

Lakes at Tradition Homeowners Association, Inc.

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ACC Guidelines Handbook Revised 2022

PURPOSE OF THE HANDBOOK

The purpose of this handbook is to familiarize homeowners with the objectives, scope and application of design standards and guidelines, which will be used to maintain the aesthetic appearance and environmental quality of the community.

The handbook provides specific design standards and guidelines that have been adopted by The Lakes at Tradition Homeowners Association Board of Directors (hereafter referred to as the Board). It also explains the application and review process that must be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or Lots that are subject to approval by the Association. Homeowners are reminded that a recommendation for approval by the Association's Architectural Control Committee (hereafter referred to as the ACC) and the Board's confirmation of that approval for a proposed change does not remove the need for the appropriate building permits or other documentation. This handbook will serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by the ACC and the Board. All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The legal documents for the Homeowners Association include the Amended and Restated Declaration of Covenants, Conditions and Restrictions. They impose use restrictions and specify the process for obtaining approval for changes, improvements or alterations to an owner's Lot. Legally, these covenants are a part of the deed for each home and are binding upon all homeowners irrespective of ***whether these owners are familiar with such covenants.***

The primary purpose of this document is to establish design guidelines for the entire community. The promulgation and enforcement of design guidelines is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community,
- Promote harmonious architectural and environmental design qualities and features,
- Promote and enhance the visual and aesthetic appearance of the community,
- Maintain a clean, neat, orderly appearance.

The enforcement of design standards not only enhances the physical appearance of a community but also assists in protecting and preserving property values. Homeowners who reside in association communities that enforce design covenants are more protected from actions of neighbors that can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in association communities consistently reveal that this was an important consideration in their decision to purchase a home.

Mission and Values of The Lakes at Tradition

The Board of Directors' top priority is to build a strong community. To that end, we have adopted the following mission and values statement.

Mission:

- Foster a sense of community
- Preserve home equity value
- Maintain a safe environment
- Proactively and reasonably implement the covenants
- Give pride to our community, including lessees.

Values:

- Provide clear, regular and transparent communication to all homeowners (resident, nonresident, banks and investors) and to lessees.
- Balance cost and quality of service in order to set maintenance fees at a reasonable level while maintaining the property and planning for the future.
- Foster participation by including as many residents as possible on committees.

ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE

All homeowners are automatically Members of The Lakes at Tradition Homeowners Association (“the Association”). The Association is a not-for-profit corporation that owns and is responsible for the upkeep and maintenance of all common properties within the community. The Association is also responsible for the administration and enforcement of all covenants and restrictions. The Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Association provides the scope and authority of the Architectural Control Committee (“the ACC”). The Board of Directors (“the Board”) of the Association appoints the members of the ACC. The ACC is responsible for ensuring compliance with the Association's Community-Wide Standard for exterior modifications to homes and improvements to Lots as proposed by Lot owners. The ACC will review and recommend to the Board approval (or disapproval) of the applications submitted by Lot owners for exterior additions, alterations or modifications to a home or Lot using Design Guidelines approved by the Association’s Board of Directors and the governing documents of the Association. As part of its responsibilities, the ACC will also make recommendations to the Board with respect to the modification of the Design Guidelines initially approved by the Board. Subject to the mandates contained in the Association’s governing documents and provided for under applicable Florida law, the Board will also be responsible for reviewing possible violations of the Association's Design Guidelines.

ALTERATIONS REQUIRING REVIEW BY THE ARCHITECTURAL CONTROL COMMITTEE

Any changes, permanent or temporary, to the exterior appearance of a building or Lot are subject to review by the ACC. The review process is not limited to major additions or alterations, such as adding a birdcage enclosure, pool, or patio. It includes such minor items as small changes in landscaping. Approval is also required when an existing item is to be removed. There are some exceptions to this otherwise inclusive review requirement.

- Building exteriors may be repaired and paint may be touched up if there is no color change from the original. Similarly, exterior-building components may be repaired or replaced so long as there is no change in the type of material and color.
- Minor landscape repairs that involve replacing like for like and do not alter the size or appearance of the landscape bed do not require ACC review. These repairs, however, must be reported to the management office in order to properly document the file for the owner’s Lot and avoid any confusion about the work being done.

If there is any doubt as to whether a proposed exterior change is exempt from design review, and approval, homeowners should first seek clarification from the HOA property manager before proceeding with the improvement.

APPLICATION AND REVIEW PROCEDURES

Application and review procedures that will be used by the ACC are detailed below.

- **Applications.** All applications for proposed improvements must be submitted in writing using the application forms authorized by the ACC. A copy of these forms can be found on the Lakes at Tradition community website (Exhibit A) or by requesting the appropriate form from the property manager. Applications must be complete with plans, specifications, and any application and deposit fees in order to commence the review process. Incomplete applications will be returned to the applicant as disapproved with a statement of deficiencies that must be remedied before the application will be considered for review.
- **Supporting Documentation.** The application must include a complete and accurate description of the proposed improvement(s). To permit evaluation by the ACC, supporting exhibits will frequently be required. Examples include, but are not limited to: a Lot survey marked to show the location of the modification; overhead and/or elevation drawing(s) showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plans with dimensions, names and size of plant material; and color samples and/or photos of other materials or objects, etc. The design guidelines in this handbook and the application forms provide guidance with respect to the supporting documentation required for various types of improvements.
- **Time Frame for Completion of the Review.** The ACC is required to recommend approval or disapproval to the Board for the Board's confirmation or rejection of any proposed improvement. The final confirmation or rejection of the ACC's recommendation will be within sixty (60) days after the receipt of a properly completed application. However, the sixty (60) day review period will only commence upon the receipt by the ACC of a complete application form, including all required exhibits and applicable fees. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting an application for review.
- **Notice of Approval/Disapproval.** Homeowners who have submitted applications for review will be given written notice of the Board's decision. The management company as directed by the Board will issue this notice. Please do not contact the ACC in the interim of this process regarding the decision.
- **Irrigation Adjustments (*for all applicable approved projects*).** All modifications to a Lot's irrigation system must be performed by the Association's irrigation contractor. The management company will arrange for a work order to be placed with the Association irrigation company. The Homeowner will be responsible for the before-and-after inspections and any necessary changes to the irrigation system. The Association contractor will contact and bill the Homeowner directly for same.
- **Time Frame for Project Completion.** The Homeowner is responsible for completing all approved

projects within one (1) year from date of approval. No project shall be permitted to remain in an unfinished condition with no work in progress for longer than one (1) month after the commencement of the modification.

- **Final ACC Inspection(s).** The Homeowner is required to advise the HOA property manager when an approved project is completed. The ACC will inspect the project to determine if it conforms with the approved ACC proposal and with the Conditions set forth by the ACC for the finished project. If the project conforms, the deposit submitted with the application will be processed for refund. Projects involving irrigation work orders will require a final inspection by the Association irrigation contractor. If the project does not conform with the approved proposal, the Homeowner will receive an explanatory letter and will have 90 days to remedy the deficiencies, after which the deposit may be forfeited, at the discretion of the Board.

DESIGN GUIDELINES

The ACC is specifically tasked with regulating and maintaining Community-Wide Standards, preserving and enhancing values, and maintaining a harmonious relationship among our structures and the natural vegetation and topography. Additional, specific guidelines as developed and adopted by the Board are detailed in this Handbook.

***Please note:** These guidelines will not cover every situation. If you wish to make a permanent or significant visual modification to your property that is NOT explicitly covered in these Design Guidelines, you still must submit an application to the Architectural Control Committee. Please follow the application procedures and note on your application that your request is a special circumstance.*

ANTENNAS AND SATELLITE DISHES

Except as otherwise provided by law, exterior antennas are prohibited. Homeowners may install satellite dishes for the purpose of receiving audio and/or video programming and media reception. A dish that is one meter (39”) or less in diameter is permitted. Masts higher than six (6) feet will not be permitted unless required for reception. If reception cannot be obtained from installations using a mast, the satellite dish may be mounted to the outside of the Unit in the location that best minimizes its visibility from the street and from other homes. The dish should be mounted on the back of the Unit or otherwise placed to hide it from street view and may not extend above the crown of the roof.

Satellite dishes and masts must be removed by the homeowner when no longer in use and/or prior to inspection for sale to a new owner.

AWNINGS

All awnings require ACC approval; must be retractable; may only be in the rear of the Unit; must be of a solid, neutral color or tone on tone stripes of neutral coloration to blend in with the surroundings; and must be fully retracted when not in use.

BIRDCAGES/SCREENED ENCLOSURES

An application to the ACC must be submitted and approved for the construction of a “birdcage” or screened enclosure. The enclosure specifications must include white aluminum with charcoal screens and must adhere to the current styles for each model and roof line. (Exhibit E) Elevation drawings are required.

- The concrete pad or deck for a Capri birdcage may not extend to the rear beyond the end of the privacy wall or 20 feet (whichever is less), as measured from the outside of the home’s master bedroom wall. The concrete pad or deck for a Capri birdcage may not extend in width beyond the existing side walkway or 31 inches beyond the side of the house (whichever is less).
- The concrete pad or deck for an Oakmont or a Carlyle may not extend to the rear beyond the end of the privacy wall or 25 feet (whichever is less), as measured from the outside of the home’s master bedroom wall.
- The concrete pad or deck for birdcages for Oakmonts and Carlyles may not extend beyond the right (facing) side wall of the house, or 40 feet and 50 feet respectively, as measured from the inside of the home’s privacy wall. If a concrete pad or deck with appropriate footers is not already installed, all specifications for the pad must be submitted.
- Birdcages must be set a minimum of 2 inches in from the outer edge of the birdcage decking.
- No kick plates are permitted on a birdcage with the exception of a screen door kickplate of 12 inches or less.
- Both the cage and the deck must meet applicable current hurricane standards.
- Applications for a birdcage screened enclosure must also include a (minimum) six (6) inch exterior border of rocks or mulch with an edging. Applicants have the option of requesting approval for upgrading the border to include plantings, hedges, bushes or pavers with a separate landscape application to the ACC.
- Applicants for birdcage installations must consider any landscaping that is to be removed and file a separate application for removals, relocations, and new landscaping. Depending on the lot and existing landscape material, trees and plants that need to be removed may be required to be replaced, providing both privacy and shielding as originally intended by the developer (see LANDSCAPING).
- All related landscape, concrete patio extensions, and birdcage applications must be presented for

consideration at the same ACC meeting. Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

- Any additional rooms or roofed screened enclosures outside of the original roof line of the Unit are prohibited. Any additional stories are prohibited.

CLOTHESLINES

Semi-permanent clothes lines or similar apparatus for the exterior drying of clothes are not permitted. Removable clotheslines may only be erected during daylight hours and only in locations that best minimizes their visibility from the street and from other homes and must be removed when not in use. Additional information can be located by referring to Chapter 163.04, *Florida Statutes*.

DOORS AND DOOR GLASS

Capri Unit homeowners installing glass front door inserts must use approved hurricane impact glass or simultaneously install hurricane shutters.

French door replacements for sliding patio doors must be white with white trim and have approved hurricane impact glass or the homeowner must simultaneously install hurricane shutters.

All doors and trim, including Oakmont and Carlyle front doors, must be painted white. Changes to the door style, color, and color of hardware are prohibited.

Hurricane impact sliding glass door installations must match the specifications of the sliding doors originally installed by the developer.

An application to the ACC must be submitted and approved for all modifications to the original Divosta installed doors and glass inserts.

Reflective glass or reflective window tint is prohibited.

DOOR HANGERS, ORNAMENTS, AND WREATHS

Seasonally appropriate and decorative door ornaments and wreaths do not require ACC approval. However, the Association has the right to determine the reasonable number of door hangers and wreaths and prohibit any displays that may be offensive (intolerant or inciting hatred against others, discriminatory, harassing, bullying, promoting physical harm or cruelty, containing shocking, sexually explicit, or obscene gestures).

DRIVEWAYS

An application to the ACC must be submitted and approved for all driveway extensions or modifications. The primary considerations will be no adverse aesthetic or drainage impact on adjoining Lots or common area.

- Driveway extensions or modifications must be of the same materials and color as the existing driveway and be permanently installed with cement.

- Front loading garage driveways shall not be modified to exceed the width of the garage. Applicants applying to widen a driveway with a front-loading garage may also apply to widen the paver apron accordingly, matching the original angle as much as the landscape allows. The Association's Driveway Apron Waiver must be signed by the applicant.
- Side loading garage driveways may only be expanded to the width of the garage in the portion of the driveway that is parallel and adjacent to the front face of the home. The portion of the driveway extending to the street may not be expanded.
- All expansions must include soil and sod to cover the concrete restraint edge of the pavers.
- Driveways may not be painted or stained.
- Applicants proposing driveway modifications must consider any landscaping that is to be removed and file a separate application for removals, relocations, and new landscaping (see LANDSCAPING). The two applications must be submitted together for consideration at the same ACC meeting. Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

EXTERIOR LIGHTING

No exterior lighting may be directed outside of the applicant's property. Proposed additional lighting will not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features. If there is a dispute, the ACC shall be responsible for determining whether exterior lighting is an annoyance or unreasonably illuminates another owner's property.

Proposed replacement or additional fixtures must be approved and compatible in style and scale with the applicant's house.

Low-voltage or solar-powered landscape lighting, including low voltage floodlighting, is permitted along walkways, planting beds, or other landscaped areas, so long as fixtures are not placed in or close to the turf, all wiring is concealed from view, and light fixtures do not stand more than 12" above the ground. No more than 10 lights per Lot are permitted unless, upon consideration by the ACC, the Lot size and location would allow for a variance. The attachment on the exterior wall of the Unit of any transformers, electrical boxes, or other electrical equipment for landscape or any exterior lighting is prohibited. Recessed soffit lighting is permitted along walkways only. All clip-on fixtures or any other above-ground, non-permanently installed lighting is prohibited. All exterior lighting must be reviewed and approved and must be well maintained and functional at all times.

All exterior lighting, except for exterior coach lights, must be fitted with white colored bulbs. Exterior coach lights may only be fitted with white or yellow bug light colored bulbs. Replacement of Developer installed coach lights must be of similar size, style, and within the same elevations as the original fixtures. The HOA property manager may approve replacement coach light fixtures for the ACC if they conform with

specifications the manager has on file. The Homeowner is responsible to caulk and touch up paint and stucco for replacement fixtures that do not match original fixture design footprint.

EXTERIOR PAINT COLORS

Homeowners may submit a proposal to the property manager to repaint the exterior of their Unit, including lanai walls and ceilings, front door enclosures, porches, shutters, party and privacy walls, party fences, and concrete walkways (including base color, trim color, and accent color) the exact approved colors (in tint, tone, and shade for that Unit), and must receive written approval from the property manager before painting. At the discretion of the property manager, the proposal may be referred to the ACC for review. The Association will have all approved color palettes on file. (Exhibit B)

No spraying of paint is permitted.

Decorative shutters may be painted using one of the approved color palettes (Black, White, Green). Any change to an existing shutter color using the approved color palette requires an application to the ACC and approval. The HOA property manager may approve the modified decorative shutter painting for the ACC if it conforms with specifications the manager has on file.

Proposed changes to the wall color or wall finishing of rear lanais must be reviewed by the ACC or documented by the Manager if the Manager deems the modification to be within HOA determined standards.

No murals on exterior walls are permitted.

No painting or staining of paver walkways or driveways is permitted.

EXTERIOR UTILITIES

Unless replacing existing developer installed units of similar size and in same location, an application to the ACC must be submitted and approved for all air conditioning units, water filtration systems, pool heaters, and any other exterior utility installations. All exterior utilities must be shielded by hedges on all sides that are viewed from the street, side or rear. Water filtration systems for Oakmonts and Carlyles are prohibited on the Zero Lot Line Easement, but may be installed inside the garage. Water filtration systems for Capris must be in the alcove against the side wall or in the garage and are prohibited along the window wall.

Permanently installed whole-house generators are prohibited on the exterior of a home.

Except for portable tanks, 5 gallons or less, propane tanks are prohibited.

Additional air conditioning units, including mini-splits or any other air conditioning with an exterior component, are prohibited.

EXTERIOR WALL DECORATIONS

- No decorative items shall be affixed to the exterior walls except:
 1. Rear walls that are not visible from street view.
 2. For *Oakmonts and Carlyles* only: under the roof at the front door “vestibule” area.
 3. American flags are exempt as per FL statutes.
- The front porch walls of the Carlyle are NOT exempt and are included in the prohibition.
- Decorative items in the exempt areas (#’s 1 and 2 above) do not require approval. The Association, however, has the right to determine reasonable size, number, and style of objects and prohibit offensive (intolerant or inciting hatred against others, discriminatory, harassing, bullying, promoting physical harm or cruelty, containing shocking, sexually explicit, or obscene gestures) objects.
- Any decorative items in the prohibited areas will be reviewed as violations to be determined at the Board and management level.
- No walls may be used for storage with the following exception:
 1. Appropriately placed and sized items such as hose holders and pool skimmers are exempt, but must be hidden from street view

If there is any doubt as to whether the intended objects for the exempt areas are sized, numbered, or have other potentially unqualifying attributes, it is advised that the homeowners first seek a review from the ACC before proceeding with the improvement.

FENCES

An application to the ACC must be submitted and approved for all fences. Except for fences constructed by the Developer, there shall be no fence permitted on any Lot unless it meets the requirement below.

- No fences shall be constructed past the portion of the front of the house set farthest from the street. See also Section 720.3035 (3), *Florida Statutes*.
- All fence applications must include a Lot Survey marked to show the proposed location, an elevation drawing, and a picture of the design type of fence to be installed.
- All fences must have a top and bottom horizontal rail.
- The bottom horizontal rail must be a minimum of two (2) inches above the ground.
- All fences shall be white aluminum.
- No chain link fences shall be permitted.
- Except for fences installed by the Developer, no fence may be constructed in which any section, part or decorative detail is higher than four (4) feet.
- All fence installations must include one minimum four (4) foot wide gate with self-closing in-swing hinges at the front of the Lot and one minimum five (5) foot wide gate with self-

closing in-swing hinges at the rear of the Lot for Association maintenance access.

- Any fence that is subject to the “Zero Lot Line Easement” must be accessible to the adjacent Homeowner for maintenance of their Unit; and may not attach to Lot Perimeter walls abutting the Zero Lot Line Easement, but must be attached to a post directly adjacent to the abutting Lot perimeter wall.
- Landscape buffers may be required by the ACC on the outside of any fence.
- Applicants for fence installations must consider any landscaping that is to be removed and file a separate application for removals, relocations, and new landscaping.
- The landscape and fence applications must be presented together for consideration at the same ACC meeting. Failure to submit related applications together will result in the submitted applications being rejected as incomplete.
- An ACC Applicant is responsible for researching any landscape, irrigation, or drainage easement that may exist and neither the Association nor the ACC is responsible for any fencing that must be removed to perform maintenance in existing easements.
- Neither the Association nor the Association’s contractors shall be responsible for nicks or damage to the lower portions of the fence during turf and plant maintenance.
- Owner is responsible for obtaining any building permits through the City Building Department.

FLAGS AND FLAGPOLES (In accordance with Section 720.304, *Florida Statutes*)

Any homeowner may display one (1) portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable official flag in a respectful manner, not larger than 41/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules or requirements of the Association.

Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner’s real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of any association, if the flagpole does not obstruct sightline at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display one official flag of the State of Florida, or the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setbacks and locational criteria contained in the governing documents.

An application to the ACC must be submitted and approved for all permanently installed, freestanding flagpoles.

Temporary flagpole staffs that do not extend higher than the roof of the house and are attached to the dwelling Unit do not require approval by the Architectural Control Committee.

The following flags shall not require ACC approval, provided no more than two (2) are displayed on a pole as described in this section:

U.S. flag (not to exceed 54" x 72" in size), State of Florida flag (not to exceed 54" x 72"), Official flags of the U.S. Armed Forces-U.S. Army, Navy, Air Force, Marines or Coast Guard (not to exceed 54" x 72" in size).

One (1) appropriate and temporary holiday or event "lawn" flag does not need approval. The flag must follow time-guidelines for other seasonal/holiday decorations. An application to the ACC must be submitted and approved for all other lawn flags and will be evaluated under the guidelines for a landscape object. (see LANDSCAPING) All lawn flags must be installed within a landscape bed and not in or near the turf.

HOLIDAY DECORATIONS AND LIGHTING

For publicly observed holidays or religious observances, except those occurring in December, residents may display holiday themed decorations from one (1) week prior to the holiday until one (1) week after the holiday. For other commemorative special occasions, exterior coach lights may be fitted for a one (1) week period with colored bulbs that pay tribute to the theme.

For publicly observed holidays or religious observances occurring in December, residents may display holiday themed decorations from Thanksgiving Day until January 10 of the following year.

No ACC application shall be required. However, the Association has the right to determine the reasonable number of holiday decorations and lighting, and prohibit any displays that may be:

- Excessive in number, size or brightness;
- Offensive (intolerant or inciting hatred against others, discriminatory, harassing, bullying, promoting physical harm or cruelty, containing shocking, sexually explicit, or obscene gestures);
- Draw excessive traffic;
- Unreasonably interfere with the use and enjoyment of the Common Area and/or adjacent Lots; or
- Cause a dangerous condition to exist.

The resident must remove the decorations or lighting within 48 hours after receiving written Notice from the Association.

Any themes that incorporate music must obtain permission from neighbors prior to installing sound (except if sound is available via radio waves). Sound must cease at 9:30 PM.

Decorations must not be on the lawn or landscaping to deter landscaping maintenance. If the decorations are determined by the Association to prohibit or complicate lawn maintenance, resident must remove the decorations immediately upon notice.

LANAI ENCLOSURES

An application to the ACC must be submitted and approved for all conversions of a lanai to an enclosed area. A homeowner's proposal for an enclosed lanai must include approved hurricane impact glass or external hurricane shutters. Interior roll down hurricane shutters are not a substitute for hurricane impact glass. This area may be used as a sun-room or enclosed patio only. The designation of "patio" will not change. As with all other patio areas, roll-down or other shading on the outside of the screen, glass, or plexiglass is prohibited. The use of this space as an additional bedroom is prohibited. Any extension to the lanai roof line is prohibited.

LANDSCAPING

An application to the ACC must be submitted and approved for all landscape changes. Examples include, but are not limited to, the removal or installation of trees and plants and the expansion of plant beds that did not exist when the house was originally built. Approvals will be evaluated based on guidelines as stated in this Handbook, the harmonious nature of the proposal, Community-Wide Standards, the scale of the proposed installation, the Lot size and location within the community.

The following paragraphs will assist with some of the major guidelines for landscape changes and what is needed from the applicant in order for the proposal to be accepted for review.

- **Planting Beds.** All proposals for planting beds must indicate the dimensions of the bed and list the name, size, and number of planting materials on, or attached to, an overhead drawing. Planting beds must be at least 50% planted with in-ground, approved, planting material. Annuals, perennials, and potted plants may not be considered as part of the 50% planting. Any tree or palm that is proposed to be removed must be replaced with another tree or palm somewhere on the Lot unless the ACC decides that a variance for the particular lot is indicated. Plant beds may not be reduced in size and be replaced by grass. Plants may not be replaced by stone or potted plants.
- **Ornaments and Cap Rocks.** Only one (1) statue or ornament 24 inches or less in height or width shall be allowed in a front yard garden bed and must be applied for with the application for a landscape change. All statues and ornaments must be neutral in color in earth tones ranging from sandstone to beige to light brown.

No statues, planters, benches or ornaments are to be placed on the lawn in the front, side, or rear of any home or on the lawn of any Common Areas. No more than a total of two (2) low cap rocks are permitted in a front yard bed. No rock may be taller or wider than 24" and, if higher than 12 inches, the cap rock is considered a statue or object and installation is limited to one (1). Potted plants are not permitted in a planting bed if they can be seen from the street.

- **Borders.** An application is required for the installation of all landscape borders, edging or similar structures to be located on the Lot. All borders, edging, or similar structures must be neutral in color in earth tones ranging from sandstone to beige to light brown, or matching the color of the existing driveway pavers, and one style only throughout the Lot. All paver edging or other similar structures must have a flat top. Other than black plastic landscape edging, all borders must be permanently installed. Loose bricks, pavers, or other movable, non-permanent edging or borders are prohibited. The use of railroad ties is prohibited. The use of coquina stones as a border is prohibited. Landscape borders may only be constructed up to a maximum height of 12 inches. The border/edges must follow the established landscape pattern.
- **Mulch and Stones.** Plant beds and trees may be mulched with black, brown, or red colored pine bark, cypress mulch, or synthetic mulch without approval. An application is required for decorative stones. Stones are only permitted when contained by an approved edge wherever the stones meet the turf. Decorative stones may only be neutral in color in earth tones ranging from sandstone to light brown and reddish brown, similar to the red in the driveway pavers (stones commonly known as "crimson"). White stones are prohibited. All borders, other than black plastic landscape edging, must be permanently installed. Loose bricks or pavers are prohibited. (See paragraph on **Borders** above)

All stones shall be of a single-color scheme and type throughout the landscaping for the Lot. All mulch shall be of a single-color scheme and type throughout the landscaping for the Lot, unless a specific accent design has been applied for and has been approved.

It is the Homeowner's responsibility to ensure that stones are contained and do not interfere with turf maintenance.

The Association and the Association's contractors shall not be responsible if any stones cause damage to any part of the building, windows or objects on the property or other properties.

It is recommended that weed barrier be installed under stones, mulch and plantings.

No planting bed shall consist only of mulch and/or stone and be devoid of plants.

- **Landscape Lighting.** See **EXTERIOR LIGHTING** for Landscape Lighting guidelines.
- **Drainage.** An application is required for the installation of any modification to landscape drainage and the installation of a French drain or other landscape drainage improvement methods. All drainage lines and catch pans or basins for drainage must be below grade. If the catch basin is set in cement, the cement must be below grade and covered with soil and sod. All sod and surrounding area disturbed by

drainage work must be restored.

- **Shared Property.** Applications from Capris model Homeowners proposing any landscape modification or addition in shared alcove property and/or on shared property at the front or rear of the common “party fence” must be submitted with a signed application for the same project and with the same documentation from the neighbor. Applications from Oakmont or Carlyle Homeowners proposing modifications involving shared property (at a “party fence”) or property encroaching on a neighbor’s Lot must be submitted with a signed application for the same project and with the same documentation from the neighbor. Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

Any applications submitted for shared/joint property shall only propose and document the specific shared projects. Any additional modifications to either property must be presented on separate Landscape Application(s). Failure to separate the proposals will result in the rejection of the submitted application.

- **Homeowner Responsibilities.** Maintenance and replacement of all landscape modifications including but not limited to plantings, borders, walls, curbs, stones and mulch are the responsibility of the Homeowner.

Homeowners requesting landscape modifications are responsible for researching any landscape, irrigation, or drainage easements that may exist and neither the Association nor the ACC is responsible for landscaping, borders, walls, or curbs that must be removed in order to perform maintenance in existing easements.

Homeowners proposing modifications along the Zero Lot Line Easement are responsible to ensure that the neighbor’s easement area is easily accessible in order for the neighbor to maintain his home.

- **Restrictions.** No additional landscaping is allowed between the sidewalk and street beyond what was installed by the Developer. No landscaping may encroach on adjacent Lots or Common Areas. All Lots located at street intersections shall be landscaped to permit safe sight across street corners. No fence, wall, hedge, shrub, or planting shall be placed or permitted to remain where it would create a traffic or sight problem.

No vines of any type may be planted or allowed to grow on any structure or anywhere on the Homeowner’s Lot.

See Exhibit C for a listing of trees, plants, and vines prohibited to be installed on any Lot. This list may be altered by the Board at any time.

No artificial vegetation shall be permitted on the exterior of any portion of a Unit.

PATIOS

An application to the ACC must be submitted and approved for all patio construction.

A Capri rear patio may not extend to the rear beyond the end of the privacy wall or 20 feet (whichever is less), as measured from the outside of the home's master bedroom wall and may not extend in width beyond the existing side walkway or 31 feet (whichever is less), as measured from the inside of the home's privacy wall.

An Oakmont or a Carlyle rear patio may not extend to the rear beyond the end of the privacy wall or 25 feet (whichever is less), as measured from the outside of the home's master bedroom wall and may not extend in width beyond the right (facing) side wall of the house, or 40 feet for an Oakmont, 50 feet for a Carlyle, as measured from the inside of the home's privacy wall. A variance for a 3-foot square extension of the width of the patio to match the width of the walkway may be applied for in order to provide access to the patio, with the condition that a birdcage may never be built to that width and must end at the side wall of the house.

A durable construction material should be used such as brick pavers that match the driveway pavers and are set in cement; patio concrete blocks (earth tone color) set in cement; or concrete. If the patio is under a birdcage, other durable decking materials may be applied for.

Any adverse drainage requirements that might result from the construction of a patio must be immediately remedied.

Applicants for patio installations must consider any landscaping that is to be removed and file a separate application for removals, relocations, and new landscaping. Depending on the lot and existing landscape material, trees and plants that need to be removed may be required to be replaced (see LANDSCAPING).

The landscape and patio applications must be presented together for consideration at the same ACC meeting. Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

No roofed patio extensions are permitted.

REAL ESTATE SIGNS

No real estate sign advertising a property for sale, rent, or open house may be displayed on a Lot or window.

RECREATION AND PLAY EQUIPMENT

All game and play structures and other recreational equipment shall be located or screened so they cannot be seen from any street and shielded from view from any adjoining Lot. No play equipment may be stored in front, side, street view, or neighbor view including on a Carlyle front porch. An ACC application

must be submitted and be approved for any structure or equipment that is installed with concrete or that cannot easily be removed for turf maintenance or a hurricane event. No permanent basketball hoops or backboards shall be permitted within the community (except those installed in Common Areas by the developer or the HOA). All temporary hoops and backboards must be confined to the Lot with no play occurring in a Common Area. All temporary hoops and backboards must be stored out of sight when not in use.

ROOF TILE REPAIR AND REPLACEMENT

Repairs and replacements of roof tiles shall only be with tiles of substantially similar size, color, shape, and material as originally installed developer tiles. For Capris Units, the Community-Wide Standard is that the entire shared roofing must be replaced; the replacement of only a portion of the shared roofing is prohibited. Replacement is defined as that percentage of roofing material being replaced that requires a building permit to be issued under the Florida Building Code.

An ACC application must be submitted and be approved for any proposed tile replacements. Samples of the proposed tiles shall be included with the application.

SCREENING

An ACC application must be submitted and be approved for all screen applications. Homeowners applying for approval of any screen enclosures must submit a picture of the desired enclosure style. The HOA management office has specifications that must be adhered to for the following modifications:

- **FRONT ENTRY / PORCHES**

Front entry / porch screen enclosures may be proposed for Oakmont and Carlyle Units only. All screen enclosures on front entries and on Carlyle porches shall be white aluminum frames and the screen shall be charcoal in color. (Exhibit F)

- **GARAGE DOORS**

Garage door screens shall be motorized retractable roll up devices. All frames and housing shall be white aluminum and the screen shall be charcoal in color. The screen shall be one single screen panel with no dividers. No temporary (clip on, hook and loop, magnetic, and alike) attachments or manually operable systems shall be approved. Screens must be fully encased in a housing when closed. Screens must be retracted when garage doors are closed.

- **REAR PORCHES / LANAIS**

All screen enclosures on exterior rear porches / lanais, or “birdcage” structures built over rear patios, shall be white aluminum frames and the screen shall be charcoal in color. All screen enclosures must adhere to the current styles for each model and roof line. Elevation drawings are required. No kick plates are permitted with the exception of a screen door kickplate of 12 inches or less. (See section BIRDCAGES/SCREEN ENCLOSURES for additional requirements)

SECURITY CAMERAS

Security cameras do not need ACC approval, but must follow a general guideline. They must be under or near the eave; as inconspicuous as possible; and never on the facade over the front door, on the front entry arch (Oakmonts and Carlyles) or in the middle of the facade over the garage door.

SIGNS

No sign, symbol, name, address, notice, or advertisement shall be inscribed or exposed on or at any door or window, or other part of a Unit or Common Areas, without the prior written approval of the Board.

Notwithstanding the proscription of signs, any Lot owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home (see Section 720.304(6), Florida Statutes). Security service signs of this type do not require approval.

Notwithstanding the proscription of signs, any Lot owner may display one (1) solar house number sign of reasonable size and of charcoal or neutral beige background color. Solar house number signs of this type do not require approval.

SOLAR PANELS

Solar panels and solar collectors are permitted but require an application to the ACC and approval. Other than piping, fasteners and collectors located on the roof, all piping, fasteners, and frames to solar panels and solar collectors must be painted (at Homeowner’s expense) to match the exterior stucco color of the house.

STORM SHUTTERS

Other than the storm panels or shutters originally supplied by the developer, no hurricane shutters may be installed without an application to the ACC and approval of same. The mounting brackets for the developer style panels must be white and be permanently installed on the home. The developer supplied storm panels may only be affixed to the house when winds of 50 mph or more are predicted; no sooner than 48 hours of

predicted approach of the storm and must be removed and stored within 72 hours after winds have subsided. The Association also permits Homeowners to affix hurricane shutters for two (2) periods of up to fifteen (15) days each between June 1 and November 30 when the Homeowner is absent from the Unit (Homeowner is responsible for contacting the Association to exercise this option); and affixed on rear windows during any period.

Installation of accordion style hurricane shutters requires an application to the ACC and approval.

Mounting brackets must be permanently installed on the home. The shutters and their mounting brackets must be aluminum in electrostatically applied finish of white (or tan, if desired, if the house color is tan) and otherwise are not permitted to be color matched or re-painted to the house color. Installation of accordion shutters and mounting brackets on the Oakmont's two (2) windows with the arched upper section must extend above the arch and into the cut in the fascia. The cutout may need to be widened to accommodate the brackets and shutters. The wall just under the new bracket (in the cutout) must be painted white in a line to match and continue the elevation of the fascia. (Exhibit D)

The homeowner is responsible for all resultant repairs and repainting of the stucco and fascia with appropriate colors for each affected area.

There is no closing restriction for accordion hurricane shutters.

Accordion shutters as specified above are the only alternative to the original Divosta panel shutters.

Roll up shutters or hurricane impact fabric and hurricane impact screen material are not permitted.

No permanently installed plywood panels are permitted.

(See WINDOWS and see DOORS for Hurricane Impact Glass)

SUN SCREENS/SHADES

An application to the ACC must be submitted and approved for the installation of all sun screens/ shades. The shade may only be installed in the rear of the home on the inside of the lanai with all trim and housing on the interior of the lanai walls and not visible on the exterior of the unit. Homeowners applying for approval of sun shades must submit:

- A) drawing of location,
- B) dimensions,
- C) material specifications for the shades, trim and housing,
- D) mounting specifications,
- E) color of shades, trim and housing,
- F) photo samples of materials and how they are mounted,

- G) information about electrical connections, if any,
- H) a sample of the actual material with manufacturer's labeling.
- I) a statement that the shades shall be retracted in hurricane force winds

Shades on the outside of screens and on Carlyle front porches are prohibited.

SWIMMING POOLS AND JACUZZI SPAS

No temporary, blow up, or above ground swimming pools shall be erected, constructed, or installed. Permanently installed, in-ground swimming pools, with or without an accompanying in-ground jacuzzi spa, are permitted only in the rear of the property and require an ACC application and approval. Installation of an above-ground jacuzzi spa is permitted only within a rear, screened enclosure and requires an ACC application and approval. Pool and jacuzzi spa construction shall be in accordance with applicable governing agency codes. Homeowner is responsible for obtaining all required Permits.

All permanent swimming pools and Jacuzzi spas shall have security fencing or screen enclosures installed in accordance with existing jurisdictional codes. Fencing and/or screen enclosures require an ACC application and approval. Applications for fencing or a screen enclosure must be presented to the ACC at the same time as the pool application (see FENCES; see BIRDCAGES/SCREENED ENCLOSURES).

Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

A Capri pool deck may not extend to the rear beyond the end of the privacy wall or 20 feet (whichever is less), as measured from the outside of the home's master bedroom wall and may not extend in width beyond the existing side walkway or 31 inches (whichever is less), as measured from the inside of the home's privacy wall.

An Oakmont or a Carlyle pool deck may not extend to the rear beyond the end of the privacy wall or 25 feet (whichever is less), as measured from the outside of the home's master bedroom wall and may not extend in width beyond the right (facing) side wall of the house, or 40 feet and 50 feet respectively, as measured from the inside of the home's privacy wall.

Applicants for pool and spa installations must consider any landscaping that is to be removed and file a separate application for removals, relocations, and new landscaping (see LANDSCAPING). Depending on the lot and existing landscape material, trees and plants that need to be removed may be required to be replaced, providing both privacy and shielding as originally intended by the developer. An application for

landscape changes must be presented to the ACC at the same time as the pool application. (See LANDSCAPING) Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

Pool pumps and related piping & electrical components for Capris and Oakmonts must be located inside the corner of the pool deck where the master bedroom wall and the privacy wall meet.

Pool heaters outside of any birdcage enclosure for Capris and Oakmonts must be located in line with the rear edge of the deck, immediately outside the enclosure (or deck line if no enclosure) leaving enough room to be shielded by hedges on three sides. The installation of the hedges must be documented on a landscape application at the same time as the heater/pool application and must be approved. (See LANDSCAPING) Failure to submit related applications together will result in the submitted applications being rejected as incomplete.

Pool pumps, heaters, and all related piping and electrical components for Carlyles must be located along the right side of the home between the cabana door and the rear of the building.

Kiddie pools are not included in the above. Kiddie pools must be removable, limited to 6 feet in diameter and secure when not in use from neighbors, pets, and animals. Kiddie pools must be stored when not in use so as not to deter landscaping maintenance or damage. Sod damaged from pools will be replaced at owner's expense.

TRASH CONTAINERS

All trash and recycling containers must be stored in the garage except for scheduled pick up days. Trash and recycle items must be placed only in the City-issued garbage carts and recycling bins. Placement of loose trash or trash bags street side for pick up is prohibited. Bulk trash at curbside on any day other than bulk trash pick-up day or the evening before is prohibited.

Yard waste may only be placed street side for pick up on designated collection days for yard waste and in a manner required by the City of Port Saint Lucie. Visit <https://www.cityofpsl.com> or call 772-871-1775 for current requirements for street pickup of yard waste and all other current trash removal procedures and requirements.

No private dumpster or similar receptacle shall be placed within the community except in conjunction with repairs or renovations taking place within or to a Unit. When permitted, dumpsters or similar receptacles

must be completely in the Unit driveway and shall not block or obstruct the sidewalk. Property Manager approval is required before a dumpster or similar receptacle is placed.

TREE REMOVAL

Living trees may not be removed without an ACC application and approval. Exceptions to this are trees that pose an imminent hazard to persons or property. Further defined, hazardous trees are those that are uprooted and leaning or have large limbs or branches that are splintered or otherwise damaged resulting in debris that may fall without warning.

Homeowners removing hazard trees without approval shall have written documentation and/or photographs of the hazard before removal.

Trees approved for removal must be cut at grade level (on grade) or the stump must be ground down.

A diseased tree or palm must be reported to the management office. The disease might necessitate removal with appropriate precautions in order to keep the disease contained and prevent spread.

WINDOWS

All draperies, curtains, shades, or other window coverings installed that are visible from the exterior must have white or off-white backing. Wood colored blinds may also be installed and do not require approval. Reflective glass or reflective window tint is prohibited.

An ACC application must be submitted and be approved for all replacement glass including hurricane impact glass. Windows must have mullion inserts that match the specifications of those originally installed by the developer. Hurricane impact sliding glass doors must also match original installations. Hurricane impact glass door inserts must match established standards. Detailed specifications and photos must be included with all ACC Window Applications.

The original glass block windows in bathrooms and laundry rooms are a fundamental architectural feature and may not be altered.

MAINTENANCE

Homeowners and lessees are responsible for maintaining the exterior appearance of their Unit, landscape and other improvements on their Lots in good order and repair. While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the following cases represent some of the conditions that would be considered a violation:

- Peeling paint on houses;
- Garage doors damaged, dirty, dented, or in need of repair or paint;

- Fences and gates with leaning, broken, deteriorating or missing parts;
- Architectural Control Committee approved Homeowner installed landscape areas which become unkempt, in need of pruning (bushes, trees and palms), need weeding or insect control, or diseased, dying, or dead plants;
- Missing shutters, shingles, windowpanes or window parts, house numbers, etc.;
- Storage of play items, yard equipment and other clutter in front, side or rear yards and on front porches
- Mold/mildew on exterior walls, fascia, walkways, driveways and garage doors.

The exteriors of all structures, including, without limitation, walls, doors, windows, roofs and screen enclosures, shall be kept in good maintenance and repair. No structure shall be permitted to stand with its exterior in an unfinished condition for longer than one (1) month after the commencement of construction. In the event of fire, windstorm, extreme weather or other damage, the exterior of a structure shall not be permitted to remain in a damaged condition for longer than three (3) months, unless expressly permitted by the property manager in writing. If not properly maintained and/or is deemed as a safety hazard, the Association may make necessary repairs and bill the homeowner.

PROHIBITED MODIFICATIONS NOT MENTIONED ABOVE

All Homeowners are responsible to be aware of prohibitions mentioned in the above sections of this handbook and in the Exhibits.

Additional prohibitions for individual Lots include, but are not limited to the following:

- Wooden structures
- Pergolas
- Gazebos
- Tiki huts
- Widening of paver or concrete walkways