Ocean Reef Community

Association, Inc.

2026/2027

BUILDING REGULATIONS AND RESTRICTIONS

Updated: October 21, 2026

TABLE OF CONTENTS

Purpose of the Building Regulations and Restrictions…….....6

I. General Information……6
- Construction Requiring ORCA Approval
- Ninety (90) Day Start Time
- Monroe County Permit Required
- Pile Driving, Jackhammering – Restriction Dates
- Pile Driving, Jackhammering – Permission Dates
- Fines

II. Architectural Review Committee……..……..…7
- Committee Function

III. Utilities……..8
- Utility Connections
- Sewer Lateral Inspections
- Call 8-1-1

IV. Building Specifications……8
- Minimum Floor Area
- Fifty Percent (50%) Rule for 2nd Floor
- Maximum Height
- Maximum Lot Coverage
- CBS/Wood Construction
- Balconies, Mezzanines, Sundecks, Porches
- Roof Specifications
- Garages, Shade Canopy, Carport, Awning
- Driveway, Parking Space Materials
- Driveway & Residential Parking Spaces
- Certification & Recorded Deed Restrictions

V. Building Setbacks……...10
- Most Areas
- Villa Cay
- The Hammocks
- Cannon Point
- Sunrise Cay
- Pumpkin Cay Garden Homes & Condos

VI. Screening ……19
- Mechanical Equipment Buffers

VII. Screen Enclosures……...……19
- Screen Enclosures

VIII. Fences……..19

IX. Landscape & Hardscape……...19

- Intent
- Permit Required
- Plan Submittal Requirements
- Storm Water Retention Swales
- Decorative Stone, Gravel
- Landscape for Waterfront Properties
- Landscape Maintenance
- Fertilizers, Fungicides, Pesticides
- Hammock Course Tree Trimming/Removal
- Hammocks Course Trimming Permit Requirements
- Vacant Lot Maintenance
- Landscaping Common Areas
- Vacant Lot Staging/Storage Use

X. Stone Stairs & Retaining Wall Guidelines....……...22
- Retaining Walls, Planters, Decorative Walls

XI. Ornamental Objects, Statues, Structures, Monuments, Fountains……..23
- Approval Procedure
- Setback Requirements

XII. Property Maintenance……...24
- Definitions
- Notice of Violation

XIII. Boat, Landings, Docks, Piers, Davits, Boat Elevators & Boat Lifts……..25
- Plan Submittal Requirements
- Side Yard Setback

XIV. Exterior Lighting……...26
- Approval Required
- Decorative Underwater Lighting

XV. Solar Collectors……..27

XVI. Miscellaneous Restrictions……27
- Temporary Storage Containers
- Mailboxes
- Artificial Turf
- Non-Residential & Multifamily Redevelopment
- Swimming Pool Fencing
- Obstructions Along Roadway
- Recreation Equipment

XVII. Preliminary Plan Submittal Requirements……..28
- Requirements

XVIII. Final Plan Submittal Requirements……..29
- Requirements
- Grading & Drainage Plan

- Exterior Color Approval
- Revisions to Reviewed Plans

XIX. Additions & Alterations……31

XX. Building Classifications & Permit Fees……...31
- Preliminary Plan Review Fee
- Class I
- Class II
- Class III
- Class IV
- Class V
- Demolition Permit
- Renewal Permit
- After-the-Fact
- Project & Contractor Deposits

XXI. Demolition Guidelines……...33
- Length of Permit
- Permission/Off-Season Dates

XXII. Special Instructions for Contractors, Architects & Job Sites……...34
- Construction Fence & Screening
- Portable Restroom
- Job Site Signage
- Permit Box Documents
- Parking/Site Plan
- Survey Submissions
- Temporary Certificate of Occupancy

XXIII. Hurricane Season – Contractor & Job Site Requirements……...35
- Hurricane Shutter Use
- Job Site Preparation

XXIV. Submissions……36

XXV. Variance & Appeal Procedure……36

XXVI. Enforcement of Regulations and Restrictions & ORCA Member Handbook……36

XXVII. Waiver of Liability……37

XXVIII. Landscaping & Hardscapes Compliance……37

APPENDIX

Figure A…….38
Figure B ……39
Figure C……..……40
Figure D……...……..…41
Figure E ……42
Metal Roofing Guidelines.……43

Maintenance, Service & Construction Work Periods

May 15 – October 31:	7:00 AM to 6:00 PM	Monday through Saturday
November 1 – May 14*:	8:00 AM to 5:00 PM	Monday through Friday

*Except as prohibited during holiday black-out periods

The ORCA Architectural Review Committee (ARC) meetings are regularly scheduled from 2:00 PM to 4:00 PM on the second and fourth Mondays of each month. Contact the ORCA Public Works office at (305)367-7347 for further information.

BUILDING REGULATIONS & RESTRICTIONS
OCEAN REEF COMMUNITY ASSOCIATION, INC.

The purpose of the Building Regulations and Restrictions of Ocean Reef Community Association (ORCA) is to promote a compatible diversity of style and appearance of properties in the community, and to maintain through constant supervision, the established tone and character of the development. The Architectural Review Committee (ARC) of ORCA is responsible for informing all property owners and other interested parties of the Building Regulations and Restrictions and enforcing them. These Regulations and Restrictions are not intended to stifle the imagination or creative desires of property owners, but rather to assure them that protective restrictions are in effect, which will maintain the appearance, character, and value of Ocean Reef properties and neighborhoods.

The Public Safety Department, through their routine patrols, will monitor property and report to this department any violation of the Building Regulations and Restrictions.

I. GENERAL

A. All plans must be approved by the ARC, and both an ORCA Building Permit and Monroe County Permit issued prior to the start of any construction, landscaping, demolition, land clearing or land leveling, pile driving or storage of material and equipment. This includes permits for any construction, construction trailers, fencing, or any other activity requiring County permits. A Monroe County building permit is required prior to issuance of an ORCA permit. ORCA contractor registration is required prior to an ORCA permit issuance, in accordance with the business requirements for Ocean Reef.

B. The ARC is authorized to approve and/or deny permits and variance requests. Any individual whose plans or variance requests have been denied may appeal to the Board of Directors. The Board can grant variances and/or listen to appeals.

C. All exterior changes and major interior changes to existing building structures contemplated by property owners, including roofing material, painting, landscaping, and driveways, require the issuance of a permit by ORCA, as described in Section XX, Building Classifications and Permit Fees. Not withstanding the foregoing, ORCA shall have no right to disapprove the aesthetics of any interior changes except to the extent visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or a community golf course.

D. All property within Ocean Reef is subject to recorded covenants and restrictions. These covenants and restrictions will be strictly enforced, and all available remedies for violations will be vigorously pursued. In the event that ORCA institutes any action, suit, or proceeding in equity to enforce applicable covenants and restrictions, building regulations, and applicable Rules and Regulations, ORCA will be entitled to recover its reasonable attorney's fees and costs necessarily incurred in connection with such enforcement as stipulated in ORCA's Articles of Incorporation, Article VII, Section 7.5.

E. The authority of the ARC shall include, but is not limited to, suggesting changes in the style, size, exterior colors and/or materials concerning the general appearance of a structure and/or landscaping, which the ARC feels isnot in keeping with the character of the community.

F. If construction is not started within ninety (90) days after the issuance of an ORCA Building Permit, the ORCA Building Permit will be invalid. All construction under an issued ORCA Building Permit must be continued without interruption or cessation until timely completion. Non-issued ORCA permits expire 365 days after ARC approval date.

G. The ARC must be notified by the permit applicant of any interruption of construction schedule. Class I permit length varies (see Sec. XX). Class II permits will be issued for a one-year period after the effective date of the Monroe County permit. Class III will be issued for a 12 month or 6-month period, Class IV and V permits will be issued for a 6-month period after the effective date of the Monroe County permit.

   1. If a project is not (will not be) complete within those time frames, the property owner must advise the ARC, within reasonable time prior to the expiration, to determine an acceptable schedule for completion and the issuance of a renewal permit as provided in Section XX. At that time, the

renewal permit may include further conditions required of the owner to mitigate damage or annoyance to neighbors and/or community facilities.

H. Any revisions to plans already submitted, affecting the exterior of a structure must be resubmitted for approval of the ARC. Revisions that are made to the design drawings as relates to ORCA Regulations and Restrictions after ORCA issues Review Report comments must be noted with a "cloud" around the revision and a revision number in a triangle next to the "cloud", as well as a date and a brief description of the revision noted in the Revision Block (in the Title block). This includes changes in colors, as well as exterior facades. To expedite the review of proposed revisions, it is suggested that a list of revisions be submitted with the sealed revised drawings. Changes made without such approval will void the existing permit.

I. Building designs, which duplicate or are essentially similar to those of other buildings at ORCA, may receive unfavorable consideration.

J. The ORCA Building Permit issued in connection with construction at Ocean Reef must be displayed with the Monroe County Building Permit, so as to be visible from the roadway at all times during construction. Failure to display the permits may subject the contractor to a fine and/or other penalty. (See Allowed Signs, Section XXII, Para. E.)

K. All construction at Ocean Reef is subject to existing zoning and building ordinances of Monroe County and ORCA building regulations and restrictions (the most restrictive prevails), and all other ORCA Rules and guidelines listed under the table of contents. Issuance of a Monroe County permit does not waive the need for an ORCA Building Permit, nor does the issuance of an ORCA Building Permit waive the need for the required County or any other regulatory permits. The ARC will not knowingly approve a project, which is in violation of the County building and zoning codes or any other regulatory agency.

   1. Notwithstanding the issuance of a Building Permit or Certificate of Occupancy by either Monroe County, ORCA or any other duly authorized governmental authority, ORCA retains the right to compel the owner or builder to correct any violations of the regulations contained within this document at anytime.

L. Building permit applications denied by the ARC may be reconsidered on presentation of new or additional information. If it is the sense of the ARC, the plans may be processed under the guidelines for variance procedures.

M. Request for variances in setbacks or other restrictions will normally be denied unless a hardship can be proven to exist.

N. These regulations may be changed from time to time. Therefore, it is the responsibility of the property owner and contractor to obtain the most current publication.

O. November 1-May 14th. Handheld rotary hammers, hammer drills, chipping hammers, and similar handheld impact tools are permitted on Wednesdays only from 10 AM to 2 PM. Utility trenching may be permitted on a strictly limited basis, subject to prior written approval by ORCA staff or the ARC. All requests must be submitted in writing and must include scope, location, timing, and the reason that the work cannot reasonably be performed during the off-season. Auger pile drilling for foundations is permitted. Rock removal, drilling, chipping, jack hammering, pile driving, or similar disruptive construction activities are prohibited during this period, except as specifically allowed above.

P. May 15 -October 31st. All machine or equipment-operated drilling, chipping, rock excavation, pile driving, and structural driving are permitted during normal construction hours.

Q. Any member of ORCA or approved contractor who fails to comply with these and/or the ORCA Member Handbook rules may be subject to a fine as outlined in the Member Handbook. Members are responsible for their guests' compliance. Contractors are responsible for their employee compliance.

II. ARCHITECTURAL REVIEW COMMITTEE (ARC) FUNCTION

A. The Architectural Committee shall:

   1. Review, approve or deny all plans, including, but not limited to all new construction, and landscaping, all exterior materials and colors for new construction, maintenance, and/or renovations and all items referenced in the foregoing document.

2. Review, approve, and deny plans for exterior alterations and/or additions to existing structures and all landscaping. Plans for major interior alterations will only be reviewed, approved, or denied when the alteration is visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or golf courses.
3. Review, approve or deny plans for all boat landings, docks, piers, davits, and adjacent structures and walkways.
4. In coordination with staff and the Public Safety Department, the Architectural Review Committee will assist in policing the rules and regulations; make recommendations to the ORCA Board in monitoring compliance with the ORCA Building Regulations and Restrictions; make periodic and final inspections or work in progress to ensure all work is completed in conformance with the approved plans.
5. Review complaints of possible violations of the Building Regulations and Restrictions. All complaints must be made in writing. The ARC may find it advisable to keep the name of the complainant confidential. When a complaint is received the ARC will see that it is investigated. If there has been no violation, the complainant will be so informed in writing.
6. Make recommendations to the ORCA Board of Directors for architectural improvements to the common areas.

III. UTILITIES

A. Timely application for all utility connections must be made by the owner (or contractor). Applications for sewer connections are available from the North Key Largo Utility Corporation office, applications for water connection from the Florida Keys Aqueduct Authority.

B. Property owners of Class I and Class II building permits, whose laterals have not been certified in the last 10 years, must certify that their private sewer laterals are watertight from the building to the main line sewer in the street to North Key Largo Utility Corporation's satisfaction. Condominiums are required to comply when the majority of building units are issued a Class I and Class II building permit.

C. 811 Florida Sunshine must be contacted prior to any excavation or trenching taking place within private property or common areas. Repairs to any utility lines cut without prior inspection markings will be made at the expense of the contractor in charge.

D. Class I - New residences will be required to install their new electrical meter on their structure. If an electrical meter platform, is required for access, stairs & screening must all be reflected on the proposed plans, if a platform is not required by FKEC it must be noted on the proposed drawings.

E. Class II - Major additions will be required to install/upgrade their electrical meter placement on their structure. If an electrical meter platform, is required for access, stairs & screening must all be reflected on the proposed plans, if a platform is not required by FKEC it must be noted on the proposed drawings.

IV. BUILDING SPECIFICATIONS (THIS SECTION DOES NOT APPLY TO CONDOMINIUMS)

A. Minimum Floor Area

1. First floor: one thousand four hundred (1,400) square feet. The required floor area shall be measured as the gross enclosed floor area of the first floor, measured to the exterior face of the exterior walls, and shall include all enclosed spaces, including garages. Open or unenclosed areas, including by not limited to terraces, balconies, open porches, patios, outdoor kitchens, pool decks, and similar exterior spaces, shall not be included.
2. The combined gross enclosed floor area of all enclosed levels above the first floor of a single-family residence shall not exceed fifty percent (50%) of the gross enclosed floor area of the first floor.
   a. Exception 1: When the gross enclosed first floor area is between seventy percent (70%) and ninety percent (90%) of the lot coverage, the allowable second floor may be adjusted according to Figure E.
   b. Exception 2: Harbor Course, Sunrise Cay and Cannon Point where additional floor levels are only limited by setback and total height restrictions.

B. Maximum Height

1. No structure or building shall be developed that exceeds the maximum height stated in Section V, Buildable Volume – Buildable Area, or the Monroe County maximum building height requirements may be used, whichever is more restrictive.
2. A chimney or elevator shaft override may exceed the maximum height up to four (4) feet. A chimney shall not exceed a cross-sectional area of fifty (50) square feet.

C. Maximum Lot Coverage
1. The maximum lot coverage is the portion of the lot, which is the total of all the lot area covered by roof, enclosed by walls or insect screening or other vertical support system not including overhangs
2. The maximum lot coverage shall not exceed the square footage requirement in the maximum lot coverage table below.
3. Exception of Maximum Lot Coverage Calculation: Refer to Monroe County Land Development Regulations. The most restrictive maximum lot coverage shall prevail
4. Maximum Lot Coverage Table

Lot Size Increments	Maximum Lot Coverage (Sq. Ft.) by % of Lot Area
First 10,000	48
Next 10,000	28
Next 10,000	23
Next 10,000	22
Next 10,000	21
Next 10,000	20
Next 10,000	15

D. The ARC suggests CBS construction. However, wood frame construction will be permitted, provided the foundation is constructed using concrete piles or columns with appropriate floor beams. All construction must be in accordance with applicable building codes.

E. Balconies, Mezzanines, Sundecks, Porches
1. There shall be no porches, mezzanines, balconies, sun decks or observation platforms permitted along the side of the structure, which abuts an adjoining residence or lot.
2. The above may be placed in front or back of the structure as defined by an imaginary line running parallel and contiguous to the side of the structure from the front property line to the rear property line.
3. The ARC reserves the right to require a minimum six (6) foot tall permanent buffer, such as a concrete wall, louvered wall or lattice style wall, to be installed at these structures to prevent side property line views.

F. Roof Specifications
1. A flat or shed style roof is not allowed.
2. All roof water runoff must be contained on site.
3. Mansard type roofs are permissible where the slanted portion is a minimum of four (4) feet long.
4. All major roof areas shall be cement tile, clay tile, metal, slate or wood shingles.
   a. All metal roofing products shall also meet/exceed requirements set forth in the latest edition of The Florida Building Code. Metal roofs shall meet current ORCA regulations; see Figure G.
5. All wood shingles are to be fire retardant rated.
6. All roof colors must be approved prior to installation.
7. Roofing material manufacturer's sample of product and literature including specifications of product, including written information that provides confirmation that product meets or exceeds ORCA standards must be provided to ORCA for approval.

G. Garages, Shade Canopies, Carports
1. Detached garages or buildings on any property will be permitted only if connected to the main residence in an attractive way by a significant structural component, such as a breezeway or wall.
2. Garage entrance must not face the street or a waterway wherever the terrain, vegetation or lot size allows.

3. Carports or stand-alone car canopies are not permitted.
4. Awnings or shade canopies are discouraged. The ARC will review awnings on a case-by-case basis.

H. DRIVEWAYS & PARKING SPACE MATERIAL
1. ORCA prohibits gravel, stone or shell materials for parking spaces and driveways that abut a roadway. However, the ARC will consider these materials, on a case-by-case basis, for properties with severe drainage problems.
   a. If considered, the driveway and/or parking spaces made of crushed gravel or shell materials shall be bordered by a perimeter of a "non-moveable" material at street frontage (i.e., stone paver, concrete, asphalt, etc.).
   b. Existing driveways and/or parking spaces made of crushed gravel or shell materials, existing prior to the prohibition, shall remain if they are bordered by a perimeter of a "non-moveable" material at street frontage (i.e., stone paver, concrete, asphalt, etc.) and shall be maintained in "like new" condition.
2. The driveway materials shall include, but are not limited to, concrete, stone paver and asphalt.
   a. On-grade driveway and/or parking spaces may be located within the side yard setback of a property.
   b. A metal trench drain shall be installed the entire width of all sloped driveways and/or walkways leading to the road, that are above the existing or finish grade of the road. The drains shall discharge into a storm water retention area within the property, which is of sufficient capacity to retain all water on site.
   c. Driveways shall be a minimum of fifteen (15) feet wide to meet emergency vehicle needs.
3. Parking Space Requirements
   a. Multi-family parking space requirements set forth in XVI.J.
   b. The parking spaces must be within the property boundaries.
   c. Other structures, including golf cart rooms, etc., will also be restricted within the property boundaries.
   d. A cart parking space may not be counted as a vehicle parking space.
   e. All driveway water runoff must be contained on site.

I. It is recommended that pools not be located in the front yard or in front of the house. If there is no alternative, the ARC will review the project on a case-by-case basis.

J. ORCA shall be supplied with all certifications that are submitted to Monroe County or any other governmental agency. This would include, but not be limited to, flood elevation certificates and certificates of occupancy.

K. It is the responsibility of the property owner to abide by any and all additional recorded deed restrictions.

V. BUILDING SETBACKS

A. Definition of Setback:
1. "Setback" is the minimum horizontal distance between any vertical element and the boundary lines of a lot on which the element is situated. Elements include walls, columns or other structural elements of any structure including, but not limited to, the principal structure, screen enclosure, other structures, pool, porches, mezzanines, balconies, sun decks, observation platforms, and all equipment including but not limited to A/C mechanical equipment, heating equipment, pool equipment, above ground propane tanks, trash and garbage containers, generators and fuel tanks, and all required equipment screening.

B. Setback Exclusions:
1. Roof overhangs may extend up to three feet (3') outside the buildable volume.
2. Uncovered porches (those without a roof overhang) that extend outside the buildable volume will be considered on a case-by-case basis.
3. Retaining walls and hardscape conforming to Section IX are permitted within the setbacks.

C. Definition of Front, Side, and Rear:

1. The “front” is the edge of the building lot with public street access. The “rear” is the lot edge most nearly opposite the front of the lot. The “sides” are the other remaining lot edges, set at angles to the front and rear lot lines, and those that abut adjacent properties on the same street.
2. On lots that have multiple street fronts, the architect selects one of the streets to be the lot front. The other street frontages can be considered side lot lines if they are set at significant angles to the front lot line.
3. For odd-shaped lots, the architect, builder, or homeowner may request a clarification of the front, sides, and rear of the lot.
4. The rear setback on waterfront lots is measured from the mean high-water mark or the waterside of the seawall cap.

D. Definition of First Habitable Floor Elevation:
1. For Zone A structures, the “first habitable floor elevation” is the top of the finished concrete slab elevation. Floor finishes rise above this elevation. For Zone V structures, the first habitable floor elevation is the bottom of the lowest non-piling structural member, as required by Monroe County.
2. All MSL elevations must match the FEMA FIRM Panel elevation datum, which is currently NGVD ’29.

E. Definition of Top of Tie Beam:
1. The “tie beam” height is the distance from top of the first habitable floor slab to the top of the topmost vertical bearing wall on which roof framing is supported.

F. Definition of Top of Roof:
1. The “top of roof” height is the distance from the top of the first habitable floor slab to the top of the finished roof, including all attached equipment and sheathing such as tiles or shingles.

G. Definition of Buildable Volume and the Sloping Portion of the Building Envelope:
1. The “buildable volume” is bounded on all sides by the first-floor setbacks. This volume rises vertically to the top of the first habitable floor slab, then continues vertically an additional twelve feet (12’). The volume then slopes inward toward the center of the lot at the angles specified in the tables below (the angles appear in the format of rise:run). These sloping planes rise to the building maximum height.
2. The special second floor setbacks that come into effect when the first habitable floor slab is voluntarily raised are vertical planes that start twelve feet (12’) above the first habitable floor plane and rise to the maximum building height. When the special second floor setbacks are in effect, the sloping portions of the building envelope also remain in effect.
3. See Figure B, Figure C, and Figure D.

H. Voluntarily Raised First Habitable Floors – Special Second Floor Setbacks
1. Monroe County currently sets the minimum floor height as the FEMA Base Flood Elevation (BFE) plus one foot (BFE+1’-0”). Projects that voluntarily raise the first habitable floor above the BFE + 1’-0” elevation may raise the slab by up to three feet (3’) to an ORCA maximum of BFE + 4’-0”.
2. Special Second Floor Front Setback – “25% Rule”: Depending on the location of the house (see the location-specific setback tables below), a second-floor front setback may apply. This setback is the “25% Rule”.
   a. If a special second-floor front setback is required, it is calculated by measuring the longest front-to-back diagonal line on the site (from one side of the front of lot line to the opposite side of the rear lot line) and multiplying this distance by 25%. See Figure A. If the required setback is greater than 45’-0”, use a 45’-0” maximum setback. If the first-floor setback proposed or provided is greater than the required distance, the second-floor front setback can be adjusted by Figure A.
3. Special Second Floor Side Setback – “Side Setback Rule”: Depending on the location of the house (see the location-specific setback tables below), a second-floor side setback may apply. This setback is the “Side Setback Rule”.
   a. If a special second-floor side setback is required, it is calculated by the following formula: First habitable floor elevation (MSL in NGVD ’29) x 2 + 6’. Below first habitable floor elevations

of +8', use a 22' minimum second floor side setback. Above first habitable floor elevations of +15', use a 36' maximum second floor side setback.

I. Volume Exclusions:
   1. A chimney may extend vertically up to four feet (4') above the sloping sides of the buildable volume or above the maximum building height. Total chimney area shall not exceed fifty (50) square feet.
   2. Dormers that exceed the buildable volume will be considered on a case-by-case basis.
   3. Notwithstanding all other rules, a second floor may be up to 30'-0" wide.
      a. This upper floor must not exceed either:
         i. The front and rear sloping portions of the envelope or
         ii. The rear sloping portion envelope and twenty-five percent (25%) rule, if applicable
      b. The width of the second floor cannot exceed the width of the first habitable floor
      c. Note that all non-ORCA setbacks still apply to the second floor.

J. Renovations to Non-Compliant Structures:
   1. Any existing structure that has less than the required front setback may be required to comply with the applicable first- and second-floor front setbacks when applying for renovation or expansion permits or with any non-maintenance work proposed to the front of the building.

K. Areas:
   1. Villa Cay consists of all properties on the Villa Cay island on the following streets: Exuma Rd, Andros Rd, Exuma Terrace, Carysfort Rd, Bahama Rd, and Ocean Reef Dr
   2. Hammock Course / Harbor Course / The Hammocks consists of all properties on S Harbor Dr and on all streets branching off from S Harbor Dr south of Gatehouse Road.
   3. Cannon Point consists of seven properties on Cannon Point.
   4. Sunrise Cay consists of all properties on the Sunrise Cay island on the following streets: Sunrise Cay Dr, Cardinal Ln, N Pelican Dr, S Pelican Dr, and Osprey Ln.
   5. Pumpkin Cay Garden Homes & Condominiums consists of the deeded properties on Marlin Lane.
   6. Properties located outside those designated areas follow the "Most Areas" setbacks.

Building Setback

Most Areas except: Villa Cay, The Hammocks, Cannon Point, Sunrise Cay & Pumpkin Cay Garden Homes		
Front Setback	First Floor	28’
	Second Floor	In AE-11 and under, sloping portion at 12:12
		In VE-12 and higher, sloping portion at 8:12
		If first habitable floor is higher than BFE + 1’-4”, 25% rule applies.
Side Setback	First Floor	18'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1’-6”, then the side setback rule applies.
Rear Setback	First Floor	20' for non-waterfront lots
		30' for waterfront lots
	Second Floor	Sloping portion at 12:12
Height	First Floor Elevation	FEMA BFE + 1’ to BFE + 4’
	Top of Tie Beam	First Floor Elevation + 22’
	Top of Roof	First Floor Elevation + 28’

Building Setback

Villa Cay		
Front Setback	First Floor	35' for waterfront lots
		28' for interior lots
	Second Floor	Sloping portion at 8:12
		If first habitable floor is higher than BFE + 1'-0", 25% rule applies.
Side Setback	First Floor	18'
	Second Floor	In AE-11 and under, sloping portion at 12:12
		In VE-12 and higher, sloping portion at 8:12
		If first habitable floor is higher than BFE + 1'-6", then the side setback rule applies.
Rear Setback	First Floor	20' for non-waterfront lots
		25' for waterfront lots
	Second Floor	Sloping portion at 20:12, can be waived case-by-case
Height	First Floor Elevation	FEMA BFE + 1' to BFE + 4'
	Top of Tie Beam	First Floor Elevation + 22'
	Top of Roof	First Floor Elevation + 28'

Building Setback

The Hammocks		
Front Setback	First Floor	28'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1’-4”, 25% rule applies.
Side Setback	First Floor	18'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1’-6”, then the side setback rule applies.
Rear Setback	First Floor	20’ for lake front, golf course, and interior lots
		30’ for waterfront lots
		40’ for deeded extension lots (including 30’ not to be disturbed in any way)
	Second Floor	Sloping portion at 20:12, can be waived case-by-case
Height	First Floor Elevation	FEMA BFE + 1’ to BFE + 4’
	Top of Tie Beam	First Floor Elevation + 22’
	Top of Roof	First Floor Elevation + 28’

Building Setback

Cannon Point		
Front Setback	First Floor	28'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1'-4", 25% rule applies.
Side Setback	First Floor	18'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1'-6", then the side setback rule applies.
Rear Setback	First Floor	20' for non-waterfront lots
		30' for waterfront lots
	Second Floor	Sloping portion at 20:12
Height	First Floor Elevation	FEMA BFE + 1' to BFE + 4'
	Top of Tie Beam	First Floor Elevation + 22'
	Top of Roof	First Floor Elevation + 28'

Building Setback

Sunrise Cay		
Front Setback	First Floor	28'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1’-4”, 25% rule applies.
Side Setback	First Floor	15'
	Second Floor	Sloping portion at 12:12
		If first habitable floor is higher than BFE + 1’-6”, then the side setback rule applies.
Rear Setback	First Floor	30'
	Second Floor	Sloping portion at 12:12
Height	First Floor Elevation	FEMA BFE + 1’ to BFE + 4’
	Top of Tie Beam	First Floor Elevation + 22’
	Top of Roof	Adjacent average grade or crown of road + 35' + up to 3' matching additional voluntarily raised first habitable floor elevation (from FEMA BFE)

Building Setback

Pumpkin Cay Garden Homes and Condos		
Front Setback	First Floor	If there is a second living level: 28’
		If there is a single living level: 15'
		Balconies are allowed to protrude 2' from face of building when within the front setback
	Second Floor	+28’
Rear Setback	First Floor	20'
	Second Floor	+28’
Height	First Floor Elevation	FEMA BFE + 1’ to BFE + 4’
	Top of Tie Beam	First Floor Elevation + 22’
	Top of Roof	First Floor Elevation + 28’

VI. SCREENING

A. A screening buffer shall be required between all air conditioning mechanical equipment, pool equipment, trash and garbage containers, generators, above ground propane tanks and fuel tanks, meters, and the adjacent property lines, when said equipment is visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or golf courses.
   1. Screening buffer shall extend one (1) foot higher, and two (2) feet horizontally beyond each side of the mechanical equipment, pool equipment, trash and garbage containers and fuel tanks.
   2. Screening, except landscaping, shall not be permitted inside of any setback.
   3. The intent of this restriction is to provide both visual and noise buffering. Refer to Monroe County Land Development Regulations. The most restrictive setback prevails.

VII. SCREEN ENCLOSURES

A. Screen Enclosures – All areas except The Hammocks, Sunrise Cay and Cannon Point
   1. Screen enclosures are encouraged to be built as part of the main structure by using architectural features such as columns and beams.
   2. Enhanced landscaping is encouraged to obscure the screen enclosure.
   3. Maximum Height
      a. Single Floor Residence - Maximum height of a screen enclosure is limited to one-half the distance between the fascia board and the peak of the roof. Setbacks must comply with the current building regulations and restrictions.
      b. Multi-level Residence - Maximum height of a screen enclosure will be limited to three feet above the second living-level floor slab. Setbacks must comply with the current building regulations and restrictions.
      c. Exception: For screen enclosures that begin below current FEMA regulations the vertical height will be limited to ten (10) feet above FEMA first habitable floor level. Setbacks must comply with the current building regulations and restrictions.

VIII. FENCES

A. Fences or other obstructions are not permitted within the building setback areas.
B. Chain link or galvanized metal fences are not permitted (except as a component of the construction fence).
C. Kennels or fenced-in dog or pet runs are not permitted.
D. The ARC will require Monroe County mandated pool securing railing or fencing.

IX. LANDSCAPE AND HARDSCAPE

A. The intent of these guidelines is to protect, preserve and enhance the natural environment and beauty of the Ocean Reef Community and to provide landscaped areas that contain trees and other plants that are arranged in a pleasing manner in relation to paved areas, structures, and neighboring properties.
B. An ORCA landscape permit shall be required for the installation, removal, or replacement of any substantial landscaping in accordance with the provisions herein set forth.
C. Prior to the issuance of a landscape permit, a landscape plan shall be submitted to ORCA.
D. Landscape Plan Submittal Requirements:
   1. Plan Preparation:
      a. Name, address, and telephone number of the person who prepared the plan
      b. Landscape plans must be signed and/or stamped by a registered Landscape Architect, Landscape Designer, Landscape Professional, or Nurseryman
   2. Drawing Requirements:
      a. Plans drawn at a scale not less than one (1) inch equal to twenty (20) feet.
      b. Plans shall include:
         i. Location and spacing of all plant material
         ii. Plant species names
         iii. Grade of plantings

iv. Plant quality & size at installation
v. Mulch & decorative material specifications
vi. Irrigation coverage

c. Trees shown shall be spaced so as to allow for normal canopy development.

3. Drainage and Swales
   a. Include all stormwater retention areas and swales
   b. Swales to retain runoff from all structures and impervious areas on the property.
   c. Landscape plans to comply with approved grading and drainage plans as required in Section XVIII.
4. Decorative Stone and Gravel
   a. In areas visible from the parcel's frontage or an adjacent parcel, an adjacent common area or golf courses, decorative stone and/or gravel may be utilized up to a maximum of ten percent (10%) of the total landscaped area.
5. Planting Coverage
   a. Plantings, exclusive of grass, must be included in a minimum of approximately twenty percent (20%) of the open property area.
6. Approved Plans
   a. Any landscape plan, approved by the ARC, will be made a part of the Community Association's records.
   b. Substantial modification to an approved landscape plan requires ARC approval. The landscape plan(s) must identify all plant material by name and list quantities and sixes when planted, as well as maintained heights.
7. Waterfront Landscaping
   a. All waterfront property's landscape plans shall include the following note: "The landscape installation and maintenance shall meet the landscaping requirements for waterfront lots as provided in Section IX of the ORCA Building Regulations and Restrictions."

E. Landscape Installation
1. Material shall be installed in accordance with sound landscaping practices and be graded at least to the Florida No. 1 nursery grade standards.
2. All landscaping shall be installed in accordance with the ORCA requirements within sixty (60) days of issuance of the Monroe County Temporary Certificate of Occupancy Permit.
3. All landscape areas requiring water shall have one-hundred percent (100%) irrigation coverage by a regularly functioning, automatic irrigation system.
4. The landscaping materials are to be installed substantially in accordance with the approved plan on file at ORCA and then maintained by the owner to the level of the community standard.
5. Failing or dead plant material shall be replaced by the owner in accordance with the approved plan.

F. Waterfront Properties
1. Landscaping on waterfront lots shall be designed to:
   a. Be visually compatible with adjacent properties.
   b. Avoid creating navigational hazards.
   c. Not negatively impact stormwater management.
2. Within the final ten (10) feet of the lot measured landward from the rear property line, landscaping, walls, fences, and plantings shall not exceed five (5) feet in height above finished grade, except for palms or trees with clear trunks and no branching below eight (8) feet above grade. Landscaping within this area shall not be arranged to form a continuous opaque visual barrier.
3. Landscaping may be installed within side yards for privacy screening. Height and density shall be reviewed by the ARC to ensure compatibility with adjacent properties and to avoid adverse impacts.
4. Trees, including palms and canopy trees, are permitted throughout the waterfront yards and shall be maintained to prevent interference with navigation, structures, utilities, or public safety.

G. Landscape Maintenance and Sight Lines

1. Property owners are responsible for the maintenance of landscaping and irrigation systems. Maintenance shall include watering, weeding, mowing, debris removal, fertilizing, mulching, trimming and removal or replacement of diseased plants and removal of refuse or debris on a regular basis to continue a healthy growing condition and present a neat and well-kept appearance at all times.
2. Driveway Sight Triangle: a site triangle shall be provided, and visibility maintained between two and one-half (2' 6") feet to eight (8') feet of elevation within a minimum of:
   a. Ten (10) feet from the intersection point of the edge of the driveway and street.
   b. Fifteen (15) feet from the intersection point of the extended property lines at a street.
3. Plant material which blocks roadway visibility shall be removed by the property owners and maintained to allow a clear visibility of oncoming traffic.
4. No real property owner shall cause, suffer, or permit a tree, trees, or other vegetation, to grow, or otherwise extend, from his real property into or over a manmade water body in such a way or manner as to constitute a navigational hazard to, or to interfere with, vessels engaged in a journey or ride upon the manmade water body. It shall be presumed that vegetation extending from the shoreline of a manmade water body beyond the approximate mean low water mark by more than ten percent of the overall perpendicular width of the water body at the point of measurement constitutes a navigational hazard.
5. All Monroe County and ORCA storm water retention swales must be maintained by the property owner to retain the property's storm water run-off.
6. Property owners are required to maintain the landscaping within the right-of-way between the paved road and the individual private property line.
7. Plant material installed and maintained, within six (6) feet of the pavement edge, shall be a maximum of twenty-four (24) inches tall.
8. Plant materials installed in a "fence" or hedge like manner, meant to create a visual barrier, shall be maintained at a height no more thirty-six (36) inches above finish grade when installed six (6) feet to twelve (12) feet of the pavement edge.
9. ORCA, its agents, or contractors, shall have the right, at reasonable times and upon reasonable notice to any member of ORCA, to enter onto the lot of any such member for the purpose of treating, maintaining, altering or repairing any fence, wall or planting, including, but not limited to, application of the lethal yellow spraying program.

H. Management Practices for Fertilizers, Pesticides, Fungicides
1. ORCA adopts the most current edition of the Florida Friendly Landscaping Program's "Best Management Practices (BMP) for Protection of Water Resources by the Green Industries." Following is a link for the manual: https://ffl.ifas.ufl.edu/ffl-and-you/gi-bmp-program/gi-bmp-manual/
   a. These rules shall be applicable to all ORCA residential, commercial, and public common areas.
   b. In accordance with State of Florida BMP, ORCA requires no fertilizer shall be applied within ten (10) feet of any wetland, lake, pond, stream, water body, water course or canal.
   c. No vegetation debris, grass clippings, mulch or fertilizer shall be deposited, washed, swept, or blown off – intentionally or inadvertently – onto any impervious surface, ORCA right-of-way or common area, storm water drain, ditch, conveyance, or water body.
   d. Where automatic irrigation systems are installed, rain switches or other devices, such as soil moisture sensors, to prevent unnecessary irrigation, shall be incorporated.
   e. All reclaimed water piping, heads, valves, and fixtures are required to be color-coded purple, and labeled "Do not drink this water."

I. Hammock Course – Tree Trimming Permit Requirements
1. "Buffer Area" Definition: A strip or area of land intended to separate or screen common areas and/or to shield noise, lights, or other impacts through landscaping and/or barriers (e.g., berm, wall, fence) consistent with the Monroe County definition of Buffer/Bufferyard, which may be located outside the boundaries of a privately owned lot and may be owned or controlled by ORCA, the Ocean Reef Club, Inc., or another entity.

2. No permits will be issued by ORCA for trimming within the buffer area unless evidence of ownership of the buffer area is presented. In the event that the buffer area is not owned by the adjacent homeowner then The Ocean Reef Club, Inc., must agree, in writing, to the issuance of the permit by ORCA.
3. No permits will be issued by ORCA to trim trees unless a permit or exemption, in writing, is obtained from Monroe County or in the case of wetland trees, by the Florida Department of Environmental Protection.
4. Property owners shall comply with all Monroe County, State of Florida, and applicable regulatory requirements for the removal of invasive, exotic, or noxious plant species, as such requirements may be amended from time to time.
5. In landscape restorations, replanting, or mitigation areas, the use of native or Florida-Friendly plant species is encouraged. Landscape plans shall be reviewed by the ARC for environmental compatibility and consistency with community standards.
6. If unpermitted clearing, trimming or alteration of the native vegetation buffer yard/s should occur, an immediate daily fine $100, up to $20,000, shall be imposed upon the property owner, until restoration is completed. ORCA shall require immediate restoration of the altered buffer yard at the property owner's expense and the property owner shall be responsible for any costs incurred by ORCA to enforce this rule.

J. Vacant Lot Maintenance

1. All lots will be maintained in a neat and orderly fashion. The ORCA Board, after reasonable notice of five (5) working days to the owner, may contract with an appropriate service, at the owner's expense, to clean debris covered lots, mow unmaintained yards, repair and operate irrigation systems, clear property and structures of all hazards, and perform such other tasks in the absence of appropriate action by the owners, to maintain the property in a condition in conformity with neighborhood standards, the property's design, and in compliance with county regulations.
2. At a minimum, landscaping must be kept to the following standards:
   a. Grass must be kept green and alive and may not exceed 8" in height.
   b. Bushes, shrubs and trees must have all dead branches removed and kept trimmed in a neat and orderly condition.
   c. Planted areas, rock areas and lawns must be kept free of weeds.
3. All vacant lots that do not have roadway common area landscaping and will not be built within 60 days, must be landscaped within the common area along the pavement edge from property line to property line.
   a. Roadway right-of-way is the area from the pavement edge to approximately five (5) to eight (8) feet into the vacant lot.
   b. The ORCA Board after reasonable notice of five (5) working days to the owner may contract with an appropriate company, at the owner's expense, to landscape the roadway right-of- way. Expenses incurred by ORCA will be billed to the owner of said lot(s).
   c. The sixty (60) days allows the ORCA staff to work with lot owners on their landscape improvements.
4. No single- family vacant lot will be used for construction storage or staging unless there is an active permit in the neighborhood and the owner of the lot, the neighboring lot owners and the ARC have approved the use.

X. STONE STAIRS & RETAINING WALL GUIDELINES

A. EXTERIOR STAIRS AND STAIR LANDINGS (treads & risers):

1. Residences that have a first-floor habitable living level elevation that is less than eight (8) feet higher above the natural, existing grade at the front of the lot, the entrance stairs and landings shall be a minimum of fifteen (15) feet from the front property line.
2. Residences that have the first habitable living level elevation that is more than eight (8) feet above the natural, existing grade at the front of the lot, the front entrance stairs and landings shall be a minimum of twenty (20) feet from the property line.

B. WALLS (retaining walls, planter walls, decorative walls, etc.)
   1. Shall not be constructed within twelve (12) feet of the front property line.
   2. Shall not be constructed to a height more than three (3) feet above the natural existing grade elevation at the front property line when placed twelve (12) to eighteen (18) feet from the front property line.
   3. Shall not be constructed to a height more than five (5) feet above the natural existing grade elevation at the front property line when placed more than eighteen (18) feet from the front property line.
   4. Shall not be constructed to a height more than six (6) feet above the established natural grade elevation of the rear yard, when placed, in the rear yard and shall not exceed three (3) feet above the lowest elevation of the FEMA first habitable floor slab of the two adjacent residences that share the common side property line.
   5. Recommended materials: Natural cut coral veneer over concrete, stucco veneer over concrete or decorative, stacked paver blocks.
   6. Shall not be constructed within twenty-four (24) inches of the side property line. Drainage and landscape screening shall be required to be installed and maintained between the wall and adjacent property.

XI. ORNAMENTAL OBJECTS, STATUES, STRUCTURES, MONUMENTS, FOUNTAINS (OSSMF)

A. The ARC, in its sole discretion, shall have the right to approve, modify or disapprove installation and content of an OSSMF.
   1. Approval Procedure: Prior to installation of OSSMF, the homeowner is to submit two (2) copies of the Site Plan with the following information:
      a. Location(s) of OSSMF onsite with dimensions to property lines.
      b. Written description of the OSSMF.
      c. Large scale plan of the OSSMF with dimensions.
      d. Elevation views, pictures, photos of the OSSMF with dimensions and materials indicated.
      e. Landscape screening design.
      f. Lighting design:
         i. Location of light source(s).
         ii. Technical Information Sheet(s).
   2. OSSMF are permitted in the front and rear setback area with the following requirements and restrictions:
      a. Front Yard Setback (including corner lots).
         i. Minimum of fifty percent (50%) of required front building setback.
         ii. Minimum of eighteen (18) feet from side property lines within front yard setbacks.
         iii. Villa Cay Ocean Front Lots, a minimum of eighteen (18) feet from side property lines is required if OSSMF exceeds three (3) feet in height above crown of road.
      b. Rear Yard Setback
         i. Minimum of fifty percent (50%) of required building setback.
         ii. Minimum of eighteen (18) feet from side property lines within rear yard setback.
         iii. Villa Cay Ocean Front Lots, a minimum of eighteen (18) feet from side property lines is required if OSSMF exceeds three (3) feet in height above crown of road.
         iv. Villa Cay Ocean Front Properties, OSSMF are permitted in rear setback area if do not exceed three (3) feet in height above crown of road.
   3. Side Yard Area
      a. OSSMF are not permitted in the side yard area that is bordered by the front and rear setback lines.
   4. Maximum Height
      a. Maximum height above grade at location of OSSMF = four (4) feet.
      b. OSSMF may be a maximum of six (6) feet in height if visually screened with landscaping from road and adjacent properties, with the exception of approved flag poles.
   5. Maximum Total Area (footprint):

a. Front Yard Area = one-hundred (100) sq. ft. (for single or multiple OSSMF).
b. Rear Yard Area = one-hundred (100) sq. ft. (for single or multiple OSSMF).

6. Lighting
   a. Light source shall be a maximum of twelve (12) inches above grade or concealed from view.
   b. Lighting shall not be directed to neighbor's property or road.
   c. Light glare is not permitted.

XII. PROPERTY MAINTENANCE

A. All properties shall be maintained to ORC neighborhood standards as determined by the ARC.

B. Definitions:

1. Owner or occupant means any owner, or lessee of any lot, tract, or other parcel of land in Ocean Reef.
2. Person means any individual, firm, sole proprietorship, partnership, corporation, or unincorporated association.
3. Stagnant water means any body of water natural or manmade, which lacks flow; which is breeding ground or feeding area for mosquitoes, rodents, snakes, or other species of insect or animal, or which constitutes a habitat for disease bearing organisms; which is a host for algae and other growth indicative of water that is not disinfected.
4. Swimming pool means any structure having a depth of any point of more than two (2) feet, intended for the collection of water for the purpose of immersion or partial immersion therein of human beings.
5. Trash means abandoned vegetative material from landscaping, maintenance or land clearing operations, tree and shrub trimmings, grass clippings, palm fronds, tree stumps, stone or gravel, and similar materials as well as construction debris including, but not limited to, abandoned material from construction operations.
6. Untended vegetation means grass, weeds, or underbrush in excess of eight (8) inches in height from the ground, vines or other vegetation.
7. Discolored means the present wall surface, including perimeter walls and fences, or roof color if different, bleached, faded, soiled, stained, or streaked from that of the original wall surface or roof, due to weather, fading or vandalism.
8. Good condition means the building feature is performing according to its originally intended function.
9. Good repair means that any repair made to the property feature is consistent with, and ensures, the features originally intended function and that the repair was executed in a workmanlike manner.
10. Nuisance shall mean any one or combination of the following:
    a. Any attractive nuisance which may prove detrimental to health or safety of the Ocean Reef Community;
    b. Physical conditions dangerous to human life or property, or detrimental to health or detrimental to property values; or which tend to degrade the appearance of the Ocean Reef Community;
    c. Fire hazards
11. Property overgrown and/or not properly maintained.
    a. The owners of all property within Ocean Reef shall keep such property and the adjoining unpaved portions of swales and canal banks clean, and free from any accumulation of garbage, trash or litter.
    b. The owners of all improved property within the Ocean Reef Community shall not permit untended vegetation upon the residential property.
    c. The owner will maintain all property corner markers in the field for verification at any time by an ORCA inspector.

C. Building Exteriors

1. All building exterior wall surfaces, including perimeter walls and fences, shall be kept free of faded or chipped paint, and shall be maintained in good repair and good condition to prevent deterioration,

and must be repainted, recovered, or cleaned when twenty-five (25) percent or more of any exposed surface becomes discolored, as defined herein or is peeling.

2. All building roofs shall be kept free of broken tiles or shingles and gutters shall be kept free of faded or chipped paint and shall be maintained in good repair and in good condition to prevent deterioration, and must be repainted, recovered or cleaned when twenty-five (25) percent or more of any exposure becomes discolored as defined herein or is scaling.
3. No goods, materials, equipment, trash & recycling receptacles, tools, miscellaneous household items and other debris shall be displayed or stored visibly from the street or any adjacent neighboring properties the premises to constitute a nuisance.
4. Owners shall be primarily responsible for the maintenance of buildings when individual residences, structures and exterior premises whether or not such responsibility has been assigned to or accepted by another party.

D. Notice of Violation

1. If the provisions of this article have not been met, a notice of violation shall be issued to the property owner which shall set forth:
   a. The section violated and description of the nature of the violation;
   b. A demand that remedial action be completed within fourteen (14) calendar days from the date of the mailing, delivery or posting of such notice; and
   c. A statement that failure to remedy the violation shall result in correction of the violation by Ocean Reef Community Association at the expense of the property owner and/or daily fines for noncompliance.

XIII. BOATS, LANDINGS, DOCKS, PIERS, DAVITS, BOAT ELEVATORS AND BOAT LIFTS

A. Plans and drawings must be submitted to the ARC for approval before any construction, including pile driving, is started. Permit submittals for boat lifts, docks, davits, sea walls, etc. must include the following items on a site plan:

1. All proposed boat lift and/or davit dimensions; height, depth, width.
2. Side yard setback measurements from the property lines to the davits.
3. Side yard setback measurements from the property lines to the boat lift bunks.
4. Dimensions of any and all existing dock, sea wall, sea wall cap, boat lift.
5. ORCA Boat Lift notice signed by the property owner and installing Contractor.

B. The side set back shall be a minimum of eighteen (18) feet from a property line to a landing, dock, pier, davit, boat lift and the engine propellers/swim platform or bow sprit of a moored or lifted vessel. The side setback shall be a minimum of fifteen (15) feet from a property line in the Sunrise area to a landing, dock, pier, davit, boatlift and engine propellers/swim platform or bow sprit of a moored or lifted vessel.

C. No boats, landings, docks, piers, davits, and boat lifts will be placed where it interferes with a neighbor's reasonable rights to navigation.

D. No landings, docks, and piers shall extend from the face of the cap of the sea wall into the water more than eight (8) feet. Davits and boat lifts shall not extend from the face of the cap of the sea wall into the water more than fourteen (14) feet. No combination of dock, davit and lift shall extend further than fourteen (14) feet from the face of the cap of the sea wall. No vessel may be moored alongside a dock to interfere with safe navigation. Where no sea wall exists, the ARC will review each case on an individual basis.

E. Mooring posts, lamp posts, power pedestals, rub rails and davits may extend above the sea wall no more than eight (8) feet.

F. Where applicable, county, state and federal permits must be obtained by the applicant and submitted to ORCA as proof of issuance.

G. Boat launching ramps are not permitted within ORCA.

H. Floating docks used as docks are permitted and must meet the side setback and extension from the seawall requirements of B and D above.

1. Floating docks, extending further than eight (8) feet from the cap of the sea wall, may be used only as boat lifts, and must be located in the same footprint as a moored boat and must meet the side setback requirements of B above.
2. The maximum length of a floating dock being used as a boat lift, installed perpendicular to the sea wall, is fourteen (14) feet.
3. A vessel may not be moored alongside a floating dock when it (the floating dock) extends further than eight (8) feet from the face of the cap of the sea wall.
4. No floating dock will be placed where it interferes with reasonable rights of navigation.
5. Where no sea wall exists, the ARC will review on an individual basis.

I. New Finger piers are not permitted.

J. Before issuing a variance for any waterway project consisting of multiple boats, landings, docks, davits and/or boat elevators intended for use of more than one vessel, the Board will consider the opinion of all property owners in the Community.

K. All plans for new or replacement piers, davits, docks, or boat lifts must be properly signed and sealed by a registered Professional Engineer or Architect. Of submitted, surveys must be properly signed and sealed by a registered Professional Surveyor.

XIV. EXTERIOR LIGHTING

A. All lighting for docks, walkways, driveways, landscaping, security, underwater lights, etc., require approval by the ARC and must receive an ORCA permit.
   1. The application submittal must include plan location, lumens, number, and details of the fixtures. Only white lights are permitted for general landscaping and building lighting. Multicolored landscape lights are allowed only during holiday periods as defined by H below.
   2. Each submittal will be reviewed on a case-by-case basis as to not create an annoyance to neighbors and to maintain the appearance of Ocean Reef Community standards.

B. Exterior lighting shall not be directed in such a manner to illuminate or be of such brightness as to create an annoyance to neighbors. See current ORCA Member Handbook for additional lighting rules.

C. All lighting associated with a residence shall be designed and/or positioned to ensure that the light source is not visible and is not a source of glare or reflected glare that may be offensive to other residential property owners.

D. Outdoor residential lighting, dock, and bulkhead (seawall) lighting must be turned off at 12 midnight but may remain illuminated for resident's convenience and safety providing it does not provide excessive glare or illumination and interfere with the rights, comfort or convenience of the neighbors or neighborhood.

E. Decorative underwater lights must be directed downward or horizontally.
   1. The allowable colors are blue, green and white.
   2. The submerged depth must be a minimum of twelve (12) inches below the mean low tide.
   3. Maximum wattage is twenty-four (24) watts.
   4. Underwater lights must be turned off daily by 10:00 PM.

F. No string or rope type lighting is permitted on a dock, seawall, ramp, floating dock, or boat lift.

G. Any and all exterior lighting fixtures found to be an annoyance to neighbors, or the neighborhood shall be adjusted accordingly by the owner, in a timely manner.

H. Holiday lighting and inflatable type decorations are allowed from December 1 to January 15. Lighting for holidays which fall outside of this time frame will be allowed for a three-day period on either side of the event being celebrated.

XV. SOLAR COLLECTORS

A. Recommendations (performance):

1. Solar collectors may be installed on the roof within an orientation to the south or within 45 degrees east or west of due south, where feasible, and where such placement does not impair the effective operation.
2. For two story residences, it is preferable that the solar collectors be installed at the low roof, provided that the orientation and size of the low roof does not reduce the designed performance.

B. Requirements & Limitations:
1. Solar Collectors and related equipment shall be located within the ORCA Building Envelope.
2. Solar collectors shall be located to minimize visibility from the street/front property line to the maximum extent practicable, provided that any visibility limitation shall not be applied in a manner that prohibits installation or impairs the effective operation of the solar collectors under Fla. Stat. §163.04.
3. Mounting hardware and exposed framework shall have a low-glare, non-reflective finish where commercially available.

C. Items required for ARC review:
1. Roof Plan/Site Plan drawing (to scale)
a. Indicate the location, color and size of the equipment.
b. Indicate north and south orientation.
c. Provide a current photo of the residence, indicating where the equipment installation is proposed.
d. The equipment manufacturer's literature/specifications for the proposed product, including building code approvals.

XVI. MISCELLANEOUS RESTRICTIONS

A. Temporary storage containers visible from the parcel's frontage or an adjacent parcel, a common area, or golf courses are not allowed without written approval from the ARC and/or ORCA. Additionally, temporary storage containers are subject to applicable ORCA setback and screening regulations.

B. Box type trucks, enclosed trailers and heavy equipment may be parked on job sites behind dark, non-graphic printed, fabric lined construction fence as long as active construction is underway, but they may not be parked in the street.

C. Mailboxes and their supporting structures shall be compatible, in color and construction, to the approved residence when individual mailboxes are installed should be a simple mailbox on a post or masonry similar to the home. Design should be "basic and functional" not a monument. Design must be submitted and approved by the ARC. Mailboxes must be maintained by the homeowner to ORCA standard.

D. All signs on commercial buildings will not exceed twelve and one-half (12.5) square feet. One building sign may be attached or hung on the building and one vinyl sign may be attached to the door or window of the building (two total).

E. Signage at Commercial and Retail buildings will retain its current criteria. All signs will be professionally installed and maintained.

F. Outdoor display and sales are prohibited unless approved by the ARC. The term Outdoor Display and Sales is defined as an area set outside of a building or structure, used for the display or sales of plants, produce, new or used merchandise or the supply of service.

G. Free standing towers and antennas must be approved by the ARC. TV satellite dishes with a diameter greater than four (4) feet are prohibited.

H. For condominium construction, there shall be an appointed owners' representative and a daily full-time construction manager required at the site. It is recommended the condominium association hold a meeting to notify the neighbors of the construction details.

I. The ARC shall consider artificial turf installation on a case-by-case basis. Owners should be aware that turf installed near roadways may be subject to heat-related damage during future paving or resurfacing work. Any repairs will be the homeowner's responsibility.

J. NON-RESIDENTIAL AND MULTIFAMILY PROPERTIES (other than properties owned by Ocean Reef Club, Inc.) are subject to the following building regulations and restrictions:
1. Any project that exceeds the thirty-five (35) or thirty-eight (38) foot height limitations currently provided in the Monroe County Comprehensive Plan and Land Development Regulations will

require specific review and written approval by the ORCA Board of Directors before any approval letter is submitted to Monroe County.

2. Buildings undergoing remodeling or redevelopment are limited to:
   a. No increase in the total number of residential dwelling units will be allowed as compared to the number of residential dwelling units in place as of December 31, 2019; and
   b. No buildings or structures are allowed with more floors than are in existence on that site as of December 31, 2019.
3. Any redevelopment of a non-residential building or structure will be limited to the existing number of floors and floor area increase of no more than 10%.
4. Any proposed project that exceeds the limitations set forth in Sections 2 or 3 above will only be considered by the ORCA Board of Directors during the November thru April Board of Directors Meetings, and such consideration will only take place after one or more presentations are made to provide community feedback to the ORCA Board of Directors.
5. Nothing contained herein shall be deemed to prohibit ORCA from denying any application for approval based upon its own building regulations and criteria, even if the application otherwise would be in compliance with Monroe County requirements and criteria.
6. All condominium renovations and additions will be required to have one and one half (1.5) parking spaces for 1-bedroom units, and two (2) parking spaces for 2 and 3-bedroom units, and three (3) parking spaces for 4-bedroom units.

K. Swimming Pool barrier – Swimming pool barriers should comply with all applicable county and state laws and regulations.

L. Obstructions along roadway - An object, rocks, or other items that impede or prevent passage or progress, an obstacle or blockage. Can't be placed within four (4) feet of the road edge or cart edge. Excluding, approved mailboxes and landscaping.

M. The use of permanent or temporary recreation playsets, swing sets, jungle gyms, climbing structures, basketball hoops, soccer goals, trampolines and/or enclosed play structures are strongly discouraged within ORCA and will be reviewed on a case-by-case basis.

XVII. PRELIMINARY PLAN SUBMITTAL REQUIREMENTS

A. Before developing final plans for all Class I & II permits, architects, contractors and/or lot owners must submit preliminary plans. The ARC will issue a letter of opinion within thirty (30) days of a complete submission indicating tentative approval or disapproval, and any other pertinent comments, based upon an examination of the submitted documents. Preliminary plans must contain the following information:
   1. One completed ORCA Architectural Review Worksheet.
   2. One complete signed and sealed PDF set of the working drawings shall be submitted electronically through the ORCA online portal or other electronic method approved by ORCA. ORCA may require one (1) full-size printed set of drawings if deemed necessary for the review process.

B. Preliminary plans must include the following working drawings on separate sheets:
   1. A current survey, including the following:
      a. Signature and seal of a registered professional land surveyor.
      b. Current FEMA flood zone borders.
      c. Lot dimensions.
      d. Spot elevations at parcel corners and grade breaks.
      e. Crown of road elevations.
      f. A parking plan showing the location of all contractor vehicle parking spaces as outlined in XXII. Including construction fence location.
   2. A site plan including the following:
      a. Setback lines.
      b. The building footprint.
      c. Equipment locations of all equipment outside the building envelope including AC condensers, generators, fuel tanks, wall-mounted water heaters, pool pumps, and required screening.
      d. Trash location and required screening.

e. Dimensions of the actual setbacks provided.
f. Roof overhangs.
g. Driveway location and width, and location of trench drain if required.
h. Garage location and entry direction.
i. Maximum lot coverage calculation, and lot coverage proposed (square footage and percentage of maximum allowed).
j. Pool location(s) and size(s), as well as location and details of required pool barriers.
k. Deck location(s) and size(s), and height above grade.
l. Insect screen enclosures' location(s) and size(s).
m. Planter(s) location, size, and height above grade.
n. Retaining walls' location, size, height above grade, and distance from lot lines.
o. FEMA flood zone or zones, with approximate location of border between zones.
p. Elevation of first habitable floor (MSL).
q. Elevation of first habitable floor (MSL) of adjacent structures.
r. Scale preferred 1" = 10'-0", minimum scale 1" = 20'-0".

3. A grading and drainage plan showing the following:
   a. Proposed footprint of driveway(s)
   b. Elevation (MSL) of proposed driveway(s) at the property line.
   c. Existing and proposed elevations at the driveway's highest and lowest points.
   d. An arrow or contours indicating the direction of the driveways' slope.
   e. Top and bottom elevations of retaining walls and distance from lot lines.
   f. The top elevation of all proposed hardscape within the setbacks.
   g. Existing and proposed elevations at parcel corners.
   h. Existing and proposed elevations at all corners of the house and any other structures.
   i. Note that all post construction drainage must be retained on site. The grading and drainage plan must be sufficient to show drainage retention.
4. Floor plan(s) showing all floor levels. Provide elevation (MSL) of each finished floor level.
5. Four exterior elevations showing the building mass, buildable volume, materials, and all equipment such as electrical meters and disconnects, AC condensers, pool pumps, water heaters, generators and their required screening. Include retaining walls and proposed finished grading, windows and doors.
6. A building section showing general wall and roof structure, finished floor heights for each floor, the elevation of the top of roof and highest tie beam, flood elevation, and proposed finished grade.

XVIII. FINAL PLAN SUBMITTAL REQUIREMENTS

A. Note that ORCA reserves the right to require an as-built final grading plan survey that provides all post construction grade elevations to support the approved grading and drainage plan and retaining walls.
B. Revisions made to reviewed and/or approved plans, as relates to ORCA Regulations & Restrictions after ORCA issues the Review Report comments, must be noted with a "cloud" around the revision and revision number in a triangle next to the "cloud". Also provide a brief description of the revision and date in the appropriate section of the title block of the plan page/s.
C. See Section XX for ORCA Review Classification information and fee schedule.
D. Final submittals must include the following information:
   1. One completed ORCA Architectural Review Worksheet.
   2. One full size hard copy set of complete working drawings with the seal and signature of the architect and engineer(s) affixed thereto. Submit one full PDF set via email and one full size printed set, signed and sealed.
E. Final plans must include the following drawings on separate sheets:
   1. A current survey, including the following:
      a. Signature and seal of a registered professional land surveyor.
      b. Current FEMA flood zone borders
      c. Lot dimensions

d. Spot elevations at parcel corners and grade breaks
e. Crown of road elevations
f. A parking plan showing the location of all contractor vehicle parking spaces as outlined in XXII. Including construction fence location.

2. A site plan including the following:
   a. Setback lines.
   b. The building footprint.
   c. Equipment locations of all equipment outside the building envelope including AC condensers, generators, fuel tanks, wall-mounted water heaters, pool pumps, and required screening.
   d. Trash location and required screening.
   e. Dimensions of the actual setbacks provided.
   f. Roof overhangs.
   g. Driveway location and width, and location of trench drain if required.
   h. Garage location and entry direction.
   i. Maximum lot coverage calculation, and lot coverage proposed (square footage and percentage of maximum allowed).
   j. Pool location(s) and size(s), as well as location and details of required pool barriers.
   k. Deck location(s) and size(s), and height above grade.
   l. Insect screen enclosures' location(s) and size(s).
   m. Planter(s) location, size, and height above grade.
   n. Retaining walls' location, size, distance to property line, height above grade, and distance from lot lines.
   o. FEMA flood zone or zones, with approximate location of border between zones.
   p. Elevation of first habitable floor (MSL).
   q. Elevation of first habitable floor (MSL) of adjacent structures.
   r. Scale preferred 1" = 10'-0", minimum scale 1" = 20'-0".
3. A grading and drainage plan showing the following:
   a. Proposed footprint of driveway(s)
   b. Elevation (MSL) of proposed driveway(s) at the property line.
   c. Existing and proposed elevations at the driveway's highest and lowest points.
   d. Existing and proposed elevations wherever the driveway grading changes.
   e. Top and bottom elevations of retaining walls.
   f. The top elevation of all proposed hardscape within the setbacks.
   g. Existing and proposed elevations periodically along the sides and front and rear of the property (not less than eight locations distributed evenly around the property).
   h. Existing and proposed elevations at parcel corners.
   i. Existing and proposed elevations at all grade breaks.
   j. Existing and proposed elevations at all corners of the house and any other structures.
   k. Proposed elevations and/or contours with intended water flow arrows to adequately show drainage.
   l. Note that all post construction drainage must be retained on site. The grading and drainage plan must be sufficient to show drainage retention.
4. Floor plan(s) showing all floor levels. Provide elevation (MSL) of each finished floor level. Minimum scale 1/8" = 1'-0".
5. Four exterior elevations showing the building mass, buildable volume, materials, and all equipment such as electrical meters and disconnects, AC condensers, pool pumps, generators, water heaters, and their required screening. Minimum scale 1/8" = 1'-0" (See Figure C and Figure D). Include retaining walls and final proposed grading.
6. Building sections showing wall and roof structure with dimensions, finished floor heights for each floor, the elevation of the top of roof and highest tie beam, flood elevation, and proposed finished grade. Minimum scale 1/8" = 1'-0".

7. Typical wall section(s) showing wall height, materials, and buildable volume (See Figure C and Figure D).

F. ORCA reserves the right to request an as-built final grading plan survey that provides all post construction grade elevations to support the approved grading and drainage plan.

G. Exterior Materials and Colors:

1. All colors and patterns must be approved by ORCA, in writing, prior to applying materials to the exterior of the building, roofs and driveways. Owner/builder must provide ARC with color samples or materials of roofing, driveway, paint, stucco, siding, decking, trim, accents and screen enclosure contemplated. Provide the following for ARC approval:
   a. 10 ft.x10 ft. exterior painted samples of exterior wall and a 20 ft. sample of fascia/trims/moldings/casings/cornices/dentils/bands/etc., in the paint color(s) that owner has selected.
   b. Each sample is to be clearly identified with color manufacturer's name, product number and/or name.
   c. Location of color sample(s) shall be placed on both "sun side" and "shade side" of the residence or as directed by ORCA.
   d. If proposed materials do not require painting or staining, install 20-foot sample (minimum).

H. Landscape and Hardscape plans must be submitted for ORCA approval prior to installation of materials. Refer to section IX for Landscape and Hardscape plan requirements.

I. Final plans approved by Monroe County must be received and approved by ORCA before work may proceed and an ORCA building permit may be issued. The ARC approves plans and may delegate the approval of Class II through Class V plans to the Chairman of the ARC and one of either the Vice President or Director of Public Works.

XIX. ADDITIONS AND ALTERATIONS

A. The same requirements apply for additions and alterations as for new or replacement residences.

XX. BUILDING CLASSIFICATIONS AND PERMIT FEES

A. All review fees and permit fees must be paid in full prior to issuance of any ORCA permit.

B. PLAN REVIEW FEE $500 for preliminary, and final reviews and one revision. An additional fee of $500 per subsequent review. Class I and II residential & Commercial structures, replacement residences, new construction, and all additions.

C. Two Class I, II, or III permits will not be issued within two years of each other from the end of one permit to the start of another unless approved by the Architectural Review Committee. An exception is the case of a new house and a separate pool permit. In that case, both the house and the pool must be completed by the expiration date of the house permit.

D. Class I

Residential A/C Space	Permit Fee	Length of Permit
0 sq. ft. - 5,000 sq. ft.	$2.00 per sq. ft.	18 months
5,001 sq. ft. - 10,000 sq. ft.	$2.00 per sq. ft.	20 months
10,001 sq. ft. or larger	$2.00 per sq. ft.	24 months

1. All commercial and residential buildings and roofed structures.
2. New Residence and Replacement Residence
3. Permit fees and construction time periods include additions of new pool/spa, landscape, hardscape, irrigation and exterior lighting.

E. CLASS II

Permit Fee	Length of Permit
$3,200	16 months

1. All demolition and construction of an attached or detached addition to a residence
2. Interior and exterior renovations that are more than 50% of total square footage of project space
   a. Residence, landscape, hardscape, pools, spas, etc.

F. CLASS III

Permit Fee	Length of Permit
$2,000	12 months

1. All roof replacements
2. Interior and exterior renovations that are less than 50% of total square footage of project space
   a. Residence, landscape, hardscape, pools, spas, etc.

G. CLASS IV (A or B)

1. Class IV A

Permit Fee	Length of Permit
$1,250	6 months

   a. New or replacement pier, davit, dock, boat lift
   b. New or replacement driveway
   c. New or replacement screen enclosure
2. Class IV B:

Permit Fee	Length of Permit
$1,250	12 months

   a. New or replacement sheet pile type sea walls ONLY.

H. CLASS V

Permit Fee	Length of Permit
$0	6 months

1. All minor interior and exterior home renovations and repairs requiring a Monroe County building permit.
2. All minor landscape or hardscape additions or repairs.
3. All minor pool, patio, or dock repairs and/or renovations requiring a Monroe County building permit.
4. Window and/or door replacements, garage door replacement, floating vessel platform, etc.
5. Exterior painting.

I. DEMOLITION PERMITS

Permit Fee	Length of Permit
$600	30 Days

1. All residential and commercial demolition projects, providing a property does not have an ORCA approved Class I or II building project.
2. Valid May 15 – October 31 ONLY.
3. A construction fence with dark screening is required prior to demolition commencing.
4. All construction debris from the demolished structure/s must be removed within permit time.
5. Grading must be completed for the process to be considered completed.
6. Class II demolition permits will only be issued after the associated design drawings have been completed and approved by the ARC. This requirement does not apply to Class I demolition permits.
7. See Section XXI for additional demolition information.

J. RENEWAL PERMITS – **6 Month renewal permits are no longer allowed.**

1. First 3-Month Renewal Permit Fee is payable prior to the expiration date.
   a. Letter to owner and general contractor
   b. The permit fee shall be 2x the original permit fee.
      i. Valid for 3 months.
      ii. Non-refundable fee.
2. Second 3-Month Renewal Permit Fee is payable prior to the expiration date.
   a. The owner and general contractor must meet with the ARC.
   b. No new permits for the general contractor until work is completed.

c. The permit fee shall be 3 x the original permit fee.
   i. Valid for 3 months.
   ii. Non-refundable fee

3. Third 3-Month Renewal Permit Fee is payable prior to the expiration date.
   a. The owner and general contractor must meet with the ARC.
   b. No new permits for the general contractor until work is completed.
   c. The permit fee shall be 4x the original permit fee.
      i. Valia for 3 months.
      ii. Non-refundable fee.
4. Fourth 3-Month Renewal Permit Fee is payable prior to the expiration date.
   a. No new permits for the general contractor until work is completed.
   b. The permit fee shall be 5x the original permit fee
      i. Valid for 3 months
      ii. Non-refundable fee

Permit Fee	Length of Permit	Example of renewal permit fees: For illustration purposes, assume the original permit is $6,000
2 x Original Permit Fee	3 months	Ex: 2 x $6,000 Original Fee = $12,000
3 x Original Permit Fee	3 months	Ex: 3 x $6,000 Original Fee = $18,000
4 x Original Permit Fee	3 months	Ex: 4 x $6,000 Original Fee = $24,000
5 x Original Permit Fee	3 months	Ex: 5 x $6,000 Original Fee = $30,000

5. An ORCA "Stop Work Order" will be placed on the project after 5 days of permit extension expiration.

K. AFTER-THE-FACT Permit

Permit Fee	Length of Permit
*2 x Current Applicable Fee	Current Applicable Time Period

*Provided that no other violation exists

L. Contractor Damage
   1. ORCA Public Works, after a reasonable notice of five (5) working days to the contractor to make necessary repairs, may contract with an appropriate company, at the contractor's expense, to expend funds to make necessary repairs to damages caused by the contractor. All expenses incurred by ORCA will be billed to the contractor. Failure to delay the necessary repairs or failure to pay any expenses to ORCA may result in a stop work order or denial of community gate entrance.

XXI. DEMOLITION GUIDELINES

A. Any construction site or home abandoned due to storm, fire or catastrophe, must be cleared of all hazards in a timely manner and comply with county regulations, or appropriate action will be taken by the ARC. Emergency demolition of a structure shall be considered on a case-by-case basis.
   1. The owner will be requested to provide a written report to ARC outlining his intentions regarding the structure.
   2. If the above structure can be rebuilt using the same structure it must be secured in a safe and aesthetically pleasing manner, with the site cleared of debris within 30 days of the time of the occurrence.
   3. A plan for full restoration of the structure and site must be presented for permitting within 120 days after the 30-day debris removal period. If a restoration plan is not submitted within the 120-day period, the property owner shall install temporary or permanent landscaping to visually improve the site until redevelopment occurs.

B. If a structure is determined by the property owner, insurance carrier, governmental authority, licensed engineer, or other qualified professional to be damaged beyond reasonable repair, the following shall apply:
   1. An application for the demolition permit shall be submitted to ORCA within seven (7) days of the determination that the structure is beyond repair.

2. Demolition shall commence within three (3) days following issuance of the demolition permit, unless delayed by investigation or order of a governmental authority having jurisdiction.
3. The demolition process shall be completed within thirty (30) days of commencement, and all rubble, debris, and building materials shall be removed from the site. The property shall be left in a safe and visually acceptable condition.

C. Demolition of any external portion of a structure in conjunction with the new or replacement home is only permitted between May 15 & October 31. The last day to obtain a demolition permit is on or before October 1st and all debris must be cleared from the property by end of business on October 31st.
1. Construction must begin within thirty (30) days of the demolition permit expiration date.
2. In the case of total demolition; the lot must be landscaped, sodded or seeded within sixty (60) days of the demolition permit expiration date.

D. A Monroe County and ORCA permit must be obtained before an unimproved lot may be cleared.
1. Construction or landscaping of the lot shall commence within sixty (60) days of the effective date of the County permit.

XXII. SPECIAL INSTRUCTIONS FOR CONTRACTORS, ARCHITECTS, AND JOB SITES

A. Before construction and demolition commences all construction sites, including major renovations, must have a six (6) foot high fence, with top rail, with dark, non-graphic printed fabric on the outside, around the total perimeter of the construction site. All construction equipment and, materials must be interior to the fence.
1. Wood and/or composite fencing is encouraged in lieu of chain-link/fabric fencing. If a wood or composite fence is to be installed, it shall be six (6) feet in height without any gaps (continuous opaque screening around the construction perimeter).
   a. Fence panels shall be installed plumb and securely fastened/braced to ensure stability.
   b. Finish/color shall be dark, continuous, and low-glare.
   c. A solid top rail is permitted.
2. Fencing on sites that are heavily screened by landscaping may be waived with ARC approval.
3. Each day the contractor will be responsible for trash removal within three-hundred (300) feet of their construction fence and roadway washing in front of parcel.
4. A project's dumpster, portable restroom, and construction trailer (if used) shall be within the confines of the screened area.
5. Fencing should be setback from paved street, so as to provide construction vehicle parking areas perpendicular to the roadway.

B. A portable restroom is required for Class I, Class II & Class III projects. A portable restroom door must face away from the street and placed a minimum of twenty-five (25) feet from the edge of the road. The portable restroom must be adequately screened with construction fencing with screen or vegetation.

C. A stop work order may be placed on a job site if a contractor or builder constructs or builds without following the ORCA approved plans in relation to the foregoing rules and regulations and is subject to a fine to be determined by the ARC and may be denied access to Ocean Reef.

D. One sign showing the architect, contractor, name of the property owner and the address of the building site may be displayed at a building site during construction. The sign may be no larger than three feet by two feet (3' x 2'). If a sign is erected, it should include the ORCA and Monroe County Building Permits and site plan drawing. The sign shall be removed by the contractor upon completion of construction.

E. An ORCA permit, job site drawing with parking plan and County permit, where applicable, must be visible at each job site, at all times.

F. CONTRACTOR PARKING REQUIREMENTS
1. Class I & II on-site parking shall only be permitted for one supervisor, passenger transport vans for workers, or commercially marked vehicles. No personal use vehicles, except for one supervisor, shall be allowed to park on-site. All contractor vehicles must be fully accommodated on the grounds of the property being permitted. A detailed site and parking plan must be included in the Preliminary and Final Plan Applications to the ARC.

2. The plan must indicate the location of all contractor vehicle parking spaces within the property lines and, if applicable, the portable restroom and dumpster positions. Street or roadway parking shall be limited to short times necessitated by bulk deliveries such as concrete, roof tiles, sheetrock, sod, pavers, etc. Any contractor vehicles exceeding the approved parking plan capacity shall be parked off-site at:
    a. Nearby Ocean Reef properties shown on the parking plan provided that the contractor provides a written agreement covering the use of the off-site parking. These off-site parking areas must be screened from the street.
    b. Outside of Ocean Reef, at a remote location established by the contractor or an ORCA designated parking area or lot.
3. Class III, IV, & V: All Parking will be on-site.

G. A job site construction trailer will be limited to ten foot by twenty foot (10' x 20') shall be placed within the screened in area, must be removed prior to grading and drainage portion of a project.

H. All construction sites must be cleaned daily of all debris to avoid adverse impact on adjacent properties. If a request by the ARC to keep a site clean of debris goes unheeded by the contractor, ORCA shall hire, at the contractor's expense, someone to remove the debris, or issue a "Stop Work Order" on a job site until the adverse condition is rectified.

I. An architect who presents plans that misrepresent or violate the foregoing rules and regulations is subject to a fine to be determined by the ARC and may be denied access to Ocean Reef.

J. Required Surveys (for each applicable project):
1. A signed/sealed Foundation As-Built Survey shall be submitted to ORCA within fourteen (14) days of poured footers
2. A signed/sealed Final As-built Survey must be submitted to ORCA within thirty (30) days of landscape and hardscape installation.

K. Temporary Certificate of Occupancy (TCO)
1. Furnish ARC with Monroe County TCO prior to actual physical occupancy. No overnight stays, move-in, or residence by owner, tenants, guests, or contractors are permitted prior to ARC receipt of the Monroe County TCO.

XXIII. HURRICANE SEASON – CONTRACTOR & JOB SITE REQUIREMENTS

A. It is prohibited to maintain hurricane shutters in a closed/secured position on a structure, outside of the time period from May 1 through November 30 unless hurricane conditions are expected to occur as reported by the National Oceanic Atmospheric Administration (NOAA) and/or Federal Emergency Management Association (FEMA).

B. The general contractor is responsible for preparing the construction site in a timely manner for tropical storms, hurricane force winds, tidal surge and rising water events.

C. The general contractor is responsible for being informed of the most current National Weather Service, local radio and television stations information about tropical storm, and hurricane development.

D. The general contractor shall prepare the construction site in a manner to insure the health, safety and welfare of the residents and non-residents of Ocean Reef.

E. The general contractor shall prepare the construction site in a manner to ensure that adjacent and common area properties are not damaged be materials, equipment and debris from the general contractor's construction site or from parking by sub-contractors.
1. Preparation of the construction site includes, but not limited to:
    a. All stored materials and equipment that are on site, shall either be removed from the construction site and ORCA property, or
    b. Stored materials and equipment shall be secured in a manner to prevent movement by wind, rising water or water surge.
    c. All erected materials and equipment shall be secured, braced, anchored and protected in a manner to prevent movement by wind, rising water and water surges.
    d. Contractor is fully responsible for damage caused by dumpsters, materials, equipment, and/or portable restroom units remaining on job sites.

XXIV. SUBMISSIONS

A. The Architectural Committee and ORCA are not responsible, nor liable for any costs, delays, or relatedlosses caused as a result of the denial of a set of plans. The Architectural Review Committee and ORCA are not responsible, nor liable for any costs, delays, or related losses resulting during the subsequent construction of a residence for which the set of plans was approved.

XXV. VARIANCES AND APPEALS PROCEDURES

A. VARIANCE REQUEST $300

1. If building, dock or landscape plans are not approved by the ARC, the following is the proper procedure.
   a. The owner or his agent must submit in writing a request for a variance.
   b. The request must state the facts why a variance should be approved, i.e., specific hardship, not just that it is desirable.
   c. It must refer to the ORCA Building Regulations and Restrictions section(s) that are in Violation on plans that were reviewed.
   d. The ARC will notify all adjacent property owners within a 300-foot circumference by certified mail of the request for a variance, and the nature of the variance.
   e. When a violation exists and no permit was obtained and a variance is requested, the variance fee for review by the ARC will be $1,000 in addition to the doubled permit fee. This does not guarantee approval of the variance. Should the request be denied, all violations will be rectified within thirty (30) days.

B. APPEAL REQUEST $300

1. If a variance has been denied by the ARC and the owner or his agent wishes to appeal the denial before the ORCA Board; the following is the proper procedure.
   a. The owner or his agent must request in writing to be placed on the ORCA Board agenda and include the following information.
   b. Names of all individuals who plan to attend the meeting, their title and purpose of attending.
   c. Agenda for the meeting and written summaries of any information or opinion to be rendered for review by the Board.
2. Operating Policy includes:
   a. Time limit of fifteen (15) minutes will be given for the initial presentation at the Board meeting. The Board, as necessary, will agree to additional time and schedule.
   b. If the Board needs additional discussion, time and/or information to make a determination, the matter will be deferred until a mutually agreed upon date and time to be set with the necessary requirements.
   c. Meeting notes should be taken by a representative of the owner and the ORCA Board. These notes shall be typed and reviewed by the owner and a representative of ORCA within a week of the meeting. Upon agreement, they will be incorporated into one set of meeting notes and signed by the owner and a representative of ORCA. These approved notes, along with any exhibits, will then be issued to all interested parties and filed accordingly.

XXVI. ENFORCEMENT OF REGULATIONS AND RESTRICTIONS & ORCA MEMBER HANDBOOK

A. Any member of ORCA, or any agent of such member, who violates any provision, rule, regulation, or restriction contained in these Building Regulations and Restrictions and the ORCA Member Handbook may, after a hearing before the Association's Board of Directors, be subject to a fine as determined by the Board of Directors.

B. In addition, such member and/or Agent shall be liable for any and all reasonable attorney's fees, costs and expenses incurred by ORCA in the enforcement of these regulations and restrictions through injunctive relief, or other appropriate remedy in a court of law.

XXVII. WAIVER OF LIABILITY

Permit #:_____

Property Owner Name:_____

Ocean Reef Address:_____

The approval of a set of plans is not to be construed in any way to be an approval of the construction or engineering of a residence. The Architectural Review Committee and ORCA are not responsible for the safety or integrity of a residence for which the plans have been approved. The lot owner, architect, and contractor, as evidenced by their signature below, have read the above statement, understand its content, and agree not to hold the Architectural Committee and ORCA liable as indicated above.

_____
Owner

_____
Architect

_____
Contractor/Builder

This Waiver of Liability and Landscape Compliance (if applicable) must be signed by the lot Owner and Architect (and Contractor, if known) and submitted with the completed working drawings prior to approval by the Architectural Committee.

XXVIII. LANDSCAPING AND HARDSCAPES COMPLIANCE

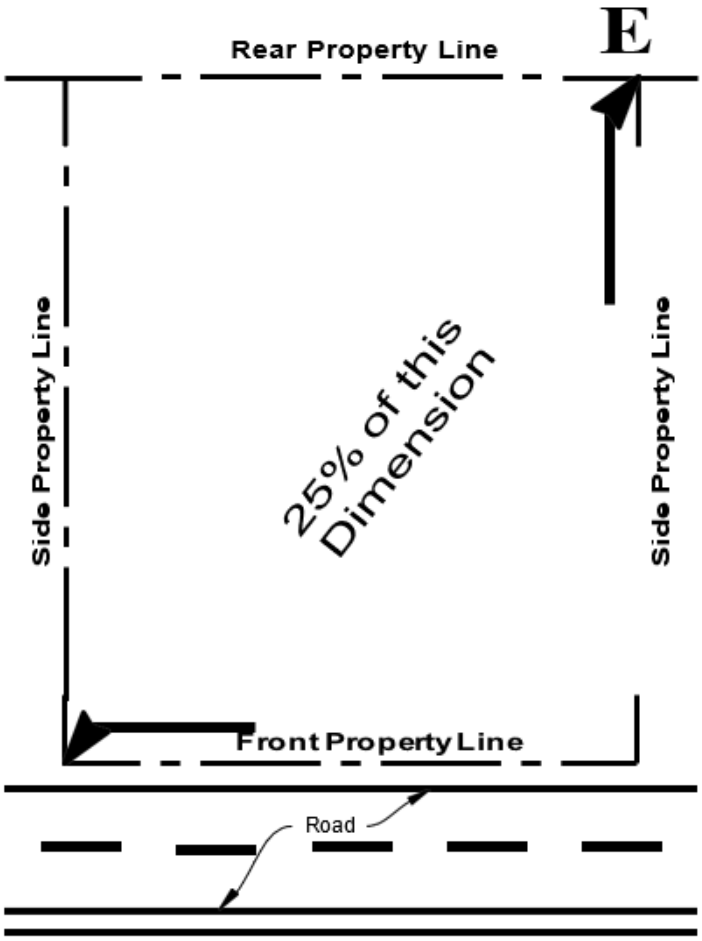
This is to certify that we agree to submit to ORCA the proposed landscaping and hardscape plans, no later than six (6) months prior to the expiration date of the building permit and agree that the landscaping and hardscapes shall be completed, according to approved plans, prior to receiving an occupancy permit.

Signed:_____
(Property Owner or Contractor)

Date:_____

Ocean Reef Address:_____

Figure A

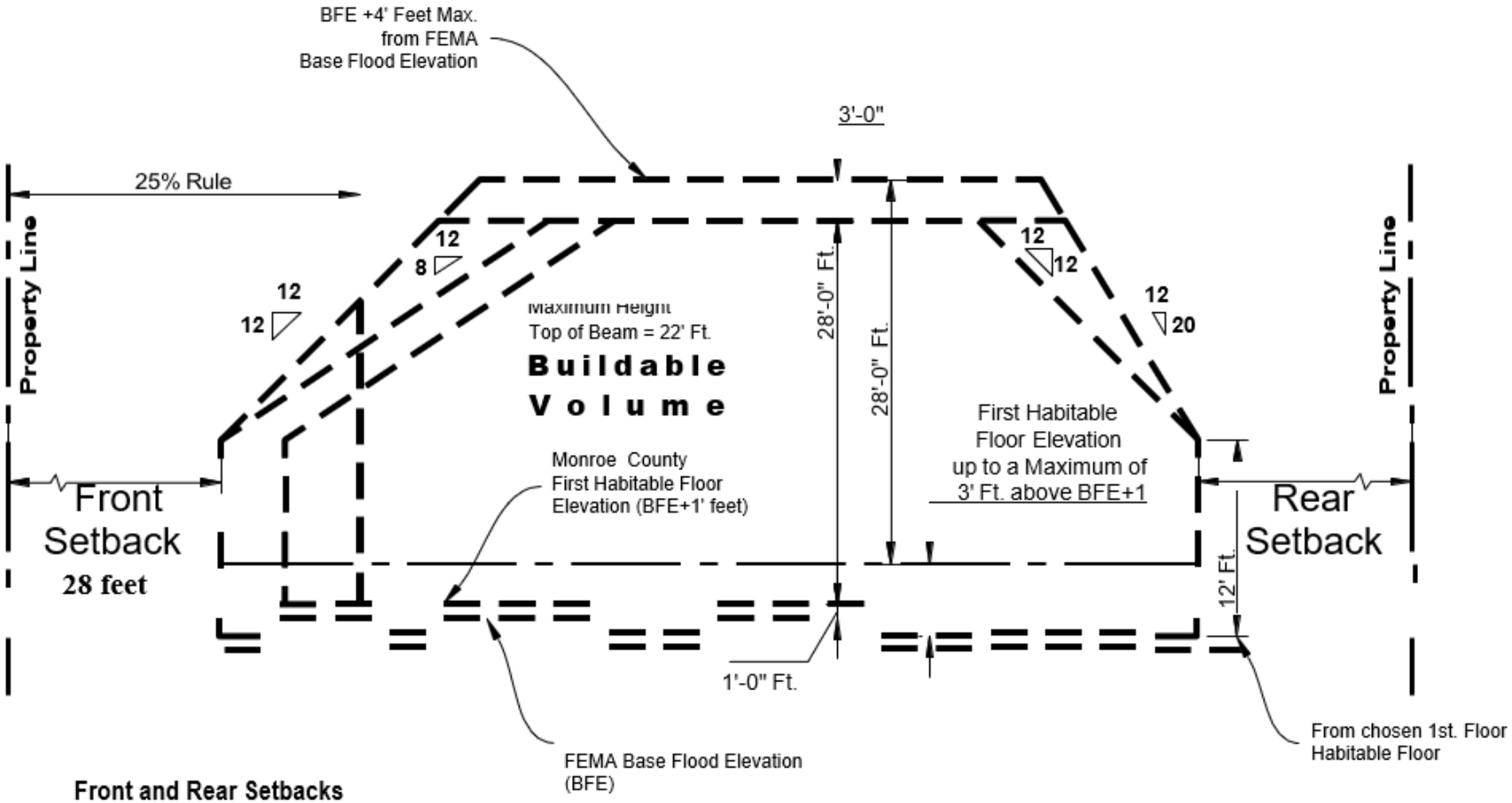


"The 25% Rule"

The front setback minimum for a habitable floor area that is above the first-floor habitable floor height may be determined as follows:

1. Take the shortest measurement from the front first habitable floor façade of the residence to the front property line as follows:
    a. The measurement must be the shortest distance to the front property line from a point on the front façade.
    b. The measurement line is to terminate at the front property line and be perpendicular to the front property line
    c. Measurement line length is to be not less than 28 feet
2. The formula for the "Exception" to the 2nd floor front minimum setback requirement follows:
    a. 28 ft. (min. required setback) divided by the proposed front yard setback measurement from step #1 above. For example, 28 ft. divided by 37 ft. = .76 (37 ft. is an example number)
    b. 76 x 25% (25% Rule) = 18.9%
    c. 18.9% x 224 ft (224 ft is an example number for the longest dimension measured from a point on the front property line to a point on the rear property line)
    d. 18.9% x 224 ft = 42.3 ft.*
    e. *Therefore, the proposed "exception" to the 2nd floor front setback minimum requirement is 42.3 ft.

Figure B



Front and Rear Setbacks Change based on the neighborhood

Buildable Volume

Rear Setback

30 feet = 12/12/slope

20 feet = 12/20/slope

Front Setback **AE 11' and under = 12/12/slope**

AE 12' and greater = 8/12/slope

Figure C

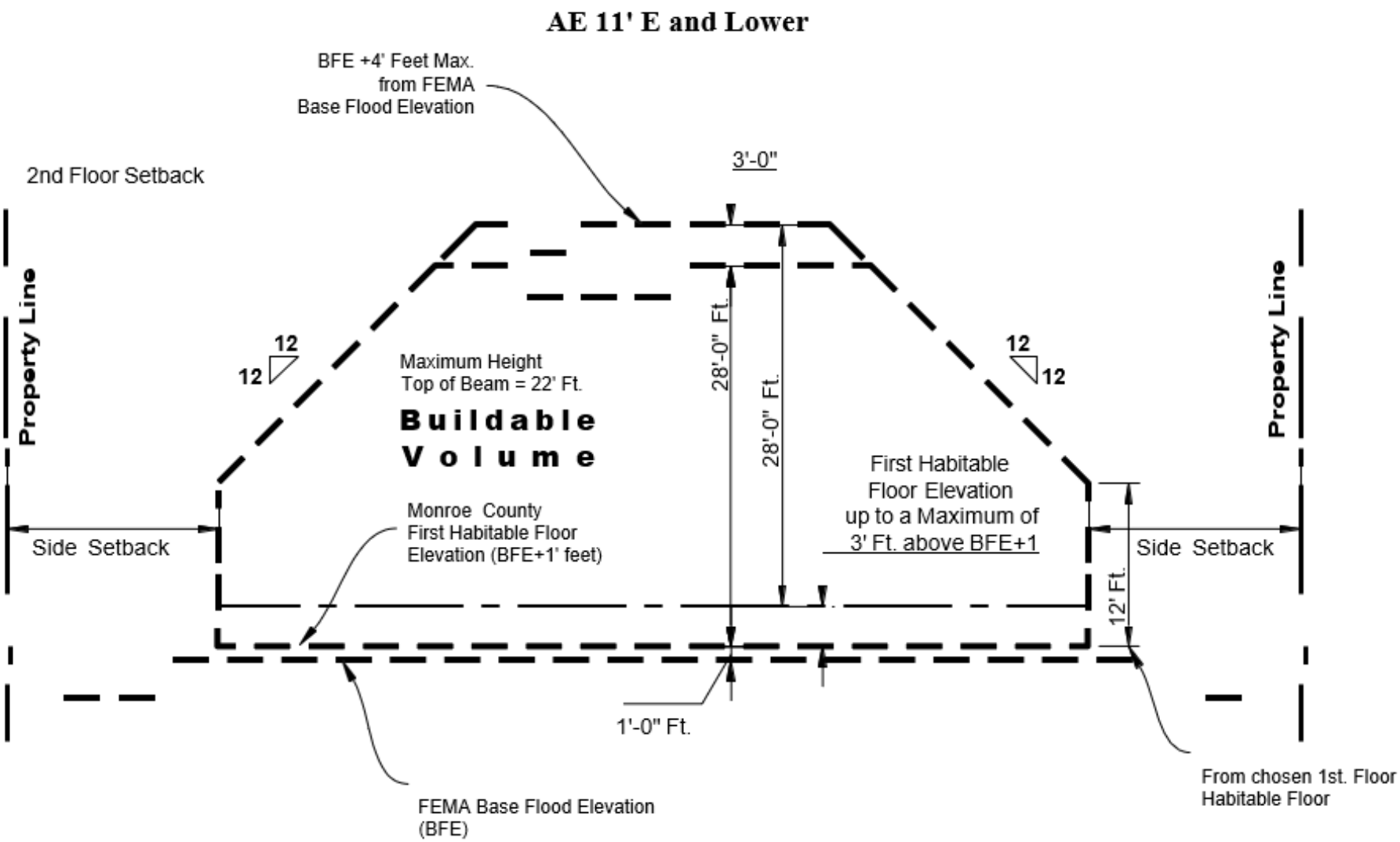
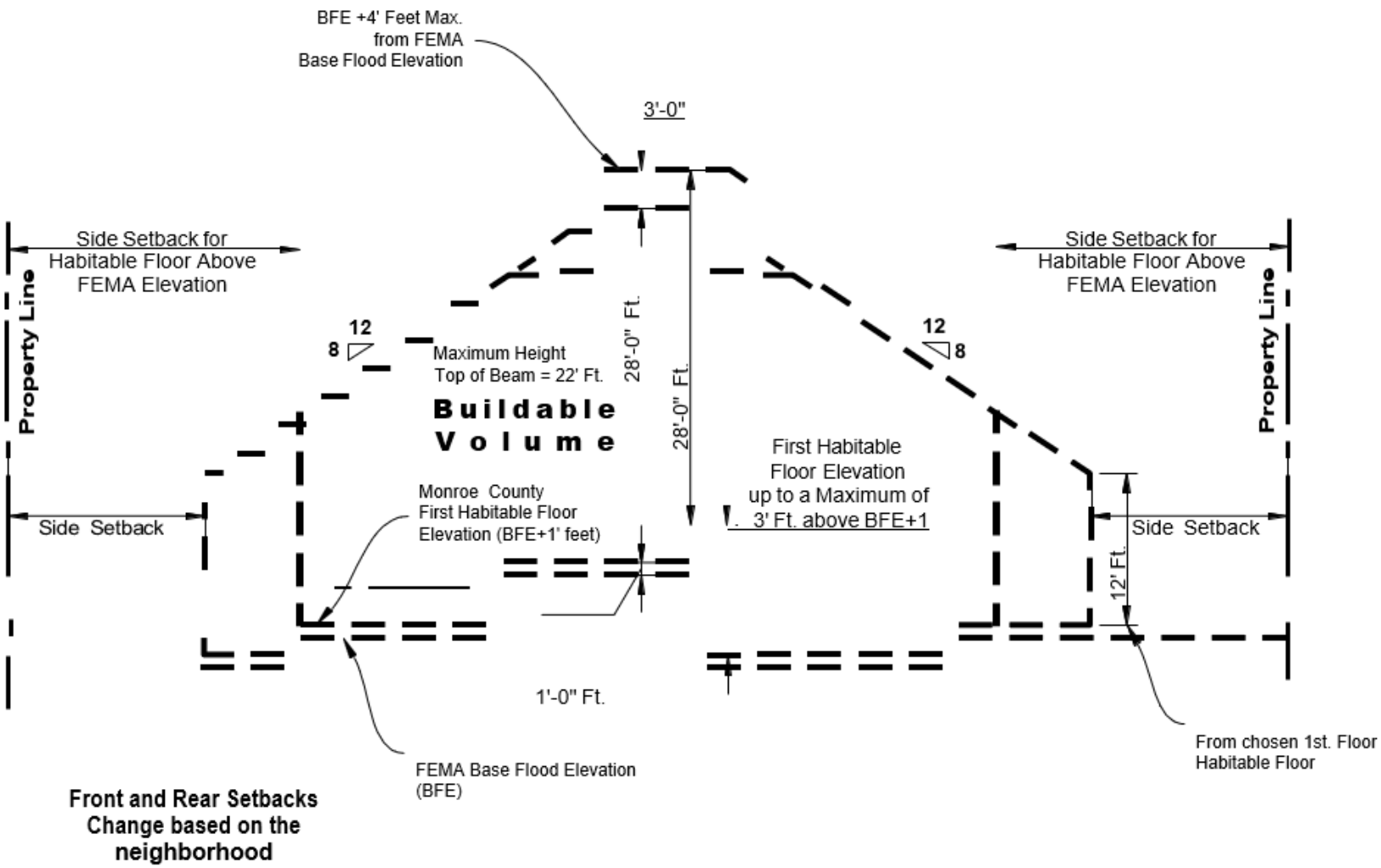
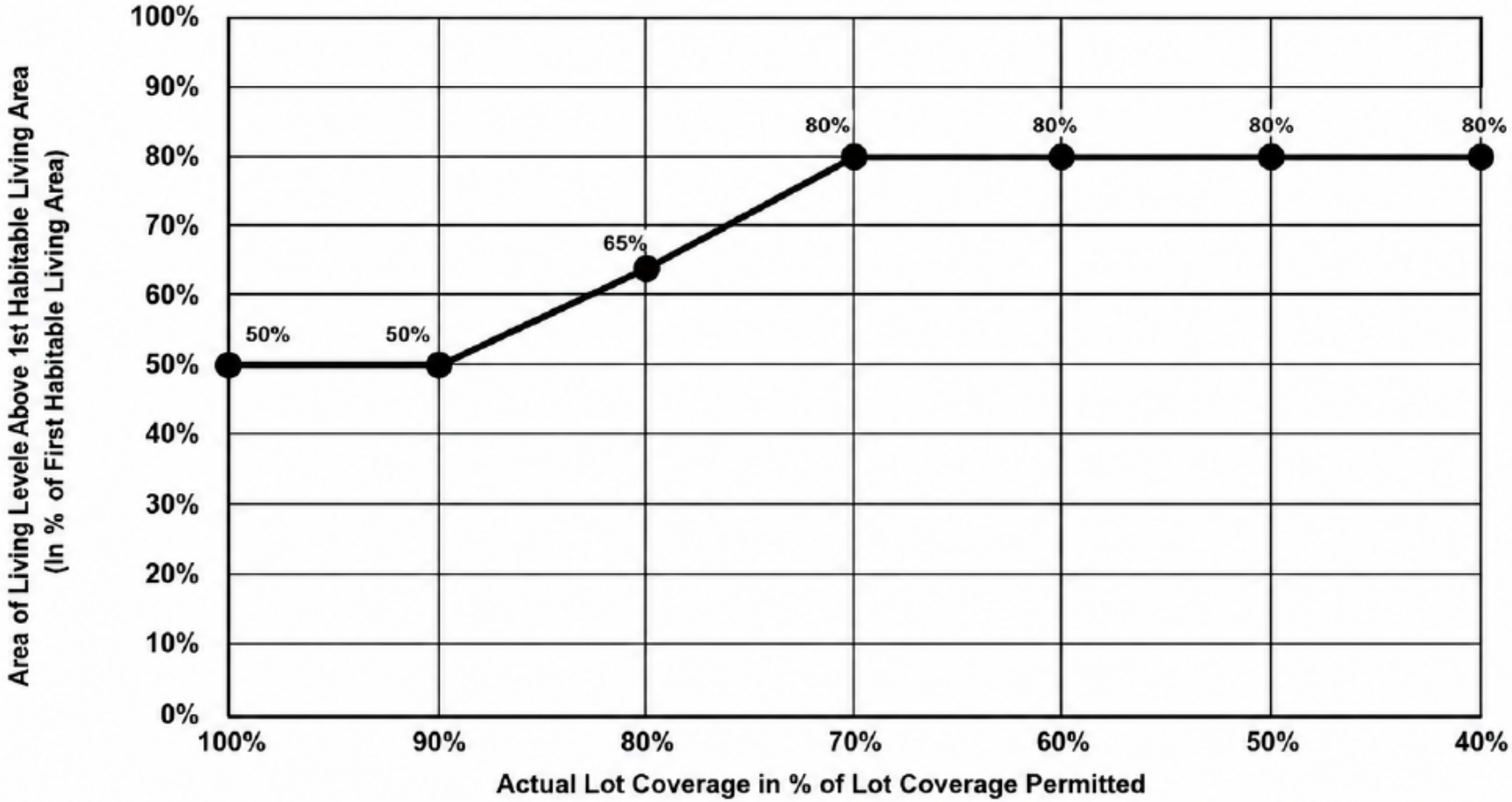

AE 11' E and Lower
BFE +4' Feet Max.
from FEMA
Base Flood Elevation
2nd Floor Setback
3'-0"
Property Line
12
12
Maximum Height
Top of Beam = 22' Ft.
Buildable
Volume
28'-0" Ft.
28'-0" Ft.
12
12
Property Line
First Habitable
Floor Elevation
up to a Maximum of
3' Ft. above BFE+1
Side Setback
Monroe County
First Habitable Floor
Elevation (BFE+1' feet)
Side Setback
12' Ft.
1'-0" Ft.
FEMA Base Flood Elevation
(BFE)
From chosen 1st. Floor
Habitable Floor

Figure D

VE 12' & Above



Graph Chart for Determining Maximum Allowable Square Footage of Habitable Living Area
Above the 1st Habitable Living Area



2nd Level Habitable Living Area Calculation Guidelines:

1. The maximum allowable gross enclosed floor area above the first floor is determined by this chart.
2. All measurements are based on gross enclosed floor area measured to the exterior face of the exterior walls.
3. Gross enclosed floor area includes all enclosed spaces, including garages, stairways, hallways, closets, mechanical rooms, and other enclosed spaces.
4. Open or unenclosed areas, including terraces, balconies, open porches, patios, outdoor kitchens, pergolas, and similar exterior spaces, are not included.
5. Elevator shafts are counted on each level they serve.
6. Stairway floor area is counted on the level where the stairs are located.

Exceptions may be granted by the ARC as provided in the ORCA Building Regulations and Restrictions.

Ocean Reef Community Association

E

Metal Roofing Guidelines

A. The Architectural Committee has approved the installation of metal roofing with the following regulations and restrictions:
   1. ORCA Approved Metal Roofing Materials: *
      i. Galvalume (American Society of Testing and Materials (ASTM) No. A 792), coating class AZ50 or AZ55.
      ii. Prefinished Galvalume.
      iii. Copper (ASTM B 370), 16 oz (0.0216-inch thick), minimum. Tempered H00(cold rolled).
      iv. Permanently colored Stainless Steel.
   2. ORCA Approved Prefinishing Coatings over Galvalume as follows:
      i. Pretreatment with Chromium-Free Primer.
      ii. 8 mils High-Performance Primer Coat.
      iii. Finish coatings: Two (2) coats at .8 mils each of Polyvinylidene Fluoride (PVDF) containing 70% Kynar 500 PVDF or Hylar 5000 PVDF resins.
   3. ORCA Approved Prefinished Colors (Available at ORCA Office)
   4. Prior to purchase of metal roofing materials, the Owner's Architect, Designer, or Contractor is to provide the following for ORCA approval:
      i. Roofing material manufacturers sample of product.
      ii. Product literature including specifications of product, including written information that provides confirmation that product meets or exceeds ORCA standards for approval.
      iii. Sample of color selected.

*All metal roofing products shall also meet/exceed requirements set forth in The Florida Building Code (latest edition).

B. Performance Characteristics Required for Prefinished Galvalume Roofing Materials: (In accordance with ASTM test procedures)
   1. Weatherometer Test (ASTM D822-86, G23-88)
      i. Passes 5,000 hours with no objectionable chalking, color change or adhesion loss.
   2. Accelerated Weathering (ASTM G53 O.U.V.)
      i. 2,000 hours, color change 0.9 units (DE. No blistering or adhesion loss.)
   3. Dew Cycle Weatherometer (ASTM D3361)
      i. 1,000 hours, color change 3.6 units (DE. No chalking). SpecularGloss (ASTM D523-89 at 60 degrees) Coating shall have a gloss of 30 +- 5.
   4. Chalking Resistance (ASTM D4214-89)
      i. Florida Exposure: 10 years at 45 degrees S. Maximum rating of 9.
   5. Color Change (ASTM D2244)
      i. Florida Exposure: 10 years at 45 degrees S. Maximum 4 units change.
   6. Humidity Resistance (ASTM D2247-87)
      i. 2,000 hours with 90-degree bend at exposed panels. Cleveland Condensing Cabinet at 100 degrees F. No blisters, no rust, no color change, no loss of adhesion on bends.
   7. Salt Spray (ASTM B117-85)
      i. 2,000 hours with exposed panels scribed and bent 120 degrees to represent formability. No blisters, no rust on 120 degree formed bend, Trace blisters with no creepage at scribe.
   8. Pollution Resistance (ASTM D1308-87)
      i. 10% HCL, 15 minutes - No effect.
      ii. 20% H2So4, 18 hours - No effect.
   9. Formability T-Bend (ASTM D4145-90)
      i. No cracking or tape removal of film at O-T bend.
   10. Impact Resistance (ASTM D2794-84)
      i. Impact in in.fib= 2,000 x metal thickness- No cracking or adhesion loss.
   11. Abrasion Resistance Test Falling Sand (ASTM D968-91)
      i. Liters to exposure 5/329 of substrate - 50 liters.