

ARB GUIDELINES FOR SOLAR ENERGY DEVICES

Solar Energy Devices are excellent ways of providing renewable and non-polluting energy sources for residential use. Such systems are encouraged, provided they follow the same thoughtful principles of design that will be used throughout the Association. Although an Owner may have certain legal rights to install Solar Energy Devices per the law, these ARB Guidelines for Solar Energy Devices hope to encourage quality design and integration of these Solar Energy Devices in the architecture, landscape and site design for a Lot. The greatest success will come not only from providing earth-friendly and environmentally-responsible Solar Energy Devices, but also by designing them in such a way that they are integrally-designed and aesthetically-pleasing to the entire community.

a. **Definition of a Solar Device**

- 1) A system or series of mechanisms designed primarily but not limited to provide heating; to provide cooling; to provide any combination of the forgoing means of collected and transferring solar generated energy into such used either by active or passive means. Such systems may also have the capability to store such energy for future utilization.
- 2) If FL Statute 163.04 is expanded in the future to include other types of Solar Energy Devices, this section shall encompass those Solar Energy Devices, as well.

b. **Placement**

- 1) If the Solar Energy Device is one of the devices listed above, the placement of the Solar Energy Device must be approved in advance by the ARB Committee in writing prior to installation. Such Solar Energy Device must comply with the following regulations, to the extent that they do not impair the functioning of the device, restrict its use, or adversely affect the cost or efficiency of the device.
- 2) A Solar Energy Device must be placed entirely within the property or Lot of the Owner. No Solar Energy Device may encroach upon a Common Area, right-of-way, street or property of another Owner.
- 3) The location of a Solar Energy Device must comply with all applicable City, County, and State laws, regulations, and codes, including applicable setbacks and height limits.
- 4) Roof-mounted Solar Energy Devices are strongly discouraged on roof plans that face other home's courtyards, streets, including side streets, if other alternatives for effective use are available. A Solar Energy Device should be placed in the back or on a portion of the roof that does not face a street or courtyard home to the maximum extent possible. Ground-mounted Solar Energy Devices located in enclosed rear yards are encouraged.
- 5) The Solar Energy Device should be shielded from view from any other Lot, street, or Common Area, to the maximum extent possible.
- 6) Solar Energy Devices that are located on a sloped roof plane are required to be arranged in a simple rectangular shape. Random and arbitrary layouts are not allowed, since they do not relate to the building forms. Solar Energy Devices that are arranged in staggered, stair-stepped and checkerboard shapes are not allowed, provided that alternatives for effective use are available.

The simple rectangular shape of solar panels will provide a thoughtful form on the roof of the building and will integrate with the architectural forms of the building.

- 7) Roof-mounted Solar Energy Devices that utilize panels must place the panels in the same plane and slope as the roof plane on which they are located. Panels may not be placed at a slope or angle that is different than the roof plane on which they are located provided that alternatives for effective use are available.
- 8) The highest point of a Solar Energy Device may not be higher than the base of the ridge tile on the ridge of the roof plane on which the device is located, unless necessary for the proper functioning and use of the Solar Energy Device.
- 9) A Solar Energy Device may not extend or overhang an existing roof form.
- 10) At times it may be necessary to relocate existing rooftop vents in order to achieve a layout and arrangement of panels that complies with the Guidelines.
- 11) Any Owner who installs a Solar Energy Device on their property hereby acknowledges that trees along the streets, parks, open spaces, Common Areas and on adjacent properties will continue to grow and may impact the solar shading of an Owner's Solar Energy Device. The Owner further acknowledges that the Association and the Owners of adjacent properties have no obligation whatsoever to trim, prune, or otherwise alter such trees now or at any time in the future.
- 12) Any Owner who installs a Solar Energy Device hereby acknowledges that any trees that are located on the Owner's property are required to remain and may not be trimmed or pruned in a manner inconsistent with the overall community standards for similar species of trees, if such trees grow and eventually impact the solar shading of the Owner's Solar Energy Device.

c. Installation Details

- 1) Solar Energy Devices that are mounted on a roof must have a frame that matches the roof tiles. No unfinished metal frames are allowed. Any application to the ARB Committee must include a specification for the frame color.
- 2) All EXPOSED brackets, fasteners, pipes, conduits, clips, attachments, boxes and similar accessories must be painted to match the surface to which they are attached, No shiny, silvery, grey, chrome or similar finishes may be exposed from view from an adjacent property. (This does not apply to concealed and hidden accessories.)
- 3) A roof-mounted Solar Energy Device shall be placed as close as possible to the existing roof plane.
- 4) No exposed conduits, wiring, piping and similar elements are allowed on the roof unless such elements are painted to match the color of the adjacent surface. It is strongly encouraged that conduits, wiring and piping should be run through the attic space. Minor exposed connections are accepted, if painted to match the surface that they are adjacent to. In an effort to minimize the installation cost, the ARB Committee may allow small sections of a conduit or piping to be exposed on the side of the home provided that the location is generally inconspicuous and the conduit is painted to match the house color. Any exposed conduits on the side of a home must be screened from view to the extent feasible.

- 5) The exposed disconnect switch box, disconnect box, meter box or any other appurtenances should be painted to match the adjacent wall or roof surface on which they are located. It is not necessary to paint over labels or placards on these boxes.
- 6) Any water storage tank or water storage facility associated with a hot water Solar Energy Device may not be placed on the roof. Such a storage facility must be concealed within the building structure or placed on the ground and screened.
- 7) Installation of Solar Energy Device must be pursuant to the manufacturer's instructions.
- 8) The Owner must obtain a building permit for this to work.

d. **Maintenance**

- 1) The Owner is responsible for all costs associated with the installation, operation and maintenance of the Solar Energy Device.
- 2) The Owner shall keep the Solar Energy Device in good repair.
- 3) If the Solar Energy Device becomes broken or non-functioning for a period of longer than twelve consecutive months while the home is occupied, the Association may (but is not obligated to) require the Owner to remove the Solar Energy Device. This criteria is to ensure that obsolete, non-functioning Solar Energy Devices do not remain on a roof if they are no longer functioning.

e. **Enforcement**

- 1) The Association and the ARB Committee shall have the authority to enforce the provisions of this section of the Guidelines, as provided by the governing documents.
- 2) Notwithstanding any provision contained in this section of these Guidelines or any other document governing the Association, shall not be enforced in a way that (i) prevents the installation of a Solar Energy Device; (ii) impairs the functioning of the Solar Energy Device; (iii) restricts the use of a Solar Energy Device; (iv) adversely and significantly affects the cost or efficiency of a Solar Energy Device, therefore the ARB Committee reserves all rights to approve or allow exceptions to these Guidelines on a case-by-case basis, as it deems appropriate.

f. **Severability**

- 1) If any provision of this section of these Guidelines is ruled invalid, the remainder of these rules shall remain in full force and effect.
- 2) If the State of Florida Legislature modifies FL Statute 163.04, the modified laws shall be incorporated into this section, as if fully set forth herein.

g. **ARB Application Submittal Requirements**

- 1) Any application to the ARB Committee for a Solar Energy Device shall include the following items as a minimum:
 - i. ARB Application Form
 - ii. Survey showing the location of the property lines, setbacks and existing improvements
 - iii. Drawings and plans with sufficient information and accurately drawn to scale to show the location, placement, size, shape, configuration and dimensions necessary to accurately explain and illustrate the proposed Solar Energy Device.

- iv. Cut sheets from the manufacturer or vendor for any rooftop portions of the Solar Energy Device, showing dimensions and colors.
- v. Photographs showing:
 - a. View of the entire front of the home
 - b. View of the entire side or rear of the home on which Solar Energy Device will be mounted
 - c. Each photograph to be 8" x 10" minimum in size (8 ½ x 11 color prints are preferred).

h. Design Guidelines Amendments

- 1) The ARB Committee and the Association reserve all rights to modify, change, expand or amend these Design Guidelines for Solar Energy Devices at any time and without notice in order to adjust for changes in equipment or technology, as well as to further the objectives and criteria for Solar Energy Devices within the community, subject to applicable laws.

THE PLANS FOR A SOLAR ENERGY DEVICE MUST BE SUBMITTED TO THE ASSOCIATION ARB COMMITTEE FOR REVIEW AND APPROVAL. CONSTRUCTION OR INSTALLATION MAY NOT COMMENCE UNTIL SUCH APPROVAL IS GRANTED IN WRITING.

THIS AMENDMENT IS HEREBY ADOPTED BY THE ASSOCIATION ARB COMMITTEE ON THIS 29 DAY OF October, 2014.

Signed Beth A Miller
ARB Committee Member

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Association Board Member