

ARCHITECTURAL DESIGN REGULATIONS

for

The Waterfront Community
of

Palm Harbor

Orange Beach, Alabama

Adopted by the Palm Harbor Architectural Committee

10 April 1997

First Revision

20 June 1998

ARCHITECTURAL DESIGN REGULATIONS

Building Set Back

Front	20	Feet
Side w/ driveway	10	Feet
Side (opposite driveway)	8	Feet
Rear	20	Feet

NOTE: Roof overhangs may encroach setbacks by up to 1' 6"

Off Street Parking

Parking space for two cars is to be provided under the house. A driveway will provide parking space for a minimum of one additional car.

Driveway's widths may not be less than nine feet and no more than 18-feet. Exceptions may be granted.

NOTE: Driveway's widths may increase upon approach to a garage area. Parking in designated yard areas is not allowed.

Main Living Level

Main living level shall be elevated on treated wood pilings or concrete pilings. Minimum height must be between 8 and 12 feet above average grade elevation of the lot. Any approved ground level floor may not be greater than 3 feet above average grade elevation of the lot.

Building Heights

Ground level slab to roof ridge cannot exceed 48 feet.

Interior Wall Height Minimums

- 10' min. - Primary living space (first elevated floor level)
- 8' min. - Secondary living space (second elevated floor level)

Porch and Deck Rails

Railing designs will be in Caribbean style. Pickets or slats need to be elaborated with decorative shapes or cuts. Single straight pickets will not be approved.

Roof Pitch/Roof Overhangs

Primary Roofs

Roofs that cover the habitable portion of the house or porches shall have a roof pitch of between 5 :12 and 10:12.

Secondary Roofs

Roofs that cover only porches shall have a roof pitch of between 3:12 and 5 :12. All primary and secondary roofs shall have a minimum overhang of 1' 0".

Flat Roofs

Allowed only if used as deck or covered porch surface on the second or third levels over a conditioned space below.

Wood Trellis

Used only if flat and attached to a vertical wall surface. A trellis may be considered to be roof cover for side and rear porches only.

Exterior Doors

Single or double leaf doors with 50% glass (minimum). Sliding glass doors not allowed.

Exterior Door Shutters

Door shutters are encouraged. They must be operable and cover openings completely.

Exterior Windows

To be of a vertical proportion 1:1.5 minimum or square. No horizontal proportioned windows or sliding windows allowed. No Glass Block allowed.

Window frames must be constructed of wood or wood clad materials. No aluminum windows will be permitted. No vinyl windows will be permitted.

Exterior Window Shutters

Window shutters are required except for "porthole" type windows and windows opening on to porches or balconies. Shutters must be operable and cover openings completely.

Roof Decoration

Fascia board and/or rafter tails along eaves must have decorative cut profile. It is strongly encouraged that both be used and be individually/custom designed.

Roof ridge decorations (such as finials, etc.) are encouraged.

Floor Systems

Floor systems at main level may be constructed of wood floor framing on wood or concrete pilings. Ground floor areas under the house must be concrete slab.

Wall Systems

Permitted:

- Stucco over masonry structure.
- Stucco over wood frame, no expansion joints allowed.
- Wood siding (painted)
- Hardy Plank

Not Permitted:

Brick veneer, Plywood veneer, Stone veneer, Masonite and certain synthetic siding including vinyl and aluminum, glass block.

Roofing Systems

Cement Tiles - flat or barrel type. Samples must be submitted prior to installation.
Approved metal roofs. Samples must be submitted prior to installation.

Chimney

Must be stucco over concrete block or stucco over metal lath or wood frame. Flue pipe may be exposed. Brick veneer not allowed. Flue pipe enclosure/chimney must extend to the ground.

Mechanical Equipment

Air conditioning and other exterior house related mechanical equipment must be surrounded by a lattice screen or by landscaping in an amount sufficient to screen such equipment from view.

Exterior Lighting

Low voltage landscape lights are required along front property line wall at entry walk and driveway and may not exceed 18" in height above grade. These lights shall operate off a photoelectric cell and remain operational year round.

Building lights are to be placed above or alongside exterior doors and may not exceed 40 Watts each.

Light fixtures must be submitted for approval prior to installation.

Fences

A fence or a hedge is required across the front of each lot. The center line of the fence or hedge must be between one and two feet back from the sidewalk at the front property line. A gate or opening will be required at the drive. A small "man" gate is optional.

A hedge may be no higher than five (5) feet and no lower than three (3) feet.

A fence may be no higher than five (5) feet and no lower than three (3) feet. A fence may be wrought iron or aluminum for any height between three (3) and five (5) feet. A fence may be made up of a stuccoed masonry wall of eighteen (18) to twenty four (24) inches in height with wrought iron or aluminum fencing atop the stucco wall extending the total height of the fence to five (5) feet.

Side and rear yard fences are not allowed. Side yard shrubbery and planting is required. Please show this planting on the architectural drawings.

Landscaping

Minimum landscaping is required and maximum landscaping is encouraged. Show all landscaping on the architectural drawings.

See Fences

See Mechanical Equipment

Colors

Building exterior color, trim color and roof colors are subject to approval prior to application. Color samples to be submitted with drawing submittal.

Design Approval

All designs of residences must be submitted for design approval to the Palm Harbor Architectural Design Committee prior to construction. A plan review fee of three hundred dollars (\$300) must accompany the plan submittal. Checks should be made out to The Palm Harbor Property Owner's Association. Two (2) sets of plans and specifications are to be submitted to:

The Palm Harbor Architectural Design Committee
~~to Thomas S. O'Hara~~
~~Kaiser Health, Inc.~~
~~2455 Perdido Beach Boulevard~~
COASTLINE MANAGEMENT
229 EAST 20TH AVE Suite 13
Gulf Shores, AL 36542

~~Orange Beach, AL 36561~~

Once submitted, the plans will be reviewed by the Architectural Design Committee within (30) days. If no response is received to the initial submittal from the Architectural Design Committee within that time period, the plans will be deemed to have been approved.

Architectural plans may be submitted in two stages. During the Preliminary Design Review stage, the Palm Harbor Architectural Design Committee will assist the architect with the site layout, land usage, basic building structure, and construction materials. The committee may make suggestions about the various aspects of the submitted designs. It is strongly recommended that all plans first be submitted for Preliminary Design Review in order to minimize changes to plans resulting from suggestions made by the committee.

In the Final Design Review stage, the Palm Harbor Architectural Design Committee will review all plans, specifications and color schedules to ensure compliance with all PALM HARBOR design regulations. In order to minimize delays, the architect should ensure that each requirement of the ARCHITECTURAL DESIGN REGULATIONS and the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR has been met prior to submission to the committee.

Approvals are based on designs meeting all of the requirements of the PALM HARBOR ARCHITECTURAL DESIGN REGULATIONS in addition to meeting its spirit and intent.

The above ARCHITECTURAL DESIGN REGULATIONS requirements are in addition to those required by Baldwin County, the City of Orange Beach, Alabama, the Alabama State Building Code, and the requirements set forth in the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR.**

Excerpts from the design requirements set out in the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR** are shown below. It is the responsibility of the property owner to familiarize himself with both the ARCHITECTURAL DESIGN REGULATIONS and the entire **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR.** It is the further responsibility of the property owner and his or her architect to ensure that the plans are in compliance with all appropriate building codes.

Variances to the PALM HARBOR Design Regulations and its intent may be granted on design merit only, rather than hardship.

Construction Period

In order to better coordinate activities within PALM HARBOR, a Notice of Intent to Commence Construction must be delivered to:

The Palm Harbor Architectural Design Committee
~~at Thomas S. O'Rourke~~ **COASTLINE MANAGEMENT**
~~KASER REALTY, INC.~~
~~24951 Perdido Beach Boulevard~~ **Po Box 951**
~~Orange Beach, AL 36561~~ **Gulf Shores, AL 36547**

before any construction activities may commence. Such notices may be in letter form and should indicate the lot to be built upon, the proposed schedule of construction, and any special requirements that the owner or builder may have during the construction period.

It is the owner's/builder's responsibility to repair any damage caused to PALM HARBOR due to the construction of the owner's home.

Parking and construction traffic should be limited to those areas around the home to be constructed.

Except during periods of delivery or removal, no dumpsters, construction trash, or stored materials may be placed in the streets or common areas.

END- ARCHITECTURAL DESIGN REGULATIONS

1. The above documents called ARCHITECTURAL DESIGN REGULATIONS set out the requirements for residential construction within Palm Harbor. The following information is included in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR portion of the "Association Documents" and also sets out specific requirements that may or may not be addressed in the ARCHITECTURAL DESIGN REGULATIONS but are never the less requirements for construction. This is only a summary. Property owners should be familiar with the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PALM HARBOR in its entirety prior to commencing design of your residence.

Excerpted from the
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
PALM HARBOR,
A PLANNED UNIT DEVELOPMENT**

ARTICLE IV

ARCHITECTURAL COMMITTEE: ARCHITECTURAL CONTROL

Section 4.2 Approval Required. No structure shall be commenced, erected, placed, moved on to or permitted to remain on any LOT, nor shall any existing structure upon any LOT be altered in any way which materially changes the exterior appearance thereof, nor shall any new use be commenced on any LOT, unless plans and specifications (including a description of any proposed new use) thereof shall have been submitted to and approved in writing by the ARCHITECTURAL COMMITTEE. Such plans and specifications shall be in such form and shall contain such information as may be required by the ARCHITECTURAL COMMITTEE, including: (i) architectural plans, elevations and specifications showing the nature, kind, exterior color schemes, shape, height and materials of all structures proposed for the LOT; (ii) a site plan of the LOT showing the location with respect to the particular LOT (including proposed front, rear and side setbacks and free spaces, if any are proposed) of all structures, the location thereof with reference to structures on adjoining portions of the PROPERTY, and the number and location of all parking spaces and driveways on the LOT; (iii) a grading plan for the particular LOT; (v) a plan for landscaping; (vi) Corps of Engineers or other appropriate governmental permit. All of said plans shall address the matters set forth in ARTICLE V, as applicable.

Section 4.4 Retention of Copy of Plans Upon approval by the ARCHITECTURAL COMMITTEE of any plans and specifications submitted hereunder, a copy of such plans and specifications, as approved, shall be deposited for record with the ARCHITECTURAL COMMITTEE and shall be retained for a period of no more than six (6) months after completion of the improvement, and a copy of such plans and specifications bearing such approval, in writing, shall be returned to the applicant submitting same.

ARTICLE VI SITE DEVELOPMENT

Section 6.1 Site to be Staked Prior to Tree Cutting...

Section 6.2 Erosion Control...

Section 6.6 Landscaping The landscape plan must be approved by the ARCHITECTURAL COMMITTEE prior to any site disturbance. The landscape plan shall...

Section 6.7 Colors: Architectural Styles All exterior building materials and colors must be approved by the ARCHITECTURAL COMMITTEE...

Section 6.8 Exterior Lighting Exterior lighting plans must be set forth on the architectural or landscape plans for a LOT, and must be approved by the ARCHITECTURAL COMMITTEE...

ARTICLE VIII
GENERAL COVENANTS AND RESTRICTIONS

Section 8.1' **Permitted Uses and Structures** ...No building or structure shall be erected, altered, placed or permitted to remain..., not to exceed two (2) stories and forty-eight (48) feet in height (except, that an attic, or the area between the ground and the main livable floor...shall not be considered a floor for this purpose.

Section 8.3 **Minimum Dwelling Area** The main floor livable area (heated and cooled area) of the main building or structure, exclusive of open porches and garages, shall contain not less than nine hundred (900) square feet in the case of a one (1) story building or structure; or not less than one thousand four hundred (1,400) square feet in the case of anything greater...

2. The above excerpts cover many of those regulations not necessarily included in the ARCHITECTURAL DESIGN REGULATIONS. You are urged to familiarize yourself with both the ARCHITECTURAL DESIGN REGULATIONS and **the complete DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS** in the "Association Documents".