

**The Florida Club
Property Owners' Association
Architectural Standards Guidelines**

Effective June 16, 2009

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- Attachment 1: Fencing Style and Height Requirements
- Attachment 2: Bermuda Fence Placement Specifications
- Attachment 3: Capri (Lakes East) Fence Placement Specifications
- Attachment 4: Oakmont (Lakes West) Fence Specifications

Architectural Change Application Process

All additions, alterations, or modifications to home exteriors or property, including painting and landscaping, must be submitted to the Architectural Review Committee (ARC) using the standard Architectural Change Form. This form is available at the property manager's office at the pool house or may be printed from The Florida Club website.

Applicant's Responsibility

- A completed Architectural Change Form and required documentation must be submitted **in** duplicate to the property manager's office.
- All pertinent information relating to the project is to be included with the Change Form: plans; drawings; material specifications; samples; list of specific landscaping changes or additions; property **plat** (boundary survey—part of homeowner closing papers) detailing placement of the project on the property and showing location of sprinkler heads, pumps/filters, location and identification of plants.
- The appropriate deposit check* (if applicable) must accompany the application.
- All required governing permits and approvals must be secured. Licensed contractors with proper insurance are required. Please bring appropriate documents to POA manager before commencement.
- Projects will not commence without signed approval of the ARC.
- The ARC or property manager must be notified of project's completion in order to schedule an inspection.
- Rejected applications may be appealed, in writing, to the POA Board of Directors within 30 days of receipt of rejection.

*A deposit of \$500 is required when heavy equipment is used for the installation of pools, concrete work, or for earth moving. The deposit will be applied against the cost to the homeowner to correct any damage to common areas not corrected by the homeowner or contractor. This deposit will be refunded by the POA after inspection and approval by the ARC.

ARC Responsibility

Applications will be reviewed based upon the current Architectural Standards document.

Any application submitted that the ARC considers not addressed by the above document will be rejected and the homeowner may resubmit to the Board of Directors.

- Per The Florida Club Amended and Restated Declaration of Covenants, Conditions and Restrictions, all requests for architectural changes will be completed within 45 days of receiving a **completed** application. Any application returned for more information will **not** be considered complete until the required information is submitted. If the ARC makes no decision within the 45 days, the application will be considered approved. If the application is forwarded to the POA Board, the Board has an additional 45 days to approve, reject, or modify the application before automatic approval takes effect.
- Any approvals or rejections will be submitted, in writing, to applicant and the POA Board.
- The property manager or a member of the ARC may monitor construction activities to ensure overall compliance. The ARC has the authority to stop any non-compliant construction.
- The property manager or ARC member will perform a post-installment inspection in order to verify and sign off that the project has met the terms of approval.

Property Manager's Responsibility

- Present to ARC, in a timely manner, any completed applications received. Notify applicant of incomplete forms for correction.
- Notify the applicant in a timely manner, in writing, of ARC decisions and, if appropriate, the reasons for such decisions and any corrective action for resubmission. If the application is rejected, written notification will also be sent to POA Board.
- Maintain a file of all applications and associated correspondence for POA records.

Architectural Standards Guidelines

The following listing contains, but is not limited to, all Architectural Standards governing properties in The Florida Club. Should the Architectural Review Committee feel that a request is beyond its scope, the request will be rejected and the homeowner may make an appeal to the Board of Directors.

1. Landscaping

- a) The replacement, removal, or installation of plants, shrubbery, and trees will require ARC approval unless replacing damaged plantings with identical plants, shrubs, or trees. The Architectural Change Form must be accompanied by a detailed drawing indicating the proposed planting and the plat survey showing placement of the proposed work. This is necessary to ensure that only plants, trees, and shrubs approved by the ARC are being installed. If any modification to the irrigation system is required, it will be done at the property owner's expense.
- b) Property owners are not permitted to plant or place any objects or structures on Common Area or Golf Course Property.

- c) The size of the **planted areas** in the Bermuda, Lakes East (Capri), and Lakes West (Oakmont) homes should not be different than the originally designed and planted areas. **These areas may be enhanced only.** Shrubs hiding the electrical meters that are also encroaching on neighbor's property may be replaced with appropriate shrubs provided that permission has been received from neighbor on whose property they were placed.

Trellises and arbors are permitted only on the owner's **inside** privacy wall of Capris and Oakmonts. Trellises and arbors for Estate and Bermuda homes will require ARC approval.

- d) Only live plants and flowers are permissible on the exterior of a home.
- e) **The planting of fruit trees is prohibited. Coconut palms are considered fruit trees and are prohibited.**
- f) **In all Divosta-built homes, only natural-colored cypress mulch is permitted in planting beds. Estate homes may use red mulch (biodegradable) at homeowner's expense.**
- g) Property owners are permitted to plant annuals within existing flowerbeds without submitting an ARC Change Form. Annuals are the only type of plantings exempted from the Architectural Review process. However, it is the sole responsibility of the property owner to remove or replace annuals at the end of their growing season and to prohibit their growth beyond the edge of the planting area. The property owner's failure to maintain these exemption conditions will result in trimming or removal of the plants, and the property owner will be billed for all expenses incurred by the POA.
- h) Planting is not permitted around fire hydrants or common area trees.
- i) Installation of any form of edging **is not** permitted along the edge of walkways, driveways, planting beds, or around trees abutting grass lines of the lawn. Edging is defined as any material that is placed above ground level used to define a boundary.
- j) **Landscaping stones are not permitted in bedding areas adjoining the lawn.**

2. Statues, Sculptures, and Fountains

- a) All outside statues, sculptures, and fountains must be approved through the ARC process per Article XII, Section 19, of the Amended and Restated Declaration of Covenants, Conditions, and Restrictions.
- b) There is a limit of two (2) statues that may be visible from the street. Statues are permitted in walkway areas in each housing area, planting beds, covered entry areas, and in the lanai and patio in all housing areas.
- c) The maximum size of statuary is limited to 30 inches in height, 24 inches in width.
- d) The composition of statuary must be of concrete, stone, or a non-rusting cast material.
- e) All statues, sculptures, and fountains must be moved indoors or to a secure location if a hurricane is imminent.

3. Garden Lighting

- a) Landscape lighting is permitted within the existing planting beds. Solar powered lights are permitted in lieu of a low voltage system.
- b) All exterior wiring running from the house to the lights must be buried underground.
- c) All controls, outlets, and transformers must not be visible from the street.
- d) Tree and shrubbery up-light bulbs should be spotlights to avoid glare to streets and surrounding residences.
- e) No driveway or sidewalk lighting is permitted.

4. Garage Lights

In the Bermuda, Lakes East (Capri), and Lakes West (Oakmont) housing areas, replacement outside garage light fixtures must be the new fixture that was approved by the ARC (Information available at the POA office).

5. Motion Sensor Lights

High intensity motion lights are permitted. However, these lights must be mounted and face in a direction so as to avoid glare to streets and surrounding residences when operated.

6. Pools and Hot Tubs

- a) Approval from the ARC is required for the construction of in-ground pools and hot tubs.
- b) Portable (above ground) hot tubs must be placed within the confines of a screen enclosure at the rear of the home.
- c) All pool and hot tub equipment (pumps, filters, heaters, etc.) must be within the privacy wall area or hidden from view with landscaping from the street or adjacent dwellings.

7. Solar Heating Systems

- a) Roof solar heating systems must be installed as inconspicuously as possible from the street and meet the requirements of state and federal laws.
- b) The system's pump equipment must be within the privacy wall area of the home or hidden from view with landscaping from the street or adjacent dwellings.
- c) Plumbing running up the side of the home to and from the solar panels must be painted the same color as the material to which it is attached.

8. Pool Deck and Patio Covers

- a) Glass enclosed structures (e.g., Florida rooms) are not permitted for the purpose of covering a pool or patio area.
- b) Pool decking and screen areas may not extend beyond the end of the privacy walls in the Lakes East (Capri) and Lakes West (Oakmont) housing areas.
- c) Pool and patio enclosures must be constructed of white aluminum framing with charcoal-colored screening. The screening must run down to the framing running along the top of the concrete decking (kick panels are not permitted).
- d) The aluminum framing structure must be installed with a mansard-style roofline, or a design that is compatible with the existing roofline of the home.
- e) The framing of the screen room must be installed with its roofline meeting the gutter at the edge of the home's roof and may not be below the roof overhang.

9. Lanai Enclosures**

- a) Screened lanai enclosures must be framed with white powder-coated aluminum framing with charcoal-colored screening.
- b) Divosta Homes: Lanai areas must conform to the original extended home offered at the time of construction. The rear of the lanai must be enclosed with sliding glass doors identical to existing rear sliding doors. The side area can be enclosed with cement block, stucco, and paint identical to house or with new sliding doors (same type as rear doors).
- c) Estate Homes: All lanai enclosures must conform to the original construction of the house.

** Permit will be required. Please bring documents to POA Manager before commencement.

10. Entry Enclosures and Screen Doors

Only white aluminum frames and charcoal-colored screening are permitted.

11. Awnings

- a) Awnings with a metal frame and removable fabric covers are permitted.
- b) Property owners are responsible for, and must remove, the fabric covering metal-framed cantilevered awnings in hurricane conditions.
- c) Awning fabric must be white, off-white, or light beige.
- d) Awnings made of metal or wood are not permitted. Permanent roofs are not permitted.

12. Satellite Dishes

Per the Telecommunications Act of 1996, satellite dishes of less than 1 meter in diameter are permitted for television, radio, internet, and satellite services. Satellite dishes must be placed so as not to be visible from the street or adjacent dwellings.

13. Flags

- a) Per Florida Statutes, Section 720.304 (as amended effective July 2002), homeowners may display one (1) **portable, removable United States** flag in a respectful manner. Note: Proper flag etiquette is required (e.g., remove at sundown or up-light the flag, fly it right side up, remove during inclement weather, etc.).
- b) Vertical flag poles are permitted only at the rear of the home and may not exceed 12 feet in height.
- c) The maximum size of flags is limited to 3 x 5 feet.

14. Gutters and Downspouts

- a) In the Bermuda, Lakes East (Capri), and Lakes West (Oakmont) housing areas, replacement gutters and downspouts must be the same color as those being replaced.
- b) In the Estate housing area, gutters and downspouts must be white in color or match the main body or trim of the house.

15. House Numbering

- a) Replacement house numbering on all DiVosta homes must be purchased through the POA office and remain in the same location.
- b) An additional house number may be installed in the appropriate front shrubbery bed of DiVosta homes. The sign must have numbers only (no names or designs), be white with black numbers and black stripe border. The size must be 9"x15" and oval shape only. When placed, the sign should be on two stakes for stability, with the bottom of the sign 6" above ground level.
- c) House number signs in the shrubbery beds currently in use are considered grandfathered. They may remain in place until either the home is sold or the sign needs to be replaced by the owner. At that time, the sign must conform to the specifications set forth above. Information on approved vendor/s may be obtained from the property manager.

16. Hurricane Shutters

The installation of shutters or replacement of shutters must have ARC approval. If replacing with accordion shutters, Divosta home replacements must be white; Estates homes replacements may be white or ivory or match the color of the main body or trim of the home.

17. Fencing

- a) All fencing applications must include a plan showing property lines, placement of proposed fence location, sprinkler heads, and pictures or sales brochures of the fence.
- b) Fencing in all housing areas must be constructed of white power-coated aluminum, similar in style to that illustrated in Attachment 1; must have at least one (1) access gate

at least 48 inches in width for landscape equipment; and must not exceed a maximum height of 48 inches above ground level.

- c) Fencing is not permitted along the front or down the sides of a home.
- ** Capri style homes are permitted to have fencing down the side of the home. The fence must have 2 access gates at least 48 inches in width for landscape equipment access and must not extend past the party wall. All other ARC requirements must be followed.
- d) The bottom rail of the fence must be four (4) inches above the grass line to allow for landscaping services to mow and trim beneath the fence.
- e) Fencing that interferes with the irrigation system spray pattern will require the irrigation system to be modified at the property owner's expense.
- f) Fencing beyond a privacy wall is not permitted. Refer to Attachments 3 and 4.
- g) At The Florida Club, the property line is not the wall of the neighbor's house. Fencing that runs between two houses requires an easement or license (permission to use the land) from the adjacent neighbor if the fencing is to abut that neighbor's house. This easement allows the adjacent neighbor access to tend to foundation plants, install and remove storm shutters, etc. Documentation affirming the granting of a right-to-use easement or license must be provided with the Architectural Change Form.
- h) See Attachment 2 for Bermuda housing area fencing placement specifications.
- i) See Attachment 3 for the Lakes East housing area fencing placement specifications.
- j) See Attachment 4 for the Lakes West housing area fencing placement specifications.
- k) Due to the many different models of homes in the Estate housing area, fencing placement specifications will be determined by the ARC on a case-by-case basis depending on the model, layout, and lot location of each home but may not exceed the width of the house. All fencing placed on SW Bromelia Terrace along the ninth (9th) fairway with the following addresses (900, 916, 932, 948, 964, 980, 996, 1012, 1028, 1044, 1060, 1076, 1092, 1108, 1124, and 1238) must be offset from the rear property line by a minimum of four (4) feet and planted with hedging or shrubbery to soften the impact to the aesthetics of that area.

All fencing on properties surrounding lake number six (6) with the addresses listed below, or that have a rear property line abutting the side of neighboring properties, must be offset from the rear property line by a minimum of four (4) feet, and planted with hedging or shrubbery to soften the impact to the aesthetics of those areas.

SW Blue Stem Way: 758, 774, 790, 822, 838, 870, 886, 918, 934, 950, 966, 982, and 998.

SW Bromelia Terrace: 730, 740, 746, 756, 762, 778, 819, 835, 867, 899, 915, 931, 963, 979, 995, and 1011.

SW Galardia Court: 8839, 8855, 8903, 8887, 8871, 8872, 8888, and 8904

The properties listed below—on which the side portion of a fence would run parallel to either SW Blue Stem Way, SW Bromelia Terrace, or SW Galardia Court--may not place fencing out beyond the side edge of the house. This side section of fencing must be planted with hedging or shrubbery to soften the impact to the aesthetics of those areas. 730 SW Bromelia Terrace, 740 SW Bromelia Terrace, 835 SW Bromelia Terrace, 867 SW Bromelia Terrace, and 1238 SW Blue Stem Way.

18. Wells

Wells are permitted only in the Estate Homes housing area solely for the purpose of lawn irrigation. These wells must be drilled deep enough to provide iron-free water or have an iron removal system to prevent staining.

19. ARC Policy For Palm Tree Removal And Replacement In DiVosta-Built Homes

NOTE: ARC approval is required prior to any tree removal or replacement.

Due to the damage and lessons learned from the 2004 hurricanes, the board of directors has modified the policy for tree removal and replacement in the DiVosta-built Lakes West and Cruden Bay sections of the Florida Club.

- a) All palm trees within a single planter area must be of the approved palm species.
- b) Homeowners who have lost, or otherwise wish to remove, only one of an original cluster of three trees will not be required to replace that tree. However, a homeowner may elect to replace it with the same species. Homeowners may also request to remove the remaining two palms and replace them with trees from the approved list below.
- c) Homeowners who have lost, or otherwise wish to remove, two palms **must replace** at least one of them with the same tree species or remove all three and replace them with palms from the approved list. If homeowners have lost, or otherwise wish to remove, three trees, they must replace at least two of them with the same species or with trees from the approved list. In either case, all planter beds must be in conformance with paragraphs **1** and **2** above.
- d) Trees that are leaning as a result of the storms may be staked or they may be removed, with ARC approval. If removed, the policy in paragraph **2** above applies.
- e) A homeowner seeking to remove any tree(s) must ascertain that the subject tree is legally on his/her property. The ARC will approve palm removal requests only from the legal owner of the property on which the tree is located.
- f) Shrubby in the bed from which any tree is removed must be restored to its original condition before the ARC will sign off on the work.
- g) All new trees must be at least 10 feet in height from ground to top of palm fronds.
- h) Notwithstanding all of the above, there are slightly different guidelines regarding a planter area crossing the property line between a side-load garage residence and a front-load garage residence, as occurs in a few Oakmont homes. Keeping in mind that it was the builder's intention that each residence have three palm trees, the following guidelines apply:
 - If the homeowner adjacent to the side-load garage has only one palm tree in the portion of the shared planter area on his/her property, he/she may remove that one

tree without obligation to replace it if two palm trees or an approved substitute from the list remain on the side load garage owner's property.

- If the homeowner adjacent to the side-load garage has two palm trees on his/her property, he/she may remove one of those palm trees as long as two palm trees remain in the shared planter area. If the homeowner adjacent to the side load garage wishes to remove two palm trees from his/her portion of the shared planter area with one palm tree remaining on the side load garage owner's property, he/she must replace the two removed palm trees with one double tree or two single trees from the suggested species on the approved list.
- If, at any time, the side load garage owner (the intended owner of the three palm trees in this shared planter area) has only one tree on his portion of the shared planter area and wishes to remove it, he/she may do so but must replace it with the minimum requirement on the list (one triple, two doubles, three singles). If, at any time, the side load garage owner has two trees on his portion of the shared planter area, he/she may only remove both and replace them with the minimum requirement on the approved list. The adjacent owner then has the option of keeping the one or two trees in his portion of the shared planter area, or of removing them with no obligation to replace.

APPROVED LIST (Minimum Requirement) MUST BE 10 FT IN HEIGHT

Sabal Palms (two singles)

Christmas Palms (one triple, two doubles, or three singles)

Foxtail Palms (one triple, two doubles, or three singles)

Additional trees may be considered on an individual basis.

NOTE: Because Washingtonians grow very tall, they are extremely challenging to maintain and their appearance tends to diminish significantly as they mature. The association does not encourage homeowners to replace any palms with Washingtonians.

All tree removal and/or replacement will be at the risk of the homeowner, who is urged to make certain that all contractors are licensed, insured, and bonded for the contracted work.

20. Oak Tree Removal in DiVosta Housing areas – Oak Tree removal will be considered on an individual or as needed basis.

Section 14 (CCR). Tree Removal, No trees shall be removed, except for diseased or dead trees and trees needing to be removed for safety reasons, unless approved in accordance with Article XI of this Declaration. This Section shall not apply to the Golf Club.

21. Painting

DiVosta home colors must remain the original color. Estate homes must be repainted the original color or to other colors that exist within the community (walls, trim, front doors, side & rear doors) that were provided and applied by the builder of these homes. If a homeowner chooses to paint their home a color scheme other than the one that currently exists on their home, the home address they are mimicking must be provided to the ARC committee on your ARC form and request for painting. These colors must not be duplicated in side by side homes and the colors chosen must be compatible with current roof colors.

In order to maintain the “community wide standard” of elegance, calmness, and serenity characteristic of the homes in the Estates neighborhood, intense dark contrasting colors are not permitted on the wide expanse of the garage doors.

All exterior painting requests must be submitted to the ARC for approval prior to commencing any painting of the exterior of Estate homes.