

The Destiny East Design Code & Construction Regulations

Adopted on May 5, 2001
Revised on September 8, 2003
Revised on April 19, 2004
Revised on July 27, 2004
Revised on October 25, 2004
Revised on January 17, 2005
Revised on February, 22 2006
Revised JAD Engineering 23 Feb 08
Revised on 12 August 2008
Revised on 09 September 2008
Revised on 02 March 2009
Revised on 25 March 2011

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Notes:

1. Variances to the Design Code may be granted on the basis of architectural merit.
2. This code will be updated periodically, and all subsequent changes will apply to all buildings that have yet to complete a Conceptual Design Submittal by the Architectural Review Board.
3. This code was developed to control visual quality and environmental compatibility for Destiny East. In cases of contradiction with State or Local codes, this Design Code shall be overruled, with notification to the Architectural Review Board. In no way does compliance with this code exempt a structure from conformance with other applicable codes and ordinances.

**SECTION 1
GENERAL**

1.1 SHORT TITLE

This document shall be known, referred to herein and may be cited as the "Design Code".

1.2 AUTHORITY

This Design Code has been prepared in accordance with and to satisfy the requirements of Article 6 (Architectural Control) and specifically Section 6.3 of the Declaration of Covenants, Conditions, This Design Code, once adopted by the Board of Directors, shall serve as the Architectural Restrictions and Easements of Destiny East. Planning Criteria by which all new development within Destiny East must conform.

1.3 ARCHITECTURAL PLANNING CRITERIA PERMIT

Pursuant to Section 6.3 of the Declaration of Covenants, Conditions, Restrictions & Easements of Destiny East, an Architectural Planning Criteria Permit must be obtained before any lot clearing or construction may begin on any lot. An applicant seeking such a permit is required to submit to the Destiny East ARB two (2) complete sets of plans and specifications in accordance with the process detailed in Section 4 of this Design Code.

1.4 DEFINITIONS

Architect (building): An individual who is legally qualified and licensed to practice architecture (design buildings and structures for human habitation) by the State of Florida.

Architect (landscape): An individual who is legally qualified and licensed to practice landscape architecture (plan and design of outdoor environments / sites for human interaction) by the State of Florida.

Bedroom: A room intended as a sleeping room. For the purposes of this Design Code any room that is closed on three sides, has or has not a window, shall be considered a bedroom. Any area that has been set aside as a bunk area shall also be considered as a bedroom.

Carport: A roofed structure open on at least one side for the purpose of covering an area for parking automobiles.

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Contractor: A person or company, who is licensed in the State of Florida and contracts to build buildings, structures and site elements.

Custom Design (as related to home design): The design of a specific house, its related outbuildings and site elements for a specific client on a specific site by an architect or designer.

Deck: A covered or uncovered platform (usually wood) built above grade level, which is attached to a house.

Architectural Review Board (ARB): A committee selected by the Board of Directors of the Destiny East Owner's Association and assembled for the task of reviewing and approving Design code compliance and aesthetically compatible designs for individual projects within the development. When no such committee has been selected the Board of Directors shall serve in such capacity.

Dwelling Unit: A complete private residential structure with spaces for living, sleeping, bathing, cooking, automobile parking, and general storage.

Easement: The area of land privately owned but reserved legally for the use of public infrastructure, public access and other public improvements above or below grade.

Facade: The face or faces of a building. A facade is the vertical surface between two opposing building corners from ground level or first floor level to the eave of the roof.

Footprint: (as related to a built structure): The area at ground level covered by the entire structure (including interior spaces, porches, garages, etc.), excluding roof overhangs.

Forecourt: A small garden area usually defined with fencing or walls between the lot front property line and the front face of the house.

Front of House: The face or faces of a dwelling unit or adjacent structure that fronts a main street or a designated greenway. The main / public entry into the house is usually located or indicated on this face.

Garage: An outbuilding or part of the main house, air-conditioned or not, which is fully enclosed for the purpose of housing automobiles and providing general storage.

Garden Structure: A small structure (such as a trellis, gazebo, etc.), with or without a roof, built for the purpose of enhancing the utilization of garden areas.

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Impervious (area or material): All the area of a lot covered by structures, pavement, aggregates, pools, and rooftops, or other material, which prevents the penetration of water into the ground.

Impervious Surface Ratio: A calculated maximum percentage of ground surface area of a site or lot allowing the use impervious material covering.

Outbuilding: A building separate from the main house, and subordinate in size and function to the main house but for the primary purpose of providing a support function or a alternative function to the main house.

Pervious (area or material): All the area of a lot covered by structures, pavement, aggregates, pools, and rooftops, or other material, which allows the penetration of water into the ground.

Porch: A covered and attached platform (raised or at grade level), associated and parallel to front entrance facades, as well as, secondary entrances of rear and / or side facades of a dwelling unit.

Proposed Improvements: Any construction, modification, alteration, or improvement to any dwelling and/or lot whatsoever. Not to include interior alterations not affecting the external structure or appearance of the dwelling unit and/or lot.

Right of Way: Areas of land allocated between and in or through private property boundaries, dedicated to public or private communities, for the placement of infrastructure, the routing of roadways, the routing of pedestrian access pathways, the creation of on-street parking and the routing or retention of stormwater.

Setback: The mandatory distance between a lot boundary line and the nearest building edge.

Stairs (exterior and Interior): Composed of risers, treads and safety railing, a structural element which connects different levels of an enclosed structure, deck, porch, or garden structure (such as ground level to first floor level or first floor level to second floor level).

Start of Construction: Site clearing shall define the beginning of Construction.

Street: The paved (or unpaved) area located within a portion of the Right of Way dedicated to vehicular traffic.

SECTION 2
ARCHITECTURAL DESIGN CRITERIA

2.1 MINIMUM SQUARE FOOTAGE (Heated & Cooled Space)

LOTS 20-38 & 140-144	2,500 SQ. FT.
LOTS 75 - 126	1,500 SQ. FT.
LOTS 1-19, 39-74, 127-139 & 145-214	1,800 SQ. FT.

2.2 SET BACKS*

Side yards	5 feet
Street front yard	20 feet
Street side yard	10 feet
Rear yard	10 feet
Lake front**	15 feet

Street rear yard of Lots 1 - 19 have 10 foot setback along Destiny Boulevard (County Road 2378)

*Building Setbacks are controlled by the City of Destin.

**Destiny East Covenants, section 13.4, page 27, requires a 15 ft. set-back from the lake

2.3 HEIGHT

Height limitation is 38' to a point at the average height of the roof as measured from the lower of the following two choices:

- A. The highest point of the center of the street adjacent to the lot.
- Or
- B. The lowest finished floor elevation of the house including garages, basements and/or carports.

2.4 SIDEWALKS

All Lots will have matching sidewalks located along the street frontage at the property line or as close as Utility hardware (Transformers, etc.) permits. See the Sidewalk Detail in the appendices for color, pattern and location. Special edging tools are available at the Destiny East Clubhouse.

2.5 DRIVEWAYS

Driveways are to be constructed from interlocking concrete brick pavers or stamped concrete. No plain concrete driveways are allowed. Design and color to be approved by Destiny East ARB.

2.6 GARAGES & PARKING

- A. Attached or detached.

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- B. Garage may be the first floor of house but it must be finished outside as part of house. All garage doors to be approved by Destiny East ARB.
- C. All garage designs shall match the house design.
- D. Carports are allowed. All carport designs to be approved by Destiny East ARB.
- E. Garage apartments are allowed subject to approval by Destiny East ARB.
- F. Vehicles may not be parked on the streets or in the Common Areas overnight. Owners and their guests must be able to park all automobiles and other vehicles within the confines of their lots. The locally adopted codes require that at least two parking places be provided on each developed lot. In some cases, two parking places may not be adequate. A more realistic number shall be determined by use of the following two tests and formulas:
 - 1. If the number of Bedrooms is three or fewer then the number of Parking Places shall be two.
 - 2. Else if the number of Bedrooms is greater than three, then the number of Parking Places shall equal the Number of Bedrooms minus one (1).
- G. Owners are required to graphically demonstrate that their proposed designs will accommodate the requisite number of vehicles either in garages or driveways or in combination thereof. The graphic symbol for an automobile or any other vehicle shall be a diagonally crossed rectangle, drawn to scale and measuring eight (8) feet wide by eighteen (18) feet long. These graphic symbols must not cross one another or extend over the property lines and/or sidewalks. The graphic representation shall be shown on the site plan.

2.7 FOUNDATION

- A. Slab on grade
- B. Slab above grade
- C. Pilings

2.8 EXTERIOR

- A. Siding - Stucco, or Hardiplank lap siding in smooth, wood grain or colonial patterns. Other siding material must be approved by the Destiny East ARB.
- B. Exterior Trim on Houses with Lap Siding:
Minimum 6" wide trim at all corners and openings.
On lots with little or no slope, lap siding is to stop a minimum of 18" above ground level. A horizontal trim band (water table) with a minimum width of 10"

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will be run at the bottom of the lap siding and the area from the bottom of this horizontal trim to the ground will be skirted with stucco.

On sloping lots the area from the finished first floor level to the ground shall be skirted with stucco. A horizontal trim band (water table) with a minimum width of 10" shall be added to separate the lap siding from this stucco skirt.

- C. Exterior Stairs - These elements shall be not be freestanding and must be screened with solid walls which may be sloped to match the slope of the stairs.

2.9 WINDOWS

Casement, awning or single hung/double hung wood, vinyl clad, or aluminum with white baked enamel finish. All windows are to be as tall (or taller) than they are wide. Any changes to the above rule must be submitted with a Variance Application (Form 3).

2.10 ROOF MATERIAL

Concrete or clay tiles in either flat or barrel design. Colors approved by Destiny East ARB. Metal- standing seam, natural color. Other colors are allowed but must be approved by Destiny East ARB.

2.11 ROOF PITCH

Minimum 6 x 12 on main roof. Accessory roofs of differing slopes must be approved by the Destiny East ARB.

2.12 FENCES

- A. Unique designs are encouraged. All fence designs to be approved by Destiny East ARB. The only materials allowed for fence construction will be stucco, metal and stone.
No wood fencing allowed.
No solid fencing higher than 48" is allowed.
Fences are not required.

2.12.1 Privacy walls placed along Scenic Highway 98

The following are regulations pertaining to privacy walls placed along Scenic Highway 98:

1. Maintenance of the wall will be the responsibility of the installing party/homeowner. However, the Association will establish the maintenance requirements for the south face of the wall which will include a re-painting schedule. All privacy walls installed along Scenic Highway 98 shall be

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on the same maintenance time table regardless of the installation date. The owner will sign an agreement stating these conditions. The agreement shall be recorded as a covenant on the land and shall run with the land

2. All privacy walls constructed shall be on a 12'4" module beginning at the Destiny East entrance monument located at Isle of Palms Blvd. The Association will establish the pilaster/column locations base on the stated start point. All wall construction will be located within the property line.
3. Restoration of landscaping south of the new wall will be the responsibility of the installing homeowner. Maintenance of any such landscaping shall be as currently maintained and in accordance with the Destiny East Design Code and Construction Regulations, covenants, and related documents.
4. The association will have final approval of each wall plan to insure adjacent walls are built in the correct spot to fit in with the Master Plan and other walls that have been built. The homeowner must submit detailed drawings for approval showing the property line, fence location, landscaping considerations, drainage considerations, and utility conflicts w/ resolution of any such conflicts at a scale of not more that 1"-10' and an elevation drawing showing existing grades.
5. All walls will have the same color matching the existing Isle of Palms entrance monument.
6. Walls will be constructed of 8" CMU with a stucco finish on a 2'6" wide x 12"(minimum) foundation in accordance with the design details included herein. The owner, installation contractor, and the engineer of record shall be responsible for structural adequacy of the finished product. All wall/fence construction must conform to all local, regional, and state building codes.
7. Wall height will be 6'0" above existing grade with pilasters/columns at 6'6" above existing grade.
8. Decorations, landscaping and/or graphics on or on top of the south side of the wall will not be allowed.
9. Stand alone and/or those walls not connected to adjoining walls will have, as minimum one 12'4" "wing" wall section that conforms to existing construction rules.

2.12.2 Privacy walls

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1. All privacy walls must be approved by the Destiny East ARB.
2. Privacy walls are to be a maximum of 6'0" high.
3. Privacy walls are to match the main structure as to finish & color.
4. Submittals required:
 - a. Site plan, minimum scale 1:10.
 - b. Scaled Elevation drawing with finishes identified.
 - c. Scaled Cross section between the main structure and any adjacent structures (or streets etc.).
 - d. Scaled Landscape plan.

2.13 PAINT COLORS

All colors shall be approved at the sole discretion of the Destiny East ARB. An Owner may be required to paint a test swatch at a corner of the house for the Destiny East ARB to review in the field.

2.14 Garbage

If garbage/trash containers are to be kept outside, the containers must be kept in a side or rear yard completely screened and secured from any street or public area and located where not to negatively impact any neighbor. They Containers should be located no closer than two (2) feet to any side or rear property line and properly ventilated

2.15 Swimming Pool Equipment

Swimming Pool Equipment must be kept in a side or rear yard completely screened and secured from any street or public area and located where not to negatively impact any neighbor. Equipment should be located no closer than two (2) feet to any side or rear property line.

2.16 Satellite reception equipment

Satellite reception equipment having a diameter of less than 36" will be allowed with ARB approval. It must be installed on the house below the roofline in a reasonably unobtrusive manner or at a location approved by the ARB.

SECTION 3 LANDSCAPE DESIGN CRITERIA

3.1 INTRODUCTION

The goal of the Destiny East ARB as it relates to landscaping is to review the Site Plan, Landscape Plan and Irrigation Plan, to ensure that Destiny's goals and philosophies are met. The quality and tone of the landscaping was established in the lush tropical nature of the Common Areas. The objective of this Section of the Design Code is to ensure that the efforts made by the individual homeowners and builders are consistent with and at least equal to that of the overall development. It is recommended that plant materials be massed in clusters to present a natural and informal feeling using sufficient vegetation to present a mature appearance at the time of installation. The landscape plan should incorporate any existing natural areas occurring on your lot as well as existing landscape treatments to common property lines.

3.2 SUBMITTAL REQUIREMENTS

Pursuant to Section 6 of the Declaration of Covenants, Conditions, Restrictions and Easements, two (2) copies of a Site Plan, Landscape Plan, Landscape Lighting, and Irrigation Plan are to be submitted in accordance with the process detailed in Section 4 of this Design Code to the Destiny East ARB for review and approval prior to the start of any lot clearing or construction.

- A. A Site Plan showing house orientation and initial lot clearing for construction must be submitted along with house plans for approval before any clearing or building can begin.
- B. A Landscape Plan prepared by a Landscape Architect or approved equivalent must be submitted to the Destiny East ARB showing the following:
 - 1. Location of all plant materials i.e., street trees, palm and canopy tree groupings, shrub clusters, groundcover masses, etc.
 - 2. Location of sodded areas. All sod in Destiny East is to be St. Augustine 'Raleigh', Zoysia, or Centipede.
 - 3. Location of driveways and sidewalks. Sidewalks are to be 4' wide adjacent to the property line (or as close as Utility hardware will permit) and are to continue the pattern already in place in the Common Areas of Destiny East.

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- C. The Landscape Plan will include the entire lot including the street right-of-way extending to the edge of the curb. The area between the property line and the edge of the street will be considered part of the lot and must be landscaped, irrigated and maintained.
- D. An Irrigation Plan must be submitted in conjunction with the Landscape Plan showing the layout of an automatic sprinkler system having 100% minimum coverage of all the landscaped areas. Kneeland's Sprinkler Systems, Inc. of Niceville, installed the master irrigation system and all the Common Area irrigation. Contracting with Kneeland's Systems, Inc. for residential sprinkler system installation is encouraged, but not required. Specifications are as follows:
1. Controllers are to be RC series Rainbird controllers mounted on the exterior of the house with a lockable cabinet.
 2. All valves are to be DV-100 Rainbird valves zoned at no more than 15 GPM per valve.
 3. All valves are to be covered with standard 6" round valve boxes.
 4. All wire connections to valves are to be connected with wire nuts and weather sealed with DBY connectors.
 5. All valve wires are to be minimum of 18 gauge wire.
 6. All spray heads are to be 1800 series Rainbird pop ups.
 7. All risers are to be equipped with RBPA-8s shrub adapters. All irrigation heads are to be installed generally out of sight.
 8. All rotor heads are to be Rainbird R-50 rotors.
 9. All irrigation systems are to be connected to the master irrigation system provided by the development.
 10. All irrigation time clocks will be controlled by the lawn maintenance contractor and not the home owner to synchronize the irrigation of the whole property.
 11. The cost to install the irrigation system is the responsibility of the lot owner.
 12. Basic irrigation system maintenance will be done by the landscape contractor. This includes making sure the system functions correctly and replacing broken heads. Any modifications to the irrigation system will be the expense of the homeowners. Any repair expenses other than broken heads will be charged to the homeowner.

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These would include, but are not limited to, clock repairs, broken lines, damage from outside sources, etc.

13. The Destiny East Owner's Association reserves the right but not the obligation to provide irrigation water.
14. No Lot Owner shall drop an irrigation well point without the approval of the Destiny East Owner's Association.
15. Owners may elect to use municipal water for irrigation purposes in lieu of water provided by the Destiny East Owner's Association, but may not use water for irrigation purposes from both sources.

3.3 MINIMUM PLANTING STANDARDS

- A. All plant material shall conform to the minimum standards for Florida Number One or better, as set forth in "Grades and Standards for Nursery Plants", State of Florida Department of Agriculture.
- B. Soil amendments and fertilizer applications at installation should conform with current standards endorsed by the American Association of Nurserymen.
- C. All planting beds, tree rings, shrub groupings, and palm clusters shall be installed and maintained with a minimum layer of two inches (2") of clean, fresh pine straw, cypress or eucalyptus mulch. In lieu of mulch, (1 1/2") of cypress or eucalyptus chips may be used.
- D. All newly installed trees and palms shall be staked only as necessary to insure stability during the initial established period for landscape installation.
- E. Any landscape improvement project involving changes to plant material exceeding two and one half (2½") inches in trunk diameter and/or four (4) feet in height must be submitted to the Destiny East ARB for approval. All submittals must be in accordance with section 4 of the Destiny East Design Review Code along with a Design Change Application (Form 4).

3.4 LANDSCAPING MAINTENANCE

The Owner's Association will provide landscape maintenance for all houses. Only full time permanent residents may choose to maintain their own yard. This Landscape Maintenance Expense will be billed to owners pursuant to Section 12.4 of the Declaration of Covenants, Restrictions and Easements of Destiny East.

SECTION 4
DESIGN REVIEW SUBMITTAL PROCESS

4.1 GENERAL

- A. Destiny East maintains a design review process for the purpose of reviewing designs for construction of the individual residences within the development, and any proposed improvements. The process does not intend to stifle design creativity, yet it does intend to ensure that each home design supports the goals and concepts of the community. The Architectural Review Board (ARB) shall make approvals and denials for compliance with this Design Code. The ARB shall endeavor to make fair and just decisions on all projects, but shall have the sole authority to deny plans based on their professional opinion as it relates to the interpretation of the Design Code. Approval of a project does not constitute that the ARB warrants construction means, methods or quality, nor conformance to zoning, building or other regulatory codes affecting building construction in the City of Destin and the State of Florida.
- B. The ARB will conduct one (1) full project review, which may include up to three (3) design review meetings per project and one (1) site visit of the completed project to verify conformance with the intent of the design documents submitted. This fee for a project review is located on the attached Board of Directors Approved Fee Schedule. The review fee shall be included with the design review submittal package. This fee is not to be confused with and is distinct from the current refundable Construction Deposit noted on the Board of Directors Approved Fee Schedule.
- C. Plans for proposed improvements that impact the footprint and/or exterior appearance of the dwelling and/or lot are subject to reimburse the ARB any expenses incurred for the design review.
- D. Plans for proposed improvements that impact the footprint of the dwelling and/or lot must submit a refundable construction deposit as identified on the Board of Directors Approved Fee Schedule.

4.2 DESIGN REVIEW SUBMITTAL

- A. The applicant shall submit with the Design package a Design Review Application (Form 1). If the applicant knows of any exceptions or non-compliance items, they must fill out and submit a Design Variance Application (Form 3) with the package.

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- B. The Design Review package shall include two (2) complete sets of the following:
- (1) Design Review Application (Form 1)
 - (2) A Proposed Color Palette (Form 2)
 - (3) Design Variance Request Application if any (Form 3)
 - (4) Engineer certification that storm water runoff and drainage conforms with existing City of Destin Code.
 - (5) Site plan at a minimum 1/16" scale that indicates the following:
 - a. Scale and north arrow
 - b. Building/outbuilding/structures footprint & placement
 - c. Required setbacks
 - d. Actual setbacks
 - e. Dimensions of Driveways, parking areas, walks, garden walls and fencing
 - f. Clearly indicate the number of bedrooms and how the required number of vehicles may be parked on the lot in accordance with the tests and formulas noted in Paragraph 2.6(F) of this Design Code.
 - g. Porches, patios, decks, etc.
 - h. Swimming pools and spas
 - i. Finish floor elevations
 - j. Roof overhangs
 - (6) Floor plans at 1/8" scale or 1/4" scale for all structures (dimensioned and labeled)
 - (7) Roof plan for all structures drawn at the same scale as floor plan(s)
 - (8) All elevations showing:
 - a. Porches and balconies
 - b. Doors, windows and other openings
 - c. All exterior materials
 - d. Heights of each floor and mean height of main and highest roof
 - e. Roof pitches indicated
 - f. Details as required showing design intent on specialty features
 - (9) A landscape plan prepared in accordance with the requirements noted in Paragraphs 3.2(B) & 3.2(C) of this Design Code and which indicates the following:
 - a. Existing trees and understory vegetation to remain.
 - b. Proposed new trees and understory vegetation

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- c. Plant identification by botanical and common name, size and quantity.
 - d. Notes for implementation, soil amendments, finishes and industry plant grades.
- (10) A landscape irrigation plan prepared as noted in Paragraph 3.2(D) of this Design Code.

4.3 BOARD ACTION

Complete design Packages must be submitted to the management company a minimum of ten (10) business days prior to the monthly scheduled ARB meeting. The ARB, upon receipt of the recommendations from the Association Architect/Engineer, Landscape approval letter, and a copy of the City of Destin "Stormwater Certification for SFD/Duplex Lots with an Approved Subdivision Stormwater Management Plan", shall have up to thirty (30) days for the Design Review. The ARB shall provide approvals, or denials (with comments), via formal written letter on letterhead. If necessary, a third review meeting shall be conducted upon submittal of a Revised Design package. This review meeting shall only be conducted if revisions are required to the Design submittal. A formal appeal of a decision must be submitted in writing to the ARB. If a COMPLETE Design Submittal is not reviewed within thirty (30) days, it shall be deemed "Approved".

4.4 COMPLIANCE

- A. Applications shall be reviewed for compliance with the Destiny East Design Code version, which is current as of the application submittal date. Design approvals shall expire 12 months from the date of the approved project design. Upon approval, construction must commence within sixty (60) days from the start date of lot clearing, and construction and must be completed within twelve (12) months.
- B. Failure to meet the aforementioned requirements, except in those instances as described in the Destiny East Declaration of Covenants, Restrictions and Easements (Article 6) will result in the forfeiture of surety bonds/ construction deposit. If construction has not commenced within one year of the approval date, the lot owner must resubmit for design approval. Resubmission applications for expired approvals must conform to the Destiny East Design Code version, which is current as of the resubmission date.

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4.5 CHANGES TO APPROVED PLANS

A Design Change Application (Form 4) and drawings depicting the changes must be submitted for any exterior or site changes that are to be made to an approved plan during the construction process, no matter what the reason for changes.

**SECTION 5
CONSTRUCTION REGULATIONS**

5.1 CONSTRUCTION COMMENCEMENT APPLICATION

Work may not commence until formal written approval has been given by the ARB.

5.2 CONSTRUCTION DEPOSIT

The owner, contractor, or builder must submit a check made out to the **Destiny East Owners Association in the amount located on the Board of Directors Approved Fee Schedule** to serve as a refundable Construction Deposit.

5.3 OCCUPANCY

All work must be completed prior to occupancy.

5.4 CONSTRUCTION RULES

During construction, the following rules will apply:

- A. Work may occur between 7:00 a.m. and 6:00 p.m.
- B. Work days are Monday through Saturday only. Work may also be suspended on some major holidays; formal written notice shall be sent in a timely manner to all homeowners and their contractors or builders that are engaged in active construction projects.
- C. Lot access for construction must be in the same location as the driveway planned for the home.
- D. All dumpsters and portable toilets must be kept within the property and shall be replaced as soon as they are filled to capacity.
- E. The site/work area shall be kept clean and neat at all times, no exceptions. **No notice shall be given and all costs associated with clean up by Association Management labor shall be deducted from the amount to be refunded of the Construction Deposit.**
- F. All construction parking shall be on the property or in pre-approved designated areas in front of the property. Damage to off-site elements such as, sidewalks, curbs, parking areas, plantings, etc., shall be repaired by the Owner's and their contractors or builders at no cost to the Destiny East Homeowner's Association. The time of such repairs shall be made at the sole discretion of the ARB; however, all such repairs shall be made prior to occupation of the building.

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- G. Landscape areas and trees to remain must be properly barricaded at all times and shall not be damaged during construction.
- H. Work shall not encroach on neighboring property or Common Areas. Debris found on adjacent properties or Common Areas shall be removed immediately. No exceptions. **No notice shall be given and all costs associated with removal of debris by Association Management labor shall be deducted from the amount to be refunded of the Construction Deposit.**
- I. Loud music, loud talking, cursing or any other form of disturbance will not be tolerated. No exceptions. On the first offense, the labor present shall be given a verbal warning and a letter outlining the incident shall be sent to the homeowner and their contractor or builder. On the second offense, a formal written notice to Cease and Desist shall be sent via the United States Postal Service to the contractor or builder.
- J. All trash and debris must be removed from the ground at the end of each day.
- K. In the event of severe weather, it is the owner/contractor's responsibility to ensure that the construction site has been secure to prevent debris from causing damage to adjacent structures.
- L. It is the owner/contractor's responsibility to ensure that proper erosion control measures are taken from the beginning of the lot being cleared. It is mandatory that silt fencing be placed around the perimeter of the construction site to prevent damage to adjacent lots.

5.4 PERIODIC REVIEWS

Periodic reviews/visits to construction sites by ARB members will occur on a recurring, unscheduled basis. Any deviations/violations from the Destiny East Design Code that are noted will be reported to the Board of Directors for corrective action. The Destiny East Owners Association reserves the right to withhold all funds from Surety Bonds/Construction Deposits for the offset of any/all cost associated with correcting any/all violations of the Design Code. **Any owner who violates the Destiny East Design Code is also subject to the maximum fine allowable by Florida state law.**

SECTION 6
SIGN ORDINANCE

6.1 INTENT

It is the intent of this Sign Ordinance to standardize all signs utilized in Destiny East on order to establish consistency while affording each lot or home owner the ability to bring attention to his need; i.e., sell, rent, identity, etc. These signs are approved by the Destiny East Owner's Association Architectural Review Board (ARB). Changes to this Sign Ordinance can only be made by the aforementioned body.

6.2 STANDARD SIGN

The Standard Sign will be one-sided, will face the street and will be located no closer than ten (10) feet from the curb. It will be 18" high and 24" wide with the shape and design shown on Exhibit "A" contained in the appendices of this Design Code. The total height of the installed sign may be no higher than three (3) feet from the ground and the sign shall be mounted on a 2" by 2" wood post. Each sign shall contain the Destiny East logo and shall be white with blue or red letters as indicated on the Exhibits contained in the appendices of this Design Code. The wood post shall be painted white.

6.3 STANDARD COLORS

The Standard Colors are:

- | | | |
|----|-------------|-------|
| A. | Blue Vinyl | #2002 |
| B. | Red Vinyl | #2020 |
| C. | White Vinyl | #2010 |
| D. | Black Vinyl | #2001 |
| E. | Gold Vinyl | #2175 |

6.4 SIGN PURPOSES

Signs shall be placed on a lot for the following purposes only:

- A. Under Construction

6.5 RENTAL SIGNS

The Destiny East Design Code and Construction Regulations

Rental signs must be affixed to the home and shall be 14" high by 18" wide as shown on Exhibit "C" contained in the appendices of this Design Code.

6.6 DECORATIVE PLAQUES

Decorative name or address plaques may be affixed to a home if desired or be freestanding. These plaques must be approved by the ARB prior to installation and shall not exceed two (2) square feet in size.

6.7 CONSTRUCTION SIGNS

During construction one construction sign shall be allowed within the front setback of the lot to assist subcontractors and others to locate the lot within the community. The sign shall be erected only at the commencement of construction and shall be removed at the completion of construction. The sign does not have to comply with the size and color limitations described on the Exhibits contained in the appendices of this Design Code, but shall be no larger than 30" wide and 36" high (this height is to facilitate the posting of permits, notices, etc.). The total height of an installed construction sign shall be no greater than four (4) feet above the ground.

6.8 VACANT LOTS

No signs shall be allowed on vacant lots other than a standard lot ownership sign (Exhibit "D") or a sign offering the lot for sale which conforms to the standard sign specifications as shown on Exhibit "A".

6.9 AVAILABILITY

Standard signage is available from "Signs Now" (654-0081) and "Impact Graphics" (664.0021).

6.10 COMMERCIAL SIGNS

No signs, banners of a permanent or temporary basis shall be placed, posted or erected, which advertise, offer or solicit business or a retail or commercial nature, without the prior review and approval of the ARB.

6.11 REMOVAL OF NON-CONFORMING SIGNAGE

The Destiny East Design Code and Construction Regulations

The Destiny East Owner's Association, through their Management, shall have the absolute authority to remove and retain, without notice, any and all signage which is prohibited, non-conforming to standard specifications or not having prior approval of the ARB.