK INTENTIONALLY]

6. I have prepared an additional survey drawing, based upon page 2 of the original Plat (PB 14, page 4A), showing the 100 foot building setback determined as described in this Affidavit. This survey drawing is attached as **Exhibit A** to this Affidavit. A full sized copy and an electronic copy have been delivered to the Board of Directors of the Association.

FURTHER AFFIANT SAITH NAUGHT.


ALLEN TUCKER

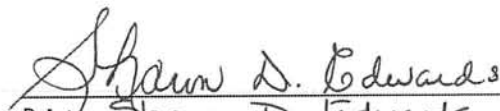
STATE OF FLORIDA
COUNTY OF WALTON

The foregoing affidavit was sworn to and subscribed, the undersigned authority,
personally appeared Allen Tucker, who is personally known to me or who produced
_____ as identification, and
who did take an oath.

^{not}



[NOTARY SEAL]


Print: Sharon D. Edwards
NOTARY PUBLIC - STATE OF FLORIDA
Commission Number: EE 852503
My commission expires 11-24-2016

