

II. SITE/LOT LAYOUT REQUIREMENTS

- A. Minimum Dwelling Area:
The minimum dwelling area (enclosed living space) or any residence is 1,500 square feet of enclosed living space except for a guest cottage or quarters.
- B. Maximum Dwelling area:
The maximum dwelling area (enclosed living space) for any residence is 10,000 square feet for a single lot. If two or more contiguous lots are combined for a single dwelling unit site then the maximum enclosed living area shall not exceed 20,000 square feet (Note: covered living areas means under roof whether screened, open or air conditioned).
- C. Building Restriction Lines:
(Note: each lot shall have one front and one rear setback):

Unit One

1. Lots 1-37
 - a. Front-75 feet (from road right of way)
 - b. Side-20 feet (from side lot lines)
 - c. Rear-5 feet (from Wetland Buffer line)
2. Lots 38-45 and 48
 - a. Front-50 feet (from road right of way)
 - b. Side-15 feet (from side lot lines)
 - c. Rear-30 feet (from top of Lake Bank)
3. Lots 46, 47 and 49-57
 - a. Front-50 feet (from road right of way)
 - b. Side-15 feet (from side lot lines)
 - c. Rear-40 feet (from rear lot line)

Unit Two

4. Lots 1-12
 - a. Front-50 feet (from road right of way)
 - b. Side-15 feet (from side lot lines)
 - c. Rear-40 feet (from rear lot line)
5. Lots 13-19
 - a. Front-50 feet (from road right of way)
 - b. Side-15 feet (from side lot lines)
 - c. Rear-5 feet (from wetland buffer line)

- D. **Building Height:**
Building height shall not exceed 35 feet in height. Where there are three floors, the third floor shall be incorporated into the roof form. Detached structures including garages, guest homes or other similar structures may not exceed two stories in height including any parking levels.
- E. **Foundations:**
1. Piers or a stem wall foundation is required for all residential structures.
 2. There shall be no on grade construction.
 3. Piers or stem wall shall be veneered with stucco, tabby stucco or brick.
 4. Foundation openings shall be covered with non-prefabricated lattice, or louvers painted or stained to match the color scheme of the residence.
- F. **Lot Fill:**
Lot fill is limited to the building area, driveway and parking area terraces or patios and similar site improvements and 10 feet outside of all such areas.
- G. **Driveways:**
1. Driveways shall be a single driveway with a cleared width not to exceed 30 feet and a paved surface not to exceed 15 feet. Driveway surfacing shall be pavers, concrete or brick or as approved the ARC. A second driveway may be allowed where the depth of the lot or unique topographic or vegetative conditions justify such access.
 2. Construction access is only allowed through the permanent driveway location.
 3. Driveways shall be at least five (5) feet from adjacent properties to allow for landscape buffering except where sufficient natural greenbelts exist.
- H. **Driveway Culverts and Headwalls:**
1. Swale grades and the ability to transport runoff as designed shall be maintained during and after construction. Most lots will require a driveway culvert to maintain the proper storm water flow. Culverts are not practical for all driveways because of the depth of the swale. For those driveways, the pavement shall conform to the design swale grades and cross slope.
 2. The required culvert shall be a Type 5 elliptical reinforced concrete pipe with concrete end walls or headwalls. The elliptical pipe shall have a 12" rise and 18" span with a length of 24' (3-8' sections). Other pipe may be approved on a case by case basis

provided it has equal or better performance. The pipe shall have a min. cover of 8" with a 4" concrete driveway. The driveway shoulder shall be grassed. The headwalls may either be pre-cast or cast-in-place. Details are attached as Appendix "H". The concrete headwalls shall have a stucco finish on exposed surfaces.

3. The proposed driveway grades, swale grades, culvert invert and top of wall elevations shall be shown on the site plan or other document and submitted to the ARC for review and approval. The culvert grade shall be designed to maintain proper water flow.
4. Brady Point Preserve Rights-of-way are private streets or roads maintained by the Brady Point Preserve Community Association and a Nassau County Driveway Permit is not required.

I. Utilities:

Utilities may be placed through all natural buffers with ditch width only as wide as necessary and hand dug where required. All destroyed or removed vegetation shall be replaced.

J. Mowing of Unimproved Lots:

To provide pedestrian and visual access to Unimproved Lots for home planning and/or marketing purposes, Owners of Unimproved Lots may mow vegetation in accordance with this policy and the written approval(s) issued by the Architectural Review Committee (ARC). In connection therewith, the Board of Directors finds that mowing in accordance with this Section "J" is generally consistent with the Declaration and is consistent with the maintenance of a pleasant, attractive, and safe residential community.

1. "Mowing" Defined

As used herein, the terms "mow", "mowed" and "mowing" refer to the maintenance of unimproved lots by cutting of understory vegetation such as grasses, shrubs vines, small trees or saplings (young trees not over 4" in diameter at breast height) by hand implements such as scythes, pruning shears and saws, loppers, string trimmers, sling blades, etc. or mechanical devices such as lawn mowers, brush mowers, and similar machines.

2. Application to and Approval by the Architectural Review Committee

Owners of Unimproved Lots must submit an application via bradypointpreserve.com, including the Mowing and Buffer Preservation Plan outlined in section 3 below, pay the prescribed application fee, and receive written approval from the ARC prior to the beginning of any mowing.

3. Mowing and Buffer Preservation Plan

No mowing is permitted prior to the ARC's written approval of a Mowing and Buffer Preservation Plan (MPP) that incorporates a scale drawing of the Lot showing the location of all Natural Buffers and setbacks. To facilitate the ARC's review, the Lot Owner must cause all Natural Buffers

and setbacks to be flagged from the time of his/her application through the completion of the first mowing. The ARC shall promptly review the Plan and may require reasonable adjustments in consideration of harmony of design, location in relation to surrounding structures, topography, and the condition and extent of existing vegetation.

4. Prerequisites for Mowing

No mowing may commence until the Lot Owner and the person who will have responsibility for the physical work has signed a copy of the ARC approved Mowing and Buffer Preservation Plan and same has been provided to the Association.

5. Protections of Required Buffers.

Owners of Unimproved Lots may mow their Lots as provided in the Declaration in accordance with a Mowing and Buffer Preservation Plan approved by the ARC.

- a. Within all required Natural Buffers areas, overgrown shrubs and unsightly understory material may be trimmed or removed as necessary to eliminate unattractive or aesthetically inconsistent vegetation including saplings and shrubs that may have grown or filled in along the edges of Common Roads.
- b. Supplemental planting required by Section III.A.2. are not required until a home is constructed on the lot unless the lot is part of a combination of lots where a home is constructed.

6. Limitations

Nothing in this section shall be construed to allow any activity whatsoever within the "Wetland Areas", "Wetland Buffer Areas", Wetland Preserves", "NALT Conservation Easements" and SJRWMD Conservation Easements" described on the Recorded Plats of Brady Point Preserve other than such activity already permitted by the Declaration.

7. Remedies

In the event of a violation of the terms of this Section, the Association shall have the right, after providing a written notice of Violation and a 15-day opportunity to cure, to enter onto a Lot and restore vegetation to a condition approximating its condition prior to the violation of this Section. Under such circumstances, the Lot Owner shall be deemed to have agreed to promptly reimburse the Association for the reasonable expenses incurred in so doing.