



# DESIGN & DEVELOPMENT GUIDELINES

Revised **(May 2011)**

# **JONATHAN'S LANDING**

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# **BACKGROUND INFORMATION**

## **DESIGN AND DEVELOPMENT GUIDELINES**

The Design and Development Guidelines for Jonathan's Landing were prepared to serve as minimum standards and recommendations for the development and continuing redevelopment of this unique property in northern Palm Beach County, Florida. Jonathan's Landing is carefully monitored and administrated by the Design Control Board.

The stated goal of the Design Control Board (DCB) is to approve plans for the development of parcels and lots and to approve any changes or alterations in the originally approved plans.

The DCB functions on all aspects of exterior design and development of Jonathan's Landing including, among other items: the selection of colors, textures, materials, landscaping and architectural style. DCB approval granted herein is based upon its determination that the proposed construction is aesthetically consistent and in harmony with the general scheme of development of the Jonathan's Landing community.

While individual parcel and lot development expression is encouraged throughout Jonathan's Landing, certain guidelines have been established to maintain a measure of quality and consistency throughout the community. Once plans have been reviewed and approved by the individual Condominium Association (CA) or Home Owners Association (HOA), they then come to the DCB for final approval. All changes to the Jonathan's Landing Golf Club and the Jonathan's Landing Marina Club are also subject to review and approval by the DCB. Notwithstanding the above, any decision of the DCB shall be subject to appeal and review by the Board of Directors of the POA. Pursuant to the By-Laws of the POA, the Board of Directors of the POA shall have a veto power over any decision made by the Design Control Board. Such veto power may be exercised by a majority of the Directors at any Board of Directors meeting, after application made by an aggrieved member or by any member of the Design Control Board.

Additionally, although J.L. Property Owners Association, Inc. (also referred to herein as “JLPOA”) has the authority to make all final decisions regarding changes or modifications to JLPOA property, in most cases, JLPOA will seek the input and recommendations of the DCB before implementing such changes or modifications.

In this same regard, and consistent with the JLPOA’s commitment to maintain an overall well groomed appearance with manicured landscaping throughout the community, all Villages, the JL Golf Club and the JL Marina Club are reminded that when addressing temporary seasonal decorations, they should keep in mind moderation, good taste and the high standards set for the community and that inappropriate items such as blow-up decorations are prohibited.

**Importantly, plans and specifications are not approved by the DCB for engineering design or safety, or setback/code compliance. By approval of such plans and specifications, neither the DCB, the members thereof, nor the Board of Directors of J.L. Property Owners Association, Inc., or the members thereof, assume liability or responsibility for such compliance. It is the responsibility of each individual homeowner/builder to comply with all applicable codes, setbacks and other requirements, and to obtain all necessary State, County or local permits and approvals.**

## **BACKGROUND INFORMATION**

Jonathan’s Landing is comprised of 606.2 acres of land owned since 1974 by Jonathan’s Landing, Inc., formerly API of Palm Beach, Inc. (a subsidiary of Alcoa Properties, Inc.)

Jonathan’s Landing lies in unincorporated Palm Beach County and is situated south of Indiantown Road, east of Highway Alternate A1A (SR 811) and west of the Intracoastal Waterway. The property stretches south from Indiantown Road for a distance of approximately one and one-quarter miles and is bordered on the south by Admiral’s Cove.

Jonathan's Landing is zoned in Palm Beach County as a Planned Unit Development (PUD). As required under Section 500.21 of the County Land Development Manual, a preliminary Master Land Use Plan and related documents were presented and approved by the County on December 19, 1974. Since that time, a final Master Land Use Plan has been certified by the County. Plats also have been filed and approved by the County. The first plat recorded involved the dedication of a 30-acre public park at the northeast corner of the site. Subsequent plats provided for the construction of streets and utilities to service residential parcels, which were developed in response to prevailing marketing conditions.

The total 606.2 acres which comprise Jonathan's Landing include about sixty (60) acres of meandering salt water courses that are connected to, and are an extension of, the Intracoastal Waterway. These privately owned water courses, which include 10.5 miles of shoreline, have been dredged by Jonathan's Landing, Inc. to a depth of approximately 5 feet and 7.5 miles of shoreline have been developed for residential use. All rights, title and interest in and to the land underneath these bodies of water, which Jonathan's Landing, Inc. owned, has been transferred to J.L. Property Owners Association, Inc. for regulation, control, operation, and for the benefit and enjoyment of all.

Sixty (60) acres of controlled-level fresh waterways have been created which, in combination with the existing water system described above, result in Jonathan's Landing becoming a series of islands and peninsulas on which all residential development is built.

Excavated material from the controlled-level fresh waterways was utilized to raise lower-lying portions of the property and provide for positive drainage. All building pads must be constructed at a minimum elevation of 8.5 feet above MSL. This elevation is in conformance with the County Engineering Department and Federal Flood Insurance Regulations. The controlled-level fresh water system has been dedicated to J.L. Property Owners Association, Inc. for the use and enjoyment of all residents.

Water and sewer lines of sufficient size to serve all development contemplated at Jonathan's Landing now border the northerly and westerly sides of the site. Utilities are supplied by the Town of Jupiter Water System, Florida Power and Light, the Loxahatchee River Environmental Control District, and applicable telephone company.

Jonathan's Landing, Inc. constructed all major streets shown on the approved Master Land Use Plan, as well as all related utilities from Highway Alternate A1A (SR 811) and Indiantown Road throughout the project, in an orderly manner as was dictated by market absorption.

### **JONATHAN'S LANDING GOLF CLUB**

The original golf course at Jonathan's Landing was completed and opened in late 1978. Two additional "sister" golf courses located in Martin County, at a site approximately 12 miles west of Jonathan's Landing, called "Old Trail", were completed in 1986 and 1990 respectively.

Presently, the Jonathan's Landing Golf Club operates these facilities, together with a clubhouse and a separate tennis facility located on the main property within Jonathan's Landing, and a clubhouse at the Old Trail site. As a private member-owned equity golf club, Jonathan's Landing Golf Club offers a number of equity membership options to JL property owners and a limited number of equity memberships to those living outside of the community.

The community's central clubhouse offers both casual and gourmet dining in its dining rooms and lounges and is a focal point for members to enjoy an active social lifestyle. The Old Trail clubhouse features similar amenities, along with a second Pro Shop. The tennis facility has tournament quality Har-Tru courts, several of which are lighted for night play. Along with the Jonathan's Landing Marina, the Golf Club is a member of JLPOA, which pays assessments and which is bound by the governing documents of the Jonathan's Landing community.

Jonathan's Landing Marina on the Intracoastal Waterway is a privately owned and operated marina, having thirty-one wet slips, a fueling dock and related facilities. In addition, a dry boat storage facility exists which presently can accommodate 350 boats up to 40' in length. The Marina has a variety of amenities including a Private Membership Marina Club with dining privileges in a casual island setting, private party room and catering services, social and boating activities, private swimming pool and a ship's store. This Marina, operating since February 1982, is a public facility with access limited to wet slip owners, leaseholders of dry storage and/or wet slips, Marina Club members, Marina Boat Club members and invited guests. Priority for berths is given to Jonathan's Landing residents.

There exist twenty-five individually owned condominium boat docks on the west side of Casseekey Island accommodating yachts from 40' to 100' in length. Full utilities are available, including fresh water, telephone, cable television and power outlets. The docks are surrounded by navigable water with direct access to the Intracoastal Waterway. Originally sold to Casseekey Island homeowners, the resale of these docks must first be offered to Casseekey Island residents, then to Jonathan's Landing residents and finally to non-residents.

The commercial site shown on the Master Land Use Plan has been developed as The Shoppes of Jonathan's Landing and is no longer part of the JL Master Plan (PUD).

The civic parcel shown on the Master Land Use Plan has been sold to the Grace Immanuel Bible Church.

JLPOA maintains a pedestrian/bike/electric cart promenade system, allowing on-site travel alternatives in place of the automobile. In most residential parcels, the promenade and street will be one and the same. On most JLPOA roads, a separate and distinct promenade system has been provided.

The residential areas which comprise the main land use elements of Jonathan's Landing, by virtue of the existing major road extensions and the construction of the golf course and waterways, are organized into 27 parcels of land, all of different size and product mix, completely serviced and surrounded by outstanding amenities.

As required by the Jonathan's Landing Amended and Restated Declaration of Covenants and Restrictions on the land, all alterations and additions (except those made by JLPOA), must receive the approval of the DCB, as well as comply with all of the general requirements and specific parcel requirements which are set forth under appropriate sections of the Design and Development Guidelines and the governing documents of the individual CA's and HOA's. In addition, all alterations and additions must obtain the requisite approvals from Palm Beach County.

# **DESIGN CONTROL BOARD REQUIREMENTS**

## J.L. PROPERTY OWNERS ASSOCIATION, INC.

### A. GENERAL

J.L. Property Owner Association, Inc.'s Design Control Board (hereinafter the "DCB") will be responsible for the final approval of all physical development and improvements that are proposed by the CA or HOA for each village, as well as the JL Golf Club and the JL Marina Club. Additionally, JLPOA, which is responsible for all the Common Area throughout Jonathan's Landing, submits most proposed major modifications or improvements to the DCB for its input and recommendations. However, JLPOA will have sole responsibility for final approval of such improvements and modifications. The DCB may consult architects, landscape architects, planners, engineers, inspectors, attorneys, and/or others to assist and advise in the performance of its functions. The tenets of nature preservation, design compatibility, and property value enhancement will be the primary criteria upon which decisions are made. ***The DCB may reject a proposed project purely for aesthetic considerations without citing specific objectives if, in its judgment, the proposed project is not consistent with the intent and objections of the Design and Development Guidelines.*** The DCB will not address interior design issues unless they affect the exterior appearance of a house.

The stated goal of the DCB is to review for approval all plans for the development of the lots and parcels, the design and construction of new homes, and the renovation and expansion of existing homes, repair and restructure of the entire development. No exterior improvements or alterations shall be permitted without prior official written approval of the DCB. All exterior improvements or alterations require the written approval of the particular CA or HOA before submission to the DCB. Notwithstanding the above, any decision of the DCB shall be subject to appeal and review by the Board of Directors of the POA. Pursuant to the By-Laws of the POA, the Board of Directors of the POA shall have a veto power over any decision made by the Design Control Board. Such veto power may be exercised by a majority of the Directors at any Board of

Directors meeting, after application made by an aggrieved member or by any member of the Design Control Board.

**B. REVIEW AND APPROVAL**

After an applicant receives written approval from the appropriate CA or HOA, a fully executed DCB request form, accompanied by required plans, documentation and fees (as set forth herein) must then be submitted to the DCB for review and approval. If properly submitted, it is anticipated that the review by the DCB will take no longer than thirty (30) days from the date of submission and/or be reviewed at the next meeting.

The materials and information requested are necessary to make informed, intelligent decisions and must be submitted in full before a project will be reviewed. All submittals will be reviewed for quality, completeness and accuracy when a project is placed on the DCB's agenda. Applicants have the opportunity to approach the DCB before extensive work on a proposal or design idea has been performed. Although not mandatory, applicants are encouraged to take advantage of this opportunity, so there is never the need for outright rejection of a project and the loss of associated costs with its design.

PRELIMINARY SUBMISSIONS AND REVIEW is used to determine if the proposed construction is being designed to meet the intent and purpose of these Design Guidelines. After preliminary review and acceptance, detailed architectural drawings must be provided.

FINAL SUBMISSION AND REVIEW is the main approval mechanism for projects and is designed to give the applicant definitive feedback on project acceptance, conditional acceptance, or rejection.

C. **ALTERATION TO EXISTING STRUCTURES/PROPERTY**

After development in accordance with approval plans, any exterior changes and/or alterations, including landscaping, must be submitted to the DCB after the project receives CA or HOA approval. Such submissions must be on forms supplied by the DCB, accompanied by material samples, color selections and professional drawings sufficient to describe the proposed changes or alterations. Upon receipt of all required information, the DCB will act on the applications within thirty (30) days or at its next meeting. This same procedure must be used by the developer and/or builder where owners desire additional changes during the construction process.

As associations are controlled by homeowners, prior written approval must be obtained from the appropriate individual CA or HOA before the DCB takes action. In the case of the JL Golf Club and the JL Marina Club, all proposed changes or alterations must be submitted directly to the DCB for approval.

D. **PRELIMINARY SUBMISSIONS AND REVIEW**

The following items shall be included in preliminary submissions for review by the DCB for all projects, including alterations and additions.

1. Site Plan and Survey: showing the location, configuration and dimensions of the proposed construction, including building footprint(s), driveways, pools, deck, docks and pilings and/or any other proposed structures. Property lines, easements and setbacks shall also be clearly indicated.
2. Architectural Plans: (scale 1/8" = 1') showing floor plan, roof plan, and four elevations of the proposed construction. Depict on drawing the finishes for roof, roof overhang, siding, trim, driveway material, etc., to ensure compliance with these Design Guidelines.

3. Landscape Plan: (scale 1/8" = 1') showing existing typography (solid lines) and proposed contours (dashed lines); all site features including hardscape and landscape. Landscape plans must convey a scale representation of all planting material, identified as to size, genus name, specie and variety. This data may be incorporated into a planting schedule tabulation that is presented in a separate plan or incorporated into the site plan and elevation drawings. Elevation drawings, all sides, will include profile of trees.

E. **FINAL SUBMISSION AND REVIEW**

The following items shall be included in the Final Submission for review by the DCB for all projects, as applicable, including alterations and additions.

1. Site Survey
2. Site Plan
3. Architectural Drawings
4. Landscape Plan
5. Building Materials and Color Samples
6. Tie-In Survey: After footings are poured the DCB requires a tie-in survey.
7. Final Inspection: Prior to Final Inspection by the Palm Beach County Building Department and the issuance of a Certificate of Occupancy, the homeowner and/or builder shall notify the DCB of the impending inspection so that a representative of the DCB may inspect the completed facility to ensure compliance with these Design Guidelines. This Final Inspection does not prohibit the DCB from intermediate inspection during the construction process to ensure the work under construction is consistent with the approved plan and it complies with Design Control Board Guidelines.

F. **DEPOSITS AND PROCESSING FEES**

The DCB requires deposits and processing fees for various types of renovations, additions and new construction. The breakdown of such deposits and fees currently required for such submittals is as follows:

	<u>Total Deposit</u>	<u>Non-Refundable Fee from Deposit</u>
NEW HOME CONSTRUCTION	\$3,500.	\$ 750
2 <sup>nd</sup> FLOOR ADDITIONS	\$2,300.	\$ 500
1 <sup>ST</sup> FLOOR ADDITIONS	\$1,500.	\$ 200
OTHER ADDITIONS AND/OR INSTALLATIONS	\$ 300.-500.	\$ 150

**DEPOSITS AND FEES ARE SUBJECT TO CHANGE**

Non-refundable fee deductions are made for administrative costs. Additionally, the DCB will deduct any outside consultant's fee and the cost of repairing any damage to neighboring properties or JL Common Areas caused by the construction from the deposit prior to reimbursement of any remaining funds at the end of the project. If the cost of repair exceeds the deposit (less administrative and professional fees), then the homeowner who had the work performed bears the final responsibility.

JLPOA can individually assess for damage to JLPOA Common Area as provided in the Jonathan's Landing Amended and Restated Declaration of Covenants and Restrictions.

The application fees must be remitted with the original application before the project is placed on the DCB agenda for review (the check is to be made payable to J.L. PROPERTY OWNERS ASSOCIATION, INC.). Once a project receives final inspection and approval from the DCB and any damage to neighboring or Common Area property is repaired, any deposit amounts remaining will be refunded to the homeowner.

# **ARCHITECTURAL GUIDELINES**

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Architectural guidelines are established for Jonathan's Landing in order to create an architectural character for the development as a whole and yet allow for creativity and individuality.

All proposed architectural plans and construction drawings for construction or modifications to individual parcels or lots must be approved by the individual CA or HOA and then by the DCB. JL Golf Club and the JL Marina Club must submit such plans and drawings directly to the DCB for approval. Full cooperation with the Design Control Board will expedite the approval process.

### **1. ARCHITECTURAL DESIGN ELEMENTS**

The following architectural design elements represent some of the contemporary adaptations of an attitude and a spirit from an earlier period, which are valid criteria for arriving at residential design decisions in Jonathan's Landing.

- a. Creation of indoor-outdoor living spaces and flows.
- b. Straight-forward rectangular or modular structures with predominately hip or gable roofs.
- c. Minimum decorative architectural embellishment such as "coins", window "bands" and wall "caps" consistent with the architectural style.
- d. Courtyards, patios, decks, etc. to extend indoor living outward and vice-versa.
- e. Clerestories to bring in natural light.
- f. Non-repetitive, visually interesting roof lines.

## 2. **BUILDING SIZES**

In any residential lot or parcel, the following minimum standards for building sizes apply (air conditioned space):

<u>Unit Type</u>	<u>Minimum Unit Size</u>	<u>Height</u>
MR (mid-rise)	1300 sf	4 story/above
ZZ (zero lot line)	1800 sf	1 story
Z (zero lot line)	1700 sf	1 & 2 story
TH (town homes)	1300 sf	1 & 2 story
SF (single family)	1800 sf	1 & 2 story
Condominium	1300 sf	one or more

### **JONATHAN'S LANDING SETBACK CRITERIA**

All setbacks are measured from the property lines. If there is an easement on the property which is greater than the setback requirement, the easement setback will prevail. Variances from the stated setback criteria as allowed by Palm Beach County will prevail. Setbacks from mangroves and the edge of the bank are dependent upon individual circumstances and subject to DCB approval (or as mandated by Palm Beach County where applicable).

#### **SINGLE FAMILY HOMES – ESTATE HOMES**

	<u>FEET</u>
Front Setback/Front Entry Garage	25
Front Setback/Side Entry Garage	25
Side Setback	7.5
Side Corner	15
Rear Setback	15
Rear Pool Setback	10.5
Rear Screen Enclosure	7.5
Walls and Fences	0 – 4

#### **PATIO HOMES – ZERO LOT LINE (ZLL)**

Front Setback/Front Entry Garage	25 feet from garage door 10 feet from front of house wall
Front setback/Side Entry Garage	10 feet
Side Setback (non-“O” side)	10 feet
Side Corner	20 feet
Rear Setback	10 feet

## **PATIO HOMES – ZERO LOT LINE (ZLL) (CONTINUED)**

Walls & Fences	0 to 4 feet
Front Pool Setback	23 feet
Rear Pool Setback	5 feet
ZLL Side Interior Pool Setback	3 feet
Opposite ZLL Interior Pool Setback	6 feet
Front Screen Enclosure	20 feet
Rear Screen Enclosure	2 feet
ZLL Side Screen Enclosure	0 feet
Opposite ZSLL Side Screen	5 feet

### **3. EXTERIOR COLORS**

The DCB is particularly concerned that the over-all community image and theme be preserved through strict adherence to even seemingly minor details. One such area where continuity will be maintained is in the selection of exterior colors. All exteriors of buildings, outbuildings or fences and all exterior surfaces of any type, quality or nature shall be painted or otherwise covered in (uniform, soft, warm, and/or earth-tone) colors approved by the individual CA or HOA and then the DCB. All exterior changes to the JL Golf Club and the JL Marina Club are also subject to review and approval by the DCB.

### **4. MATERIALS OF CONSTRUCTION**

The basic building materials used in residential and commercial construction, in general, should be as few as possible and well-adapted to the climate of South Florida. Best results are usually attained by limiting selection to local indigenous substances in order for dwellings to blend with and become a part of the natural landscape. If employed in this manner, such materials will afford lasting results of beauty and durability. All materials must be indicated in submission to the DCB.

- a. Wood, stucco, stone and brick are the more basic materials.

- b. Roof Coverings should be compatible with the architectural style of the building. In special circumstances, if approved by the DCB, flat roofs will be acceptable. Clay tile, pre-cast concrete tiles, natural and fiberglass shakes and metal shingles are acceptable materials for roofing. As new materials become available they will be evaluated by the DCB and may be approved. In order to preserve the uniform scheme of development in Villages with dwelling units that have shared roofing, all dwelling shared or common roofing must be replaced at the same time. Therefore, each CA or HOA must ensure that all shared roofing for any attached dwelling units is being replaced when reviewing and approving an application for the replacement of roofing material, before the application is submitted to the DCB.
- c. Screen enclosure frames to be electrostatically painted (e.s.p.) dark bronze or white with charcoal fiberglass screen. Only mansard and hip roofs are permitted. No flat roof screen enclosures are allowed.
- d. Driveways & Walkways to be concrete, brick or concrete pavers only. Other than the original material, color and design, only one other change in material per Village in driveway/walkway replacements will be approved.

5. **GARAGES AND ELECTRIC GOLF CART STORAGE**

Entrances may not face the street unless set back a minimum of 25' from the property line or side loading garages a minimum of 10' from the property line, and approved by the DCB. Provided however, that homes constructed or modified prior to the effective date of these Guidelines that do not comply with these setback restrictions shall be deemed "grandfathered". However, any modifications to such homes after the effective date of these Guidelines must comply herewith. Carports are acceptable only in Villages where they presently exist.

Garage doors must be kept closed at all times and be equipped with mechanical/automatic openers. With the exception of condominium units, new garages and golf cart storage units must be attached to and flush against the residential structures.

6. **ROOF PITCHES**

Roofs of low density residential structures shall be covered with materials (see #4 Materials of Construction) of high quality and shall have a minimum pitch of 3:12, unless said requirements are waived in writing by the DCB. Flat roofs are only acceptable with specific approval of the CA or HOA and the DCB.

7. **SATELLITE DISHES**

The installation of satellite dishes are subject to the code of Federal Regulations, Title 47, Section 1.4000 (the "Rule"), which prohibits community associations from unreasonably restricting a homeowner from installing and using a satellite dish or antenna.

The Rule applies to satellite dishes that measure one (1) meter (39.37 inches) or less in diameter. However, the Rule does not apply to common areas owned by a community association or jointly by condominium owners. Therefore, condominium unit owners may not affix a satellite dish to the exterior of the condominium building.

Homeowners are required to submit an Application to the COA or HOA for the installation of a satellite dish to ensure the proposed location of the satellite dish is in an area over which the homeowner has an ownership interest and exclusive use and control. Once approved by the COA or HOA, an Application must then be submitted to the DCB for its approval of the satellite dish location.

Whenever possible, the satellite dish should be installed in an area that is best "hidden from view" but, at the same time, does not impair its ability to obtain a strong signal, or result in the homeowner incurring any unreasonable expense.

8. **GARBAGE COLLECTION AREAS**

All approved garbage dumpster areas must be hidden by a screening device and unobstructed truck access must be provided. All garbage placed in containers shall be sealed in standard trash bags made of materials of sufficient strength to contain garbage placed therein without ripping or tearing. Garbage containers on non-collecting days shall be shielded from view and not be left out overnight for next day collection.

9. **MECHANICAL EQUIPMENT, DUCTWORK, GUTTERS, DOWNSPOUTS, AIR CONDITIONING, HEATING, SOLAR PANELS, ETC.**

The DCB has established the following guidelines:

- a. All flat roof-mounted mechanical equipment and/or vents which project above the roof or roof parapet are to be painted or screened and be consistent with the color scheme of the building. All mechanical equipment installed at grade level is to be screened with landscaping or a wall. Mechanical equipment on pitched roofs is not allowed. Window units of any kind are not permissible.
- b. Gutters and downspouts are to be painted to match the surface to which they are attached. With prior approval of the individual CA or HOA and the DCB, copper may be used or they may be painted in such a way as to be used as a major design element, if the application is consistent with the architectural theme of the building.
- c. Vents, louvers, exposed flashing, tanks, stacks, overhead doors, rolling and “man” service doors are to be painted consistent with the color scheme of the building or made of copper with approval of the individual CA, or HOA, and then the DCB. Solar heating systems will be allowed with an adequate parapet wall provided which will be preferably hidden

from view within a 200' radius of the installation, and as required by law. Submission is subject to Palm Beach County approval.

- d. Installation of any solar collection panel system requires prior written approval of the individual CA, or HOA, and the DCB. In selecting the location for the installation of such equipment, every effort must be made to minimize the visual and aesthetic impact on the community. Pursuant to Section 163.04, Florida Statutes, such equipment may be required to be installed in a location designated by the CA, HOA or the DCB, as long as such location is within an orientation to the south or within 45° east or west of due south, if such determination does not impair the effective operation of the solar collectors.

#### 10. **TEMPORARY BUILDINGS**

Temporary buildings, structures, porta-potties, sheds, tents or trailers are prohibited by The Declaration of Covenants and Restrictions, except where approved for a reasonable period of time for development. If approved, they must be a minimum of 10' from the street and screened from view.

#### 11. **CONSTRUCTION COMMENCEMENT AND COMPLETION**

Construction must commence within twelve (12) months of DCB approval unless a written extension is obtained from the DCB. Once construction has begun, it shall proceed continuously and be completed within a 12 month period of time unless a written extension is obtained from the DCB.

#### 12. **CONSTRUCTION QUALITY**

All construction including, but not limited to, additions, modifications, pools and patios, awnings, painting and landscaping or any other exterior work on any

portion of the lot shall be performed with uninterrupted diligence in a neat and orderly manner until completion thereof.

13. **CONSTRUCTION NOISE**

Construction workers may enter the community at 7:00 AM and begin work at 7:30 AM. Work must stop at 4:30 PM and workers must be off work site by 5:00 PM Monday through Friday. However, construction may be permitted later than 5:00 PM or on Saturday if noise is minimized and prior approval is obtained from the CA or HOA and Jonathan's Landing Security. There will be no Sunday construction activity.

14. **SWIMMING POOLS AND SPAS**

The DCB will review all plans for pools and pump equipment houses or pertinent equipment, including landscaping or screening fences. However, the homeowner, not the DCB, is responsible for ensuring that the design and operation of swimming pools, pool equipment and pool areas shall conform to all rules and regulations of the Palm Beach County Health Department and to the standards of the County Building and Zoning Code.

15. **HURRICANE/STORM SHUTTERS**

The DCB recommends that hurricane shutters be painted the same color as the house or trim. The following are the accepted standards for the use of hurricane shutters on all homes in Jonathan's Landing:

If a home owner has approved painted metal panels, accordion or rollup hurricane shutters, they may, subject to the rules and restrictions of the Village within which the home is located, be left in the closed position at the homeowner's discretion when the homeowner is not in residence or when the

U.S. Weather Bureau has issued an official storm “**WATCH**” for Palm Beach County.

If a home owner does not have approved painted metal panels, accordion or rollup hurricane shutters installed, they may use temporary storm protection defined as unpainted metal panels, plywood, or other various unfinished materials. Temporary hurricane protection cannot be put up before the U.S. Weather Bureau has issued an official storm “**WATCH**” for Palm Beach County and cannot be left up more than seven (7) days after the storm or “watch” has been lifted.

As new hurricane protection materials become available they will be evaluated and may be approved as permanent or temporary storm protection by the DCB.

16. **USE OF GLASS BLOCK ALONG ZERO LOT LINE (ZLL)**

The use of glass block or similar translucent materials along the ZLL shall be subject to the following provisions:

a. Building Code

The glass block shall comply with all of Palm Beach County code requirements, including product type, fire rating, energy codes and other construction standards.

b. Translucency

Only translucent glass block, which allows no shapes to be visible through the block, shall be used.

c. Light Transmission

Only glass block with no more than 75% exterior light transmission shall be used.

d. Surface Area

The use of glass block shall be limited to no more than 64 square foot of the surface area of the wall abutting the ZLL.

17. **AWNINGS**

Awnings are for sun protection only. No metallic awnings of any kind are permitted – only acrylic fiber fabric or equivalent will be acceptable. Colors of fabric shall not be marred by excessive ornamentation, but shall be soft pastels to match the existing paint on the body of the house or some color very similar to it. Muted striping may be acceptable. All colors must be submitted to the DCB with a sample or brochure of the material to be used.

18. **EXTERIOR ORNAMENTATION**

The display of any plaques, sculptures, statues, fountains or ornamentation of any kind is not allowed, either attached or unattached, on the exterior walls of any residence or displayed in any manner on any portion of the property. Exceptions may be granted but require approval of the individual CA or HOA, and then the DCB.

# **LANDSCAPING GUIDELINES**

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All landscape materials are to be identified as to specific size to be planted: genus, specie, variety, and type. An itemized list of all material to be installed must be part of the Landscape Plan submission.

Landscaping plans are an integral part of the architectural plan for Jonathan's Landing. The degree to which landscape plans are formalized and the extent of detail contained in each plan will vary according to the sizes and magnitude of the landscape requirement. To provide a common approach to the preparation of landscape plans for review by the DCB, guidelines have been developed along with specific submission requirements.

### 1. **RELATIONSHIP**

Landscape elements shall be considered a strong unifying element and therefore should reflect the physical, functional and aesthetic qualities of the site and relate carefully to the architectural design elements.

### 2. **COMPOSITION**

Simple palettes of materials in clustered compositions are recommended to achieve an acceptable quality of design. Trees, both lines and masses, should be utilized to enclose and sub-divide exterior spaces relative to each site and area within. Long horizontal or vertical surfaces, either buildings or landscaping, should be interrupted or modulated by foliage spaced at odd distances and of different types.

### 3. **WALLS, FENCES AND OTHER ANCILLARY STRUCTURES**

Walls and fences shall be designed so as to be attractive from any viewable area. No walls or fences shall exceed six (6) feet in height. All walls should be capped.

All exterior air conditioning units and pool equipment, electric and gas meters are to be screened from view from access streets and adjacent properties by a fence, a wall or mature landscape materials.

Colors, materials and finishes on all exterior building elevations, walls, screens and fences are to be coordinated to carry through total community theme and continuity of design within each parcel.

4. **SITE DESIGN FEATURES**

All site features such as roads, promenades, walks, bike paths, walls, bulkheads, docks, etc., are to be graphically noted on the Landscape Site Plan. The exact location of all exterior lighting and signage is required and a schedule of the lighting fixtures must be identified.

5. **SUBMISSION REQUIREMENTS**

For submission requirements, please see the DCB requirement section herein. Additional elevations, sections and/or sketches are also recommended if needed to fully explain the landscaping concept.

6. **REMOVAL OF NATURAL VEGETATION**

The Declaration of Covenants & Restrictions and very specific governmental permitting requirements exist concerning the removal of natural shoreline vegetation. All such activity must be in conformance with these requirements and closely coordinated and approved by the DCB.

Removal of natural shoreline vegetation is prohibited and trimming activities on mangroves are allowed only in accordance with guidelines provided by the Florida Department of Environmental Protection or the current governing body.

7. **SHORELINE PRESERVATION AND/OR CHANGE**

Preservation of the shoreline must be in conformance with all South Florida Water Management District permits, Corps of Engineers and Department of Environmental Regulation permits and be approved by the DCB. Maintenance must also be approved. NOTE: Fresh and salt water have different requirements.

8. **PLANTING OF FRUIT TREES**

Each single family residential unit in Jonathan's Landing may be allowed to plant one citrus or fruit tree in their rear yard only. If, for some reason, the area in the rear is not adequate to eventually receive a full grown tree, then that single tree may be planted in the side yard as far back from the street as possible. The property owner will be responsible for the extra fertilization and pruning necessary to grow a healthy tree and shall be responsible for the daily maintenance and removal of the fallen fruit. A sketch of the house on the lot showing the location and type of proposed tree must be submitted to the DCB.

**Importantly, it should be noted that adjoining neighbors have the right to trim and cut back any landscaping extending over the property line. The law in Florida specifically states: *“A homeowner has the right to trim his neighbor’s landscaping if that landscaping encroaches on his property (i.e. extends over the property line). It is irrelevant whether the landscaping poses any “danger” to the property. If it encroaches over the property line it may be “cut back” to the property line. In fact, the law in Florida is clear that the property owner affected by encroaching landscaping is responsible for protecting his property (at his expense)”.***

# **PIER GUIDELINES**

## **PIER CONSTRUCTION GUIDELINES**

These guidelines are to ensure systematic and consistent pier construction throughout the Jonathan's Landing development.

### 1. **DEFINITIONS**

The following definitions apply to these guidelines:

- a. **Bent:**  
A pile unit, structurally connected, consisting of two or more piles and a bent cap which supports the pier deck.
- b. **Bent Cap:**  
The poured reinforced concrete or wood unit which structurally connects the two pilings and upon which the pier deck rests.
- c. **Mooring Pile:**  
A wood or reinforced concrete pile located such that the docked boat is between the mooring pile and the pier.
- d. **Pier:**  
Pile supported structure extending into the waterways for docking boats or other recreational or personal watercraft.
- e. **Pier Easement**  
Identifies the boundaries within which a pier may be constructed and must be maintained. Pier Easements are granted by the POA and recorded in the public records of Palm Beach County, Florida.
- f. **Gangway:**  
The pile supported structure providing access to the pier.
- g. **Sleepers:**  
Longitudinal wood or concrete members, constructed parallel to the centerline of the pier and securely fastened to the bent cap to which the topmost traverse decking is fastened.
- h. **Bulkhead:**  
A wall built of wood, concrete or other fabricated material, along the shoreline to mitigate wave and current erosion of the uplands, and as a retaining wall to keep uplands from becoming submerged lands.

i. Floating Dock:

A dock that floats on the water or that can be partially submerged to permit entry of a ship or personal watercraft or vessel and may be raised again to floating position, to keep the personal watercraft or vessel dry.

j. Personal Water Craft:

Personal watercraft shall be defined in accordance with Section 327.02(30), Florida Statutes, as amended from time to time. As of the publication of this definition, a Personal Watercraft is defined as:

A vessel less than 16 feet in length which uses an inboard motor, powering a water jet pump as its primary source of motive power, and which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

2. **PIER EASEMENTS & LOCATION**

Given the important considerations of safe navigation and channel widths (as determined by JLPOA), the use of the waterways for private piers and the docking of vessels is subject to Pier Easements. Upon receipt of all requisite application forms, JLPOA will review and grant homeowners specific Pier Easements which will allow for the limited use of this property solely for the construction and maintenance of a pier and the mooring of a vessel. In turn, this pier must be maintained in good repair and appearance.

All Pier Easements granted by the JLPOA are recorded in the public records of Palm Beach County.

Importantly, all vessels, piers, mooring piles, boat lifts, etc., serving a lot, must remain within the outer limits of the lot's Pier Easement as granted by the JLPOA.

No portion of any single pier including any mooring piles, boat lifts, etc., shall be constructed closer than six (6) feet from the outer limits of the Pier Easement of the lot served.

In addition, in the interest of safe navigation and docking maneuverability, vessels docked parallel to the shoreline may not extend closer than six (6) feet from the side limits of the Pier Easement of the lot served. Piers, mooring piles, boatlifts, vessels, etc., approved prior to the effective date of these guidelines, which do not strictly comply with the same shall be deemed “grandfathered” and shall be permitted to remain. However, any replacement piers, mooring piles, boat lifts, vessels, etc., shall be required to comply with these guidelines.

To allow solely for perpendicular docking, “Joint Piers” shall be constructed such that the joint or common Pier Easement line is coincident with the centerline of the proposed joint pier and is processed as a “special exception” requiring approval by the Village or Condominium HOA and then by the DCB.

“Common Piers” which are piers which serve multiple lots, shall be constructed such that the gangway connecting the pier to the shore is best located within the common area associated with the lots for which the pier is constructed.

Gangways for all piers shall be constructed such that the gangway is located wherever possible to prevent shoreline vegetation disruption. Location of the dock through the mangroves will be only as approved by Palm Beach County and any other governing entity requiring its’ approval.

All piers, mooring piles, boat lifts, etc. shall require written prior approval of COA or HOA. After approval by the COA or HOA, DCB approval must be sought and obtained.

3. **CONSTRUCTION STANDARDS**

Piles: The piles for all piers shall be 10” or 12” square pre-stressed concrete piles or 8” to 12” diameter pressure treated wood piles. Longitudinal pile spacing shall be not less than ten (10) feet on centers nor more than fifteen (15) feet on centers. Each bent shall contain a minimum of two piles, spaced no more than 5’ apart, unless prior written approval is granted by the CA or HOA and the DCB.

Bent Caps: The bent caps may be constructed of either pressure treated wood, wood substitute or equal, or concrete. If of wood, wood substitute or equal construction, the wood members shall be securely bolted to the piles to form a secure structural unit.

Decking: The decking for all piers shall be constructed in one of the following methods:

1. For use with piers having either wood, wood substitute or equal, or concrete bent caps, structural wood stringers shall span longitudinally from bent cap to bent cap. The size and number of stringers are to be determined by the contractor. Stringers are to be structurally attached to bent caps. The wood, wood substitute or equal decking shall be securely attached to the stringers. The wood, wood substitute or equal decking shall not exceed eight (8) feet in width when measured perpendicular to the centerline of the pier centerline.
2. For use with piers having concrete bent caps only: The pier decking is composed of two parts. The lower part shall be constructed of pre-stressed concrete decking. Concrete deck units shall not exceed six (6) feet in width and shall be of sufficient length to span from bent cap to bent cap. Thickness and shape of the pre-stressed concrete deck slabs shall be determined by the contractor. Pre-stressed concrete deck slabs shall be structurally connected to the bent caps.

The topmost transverse decking shall be constructed of wood planking, wood substitute or equal, securely connected to sleepers. The sleepers shall be constructed parallel to the centerline of the pier and securely fastened to the concrete deck. The decking shall be perpendicular to the sleepers and securely fastened to the sleepers. The decking shall not exceed eight (8) feet in width, when measured perpendicular to the pier centerline.

Lighting: Lighting shall be provided by the owner. Approved UL fixtures shall be mounted such that the highest point of the fixture is two (2) feet above the wood decking, unless otherwise approved in writing by the DCB. The conduit for providing the electrical service shall not be exposed or visible. Pier head electrical receptacles and shore power boxes shall be U.L. approved for marine application. For security purposes, it is recommended that a sensor light be installed on the pier.

Gangway: Gangways shall be of the same type construction as the piers. Handrails shall be constructed of wood, wood substitute or equal posts with horizontal wood, wood substitute or equal. The handrail system shall be structurally connected to the gangway.

Restrictions:

1. Written approval of the pier plan must first be obtained from the DCB. Additionally, it is the lot owner's responsibility to obtain or comply with all necessary federal, state and local permits and ordinances prior to construction.
2. No shoreline vegetation root system shall be removed and no pruning of mangroves shall be done except in accordance with the Palm Beach County Department of Environmental Regulation guidelines.
3. No dredging or excavation will be permitted, except with the prior written approval of JLPOA and all federal, state and local permitting agencies.
4. All wood, wood substitute or equal utilized in pier construction shall be treated with a preservative or pressure treated such that it is suitable for use in a marine environment.
5. Floating docks are not permitted in the saltwater or freshwater areas of Jonathan's Landing. However, floating docks that can be partially submerged to permit entry or launching of a personal watercraft (PWC) (see Definition "j") or boat, and used only to store such vessels, may be permitted. Given the many varieties of such floating facilities, each proposed installation will be reviewed separately for its suitability and approved by the DCB if so determined.
6. Observation piers (piers constructed parallel to the shoreline just waterward of the vegetation lines with the gangway connecting the pier to the uplands) and railing along the water side can be constructed, although their function is not for the docking of boats.
7. The permanent docking of boats to observation piers or piers in areas without pier head lines is prohibited.

## **BULKHEADS & SEAWALLS**

Construction of bulkheads and seawalls require Palm Beach County permits and must comply with all necessary federal, state and local permits and ordinances.

Materials shall be of pressure treated wood or wood substitute, concrete, steel or vinyl panels supported with steel rod tiebacks when appropriate. Panels shall be gray or any muted color. All bulkheads and seawalls must be capped with comparable materials.