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## Architectural Review Committee (ARC) Guidelines - Community Rules and Restrictions

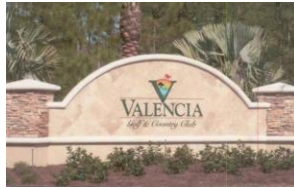
### Table of Contents

<u>DESCRIPTION</u>	<u>SECTION</u>	<u>DESCRIPTION</u>	<u>SECTION</u>
AIR CONDITIONERS	10	MAILBOXES	170
ANTENNAS (SATELLITE DISHES)	20	NUISANCES	180
AWNINGS	30	PARKING ON COMMON AREAS	190
BASKETBALL HOOPS	40	PATIOS & DECKS	200
BOATS	50	PETS	210
CLOTHES DRYING	60	SWING SETS AND PLAY EQUIPMENT	220
DRIVEWAYS / WALKWAYS	70	POOLS & POOL EQUIPMENT	230
EXTERIOR HOUSE LIGHT	80	SCREEN ENCLOSURES & SCREEN DOORS	240
FENCES	90	SEASONAL LIGHTS & HOLIDAY DECORATIONS	250
FLAG POLES & FLAGS	100	SIDEWALKS (PARALLEL TO STREETS)	260
GARAGE CONVERSIONS	110	SIGNS	270
GUTTERS / DOWN SPOUTS	120	STORAGE SHEDS	280
HOUSE COLORS	130	STORM SHUTTERS	290
HOUSE PAINT	140	TRASH CONTAINERS	300
LAKE IRRIGATION	150	VEHICLES	310
LANDSCAPING / PLANT MATERIALS	160	WINDOW FILMS	320
		WETLAND & NATURE PRESERVES	330

### ARC APPLICATION FORM ATTACHED

#### ALL PERSONS USING THIS MANUAL ARE ADVISED:

1. This manual has been adopted for the purpose of establishing general guidelines for architectural approvals and every day rules for the community and does not supersede or replace the Association's governing documents or local, state or federal laws, codes, ordinances, rules or regulations.
2. This manual is subject to amendment from time to time. Also, because of changing circumstances and technologies, matters prohibited or approved in the past may not necessarily be prohibited or approved in the future.
3. While this manual is intended to establish consistency of appearance within the community, it should be remembered that (because of factors such as location, neighborhood characteristics and proximity to common areas, water bodies, roads and the like) various properties may be treated differently in order to reflect such factors.
4. As stated in the Association's governing documents, no approval hereunder shall constitute a warranty or approval as to (and neither the Association nor any member or representative, thereof, shall be liable for) the safety, soundness, workmanship, materials, usefulness neither for any purpose, improvement or alteration nor as to its compliance with governmental or industry codes or standards.



*Naples*

**Section AIR CONDITIONERS**

- 10 A. Window A/C units are not permitted

**Section ANTENNAS AND SATELLITE DISHES**

- 20 A. Exterior antennas used for AM/FM radio, amateur (“Ham”) radio, CB radio, Digital Audio Radio Services (“DARS”) or antennas used as part of a hub to relay signals among multiple locations are not permitted.
- B. Satellite dishes with a diameter of 18 inches or less may be installed subject to the following:
1. Dish must be installed at least 8 feet above the finished floor of the home.
  2. The preferred location for dishes is on the rear wall of the home or on a sidewall within 6 feet from the rear of the home.
  3. Cables required for installation, which are exposed on outside walls, must be painted to match the existing building color.
  4. Dishes may not be installed in common areas.
- C. 5. Installation of more than one dish will be considered in the circumstance that a single dish is insufficient to provide an acceptable signal. In such situations, a letter from the satellite service provider must be presented for review to ARC with the homeowner’s request.

**Section AWNINGS**

- 30 A. Only retractable roll-out awnings encased on rear of home are permitted.
- B. You must submit an architectural application, with a survey showing location and sample of fabric, to ARC for approval prior to installation. Colors must be consistent with the color scheme of the houses in the community.
- C. Periodic cleaning and eventual replacement by owner is at the discretion of the Board of Directors.

**Section BASKETBALL HOOPS**

- 40 A. Shall be professionally manufactured basketball backboards installed on black poles with white or clear backboard. No roof or roof-mounted backboards are permitted.
- B. Portable basketball hoops shall be stored when not in use. Storage on lanais or anywhere outside of the home is prohibited.
- C. Shall not cause a nuisance.

**Section WATERCRAFT**

- 50 A. The only place a boat, kayak or other watercraft may be kept within the community is within the garage of the unit owner. The garage door must be able to close completely so that the boat, canoe or kayak is not visible from the street. Boats, canoes or kayaks parked in the street, clubhouse parking lots, or any other unauthorized area will be towed at the owner’s expense.
- B. Boats, canoes, kayaks and other watercraft are not permitted on the lakes.
- C. Boat houses or docks are not permitted.

**Section CLOTHES DRYING**

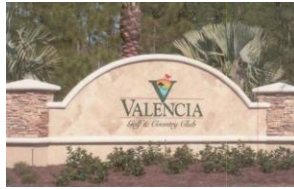
- 60 A. No garments, rugs, or any other materials may be hung, exposed, or dusted from the windows or from the front façade of any home. Further, no outside clothesline or other facilities for drying or airing clothes shall be erected in the front yard or back yard of any home.

**Section DRIVEWAYS & WALKWAYS**

- 70 A. Surfaces must be consistent with original materials and colors.
- B. Walkways from the driveway to front door, front and rear patios and porches may be considered for resurfacing (tile, pavers, etc.)
- C. Driveways should remain free from oil, gas and other stains. Periodic cleaning may be required at the discretion of the Board of Directors.

**Section EXTERIOR HOUSE LIGHT**

- 80 A. All additional light fixtures require architectural approval. Along with your architectural application submit a picture of the fixture and a copy of your survey, showing the location, to ARC for approval prior to installation.



*Naples*

**Section FENCES**

- 90
- A. Fencing of yards is not permitted.
  - B. Swimming Pool Fences
    - 1. 5' white or bronze aluminum fencing is permitted to be installed at perimeter of pool deck (not perimeter of property).

**Section FLAG POLES & FLAGS**

- 100
- A. No flags or banners other than American flags.
  - B. Only permissible installation is by brackets mounted to the front exterior of the house. Flag poles are prohibited. Flags are not permitted to be affixed to trees or other landscaping.

**Section GARAGES**

- 110
- A. Garage conversions are not permitted.
  - B. Garage doors should be kept closed when garage is not in use.
  - C. Garage doors should be periodically cleaned, painted and maintained-damaged or unsightly doors may be required to be cleaned, repaired, or replaced at the discretion of the Board of Directors.
  - D. Garages with front facing windows should be fitted with appropriate window treatments (*see Section 320*).

**Section GUTTERS & DOWN SPOUTS**

- 120
- A. Gutter color must match the fascia of the house.
  - B. Down spouts must match the color of the house.

**Section HOUSE COLORS**

- 130
- A. Shall remain as original colors selected for the community.
  - B. Approval must be received prior to painting front doors or garage doors.

**Section HOUSE PAINT**

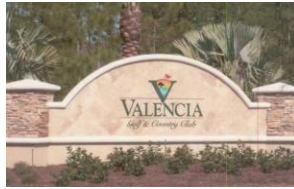
- 140
- A. Shall not have mildew or irrigation staining.
  - B. Shall not have chipped or peeling paint.

**Section LAKES**

- 150
- A. Irrigation from common area waterways is not permitted.
  - B. All lakes on the property are permitted through South Florida Water Management District for water management purposes and may not be used for recreational purposes. No swimming, fishing or boating is allowed. Use of remote control boats, toys or other items is also prohibited.
  - C. No personal property may be kept on the lakes or on the lake banks. Any property being kept on the lakes or lake banks is subject to removal without any further notice and at the expense of the property owner.
  - D. Any signs located on the lake banks relating to use of the lake are property of the Association and may not be removed, damaged or altered in any way. Persons removing, damaging or otherwise altering a sign will be liable to the Association for the expense of replacing the sign.
  - E. No construction debris, lawn clipping or vegetation, trash or other items may be deposited in the lakes.

**Section LANDSCAPING & PLANT MATERIALS**

- 160
- A. Landscaping (includes plants in established planter beds) shall not be removed without prior approval.
  - B. All landscaping shall be contained in mulched beds.
  - C. Homeowner is responsible for maintenance and upkeep of all additional landscaping.
  - D. Landscaping should not be planted in the Right of Way or Public Utility Easements. Planting in such areas is at the homeowner's risk, as (if utilities need to be installed or repaired) it is within the right of the installing entity to remove the plants with no responsibility to replace them or compensate the owner.
  - E. When installing new landscaping in any area other than an existing planter bed, or when installing a new planter bed, homeowner should be sure to locate all public and private utilities prior to digging and will be responsible for any damage sustained to any utility line during the course of the improvements.



## *Naples*

### **F. LANDSCAPE LIGHTING & DECORATIVE STRUCTURES:**

1. Wiring shall be buried and out of sight
2. Homeowner may be required to assume responsibility for maintaining lawn directly surrounding landscape lighting or decorative structures if the installation of such features creates an undue burden on the lawn maintenance company.
3. Transformers shall be obscured from view.
4. Must not be a nuisance to neighbors.
5. No trellises are allowed.
6. Ponds, fountains and other water features and sculptures are not permitted unless contained within an enclosed lanai or pool area.

### **G. PLANT MATERIAL**

#### **1. Trees**

- a) Most varieties are permitted; however, rapid growing and/or invasive varieties may be prohibited completely, or restricted in certain locations.
- b) Shall not be a nuisance due to insects or rodents
- c) Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.
- d) Fruit trees must be planted a minimum of 10' from property lines. Standard setback for all trees other than fruit trees is a minimum of 5' from property lines. Large or rapidly growing trees may require greater setbacks.
- e) Fallen fruit, branches and fronds must be picked up.
- f) Fruit trees may only be planted in back yard.
- g) No trees may be planted in the 20' lake easement.
- h) For the health of the tree, the planting of flowers around swale trees is not permitted.

#### **2. Hedging**

- a) Most varieties are permitted; however, rapid growing and/or invasive varieties may be prohibited or restricted in certain locations.
- b) Shall not be a nuisance due to rodents or insects.
- c) Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.
- d) Spacing of hedging shall be continuous (i.e. planted on 18" centers).
- e) Hedging shall be planted inside property line by at least 18". On corner lots, hedging must be set back at least 5' from sidewalks and/or roadways.
- f) Landscaping shall not extend into lake-easement.
- g) Hedging must maintain between 4 and 5 feet.

#### **3. Plants and Flowers**

- a) No artificial vegetation allowed (includes grass, plants, etc.)
- b) Most varieties of plants permitted.
- c) Shall not encroach into the 20' lake maintenance easement
- d) For the health of the tree, the planting of flowers around swale trees is not permitted.

### **Section MAILBOXES**

- 170 A. All mailboxes shall be uniform in type, color, and design. All owners must install the standard approved mailbox and maintain same in excellent condition.

### **Section NUISANCES**

- 180 A. Music may not be played at a level that can be heard outside of your home.
- B. No homeowner shall create an annoyance to the neighborhood. Loud, disturbing and unnecessary noises will not be tolerated and may be reported as noise disturbances to the Collier County Sheriff's Office. Activities that may constitute a noise disturbance include, but are not limited to, the following:
- a. Loud music, television or parties
  - b. Sounding of horns and whistles for an unreasonable period of time other than as a danger warning
  - c. Yelling, shouting, singing, etc other than at normal conversation levels after 11 p.m.



## *Naples*

- d. Barking, howling, whining, screeching of animals
- C. Rodents and insects shall be controlled
- D. Garage or yard sales are not permitted
- E. Firearms, pellet, and BB guns shall not be discharged within the community
- F. Fireworks are not permitted within the community

### **Section PARKING OF VEHICLES**

- 190 A. Parking on streets, parking on or across sidewalks, parking on lawns, and parking on common areas is not permitted
- B. Vehicles may not be parked sideways on driveways
- C. Board of Directors or their agent has the authority to tow vehicles which are in violation of the rules and regulations of the community at the vehicle owner's expense
- D. Vehicle owner will be responsible for expense of repairs required to any property damaged as a result of parking in violation of these rules (i.e. damage to grass, sprinkler, etc.)

### **Section PATIOS & LANAIS**

- 200 A. Wood decks are not permitted
- B. Shall be constructed of pavers or concrete
- C. Materials shall be consistent in color and type with those used in the construction of the home
- D. Shall not extend beyond the plane (sides) of the house
- E. Shall not encroach on any easement, including 20' lake maintenance easement or utility easements
- F. Homeowner is responsible for having all public and private utilities located prior to commencing construction
- G. Irrigation lines and heads that run through the area the improvement will be installed should be capped and/or re-routed so that no running water is flowing under the patio/

### **Section PETS**

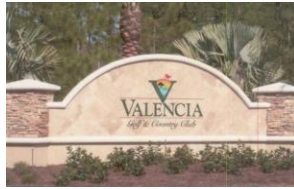
- 210 A. A maximum of 2 pets per home is permitted.
- B. Pets must be leashed at all times when they are not in a fully enclosed patio/yard
- C. You must pick up after your pets
- D. Pets cannot be left outside, including within a screen patio area or a pool screen enclosure, to bark or to the annoyance of neighbors.

### **Section SWING SETS AND PLAY EQUIPMENT**

- 220 A. Tree houses and trampolines are not permitted. Association insurance will not cover any injury or damage caused by use of unauthorized play equipment.
- B. No swing set or equipment with a height taller than 15' is permitted
- C. Shall be landscaped so as to obscure from view and must not become a nuisance
- D. Shall be properly maintained and kept in good repair; Swing sets or equipment that are in disrepair, unclean, or become a nuisance may be requested to be removed from the property at the discretion of the Board of Directors
- E. It is recommended that any swing set or play equipment that is not portable be installed in a mulch bed to accommodate lawn maintenance. Neither Association nor landscaper will be responsible for equipment damaged in the course of routine lawn maintenance.
- F. Shall not be placed closer than 10' from any adjoining property line.

### **Section POOLS & POOL EQUIPMENT**

- 230 A. *Swimming Pools & Spas*
  - 1. No portion of pool, pool deck or enclosure may extend beyond plane of the house. Pool/decking shall be at least 5' inside rear property line.
  - 2. No portion of pool, pool deck or enclosure may encroach on 20' lake maintenance easement
  - 3. Homeowner is responsible for having all public and private utilities located prior to commencing construction. Homeowners that proceed with construction without having utilities located will be responsible for costs associated with damage to any utility line.
  - 4. Irrigation lines and heads that run through the area the pool and deck will be installed should be capped



## Naples

and/or re-routed so that no running water is flowing under the pool or deck. Homeowners who build over existing lines do so at their own risk. In the instance a line breaks underneath the improvement, Association's irrigation contractor will repair the line and is permitted to remove any portion of the improvement necessary to complete the repair. Neither Association nor contractor will be responsible for repair or reimbursement to Homeowner for damage caused to the property as a result of the break.

5. Survey showing a scaled drawing of pool/spa and pool equipment should be attached to your architectural application.
6. It is suggested that you receive architectural approval from ARC before applying for permits.

### **B. Pool Equipment & Gas Tanks (heaters, pumps)**

1. Landscaping shall be used to obscure pool equipment from view
2. Type of landscaping that will be used should be identified in architectural application submitted for pool installation.

### **Section 240 SCREEN ENCLOSURES & SCREEN DOORS**

- A. Shall not extend beyond the plane of the house nor encroach on any easement, including 20' lake maintenance easement.
- B. Shall be white or bronze aluminum framing with charcoal color screening.
- C. Shall not have flat aluminum covered roof.
- D. Landscaping may be required, particularly on corner lots.
- E. It is suggested you receive architectural approval from ARC prior to applying for permits.

### **Section 250 SEASONAL LIGHTS & HOLIDAY & DECORATIONS**

- A. May only be displayed for a total of 40 days per calendar year
- B. No hooks, nails or other devices shall be placed on a tree or other landscaping for purpose of hanging lights or other decoration as this is harmful to the health of the plant.

### **Section 260 SIDEWALKS (PARALLEL TO STREETS)**

- A. Shall not be painted or stained
- B. Shall be kept free of irrigation stains
- C. Sidewalks are never to be altered except as originally installed

### **Section 270 SIGNS**

- A. ~~One "For Sale" or "For Rent" sign may be displayed in the front window of the home provided the face surface shall not be larger than 3' x 5'.~~ Once the developer has sold all homes within the community, the size will then be increased to "18 x 24."
- B. No other signs are permitted.

### **Section 280 STORAGE SHEDS & TENTS**

- A. Are not permitted

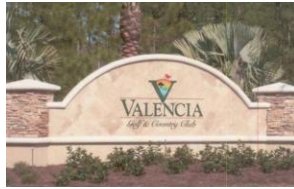
### **Section 290 STORM SHUTTERS**

- A. Shall preferably have removable panels
- B. Roll-down and sliding models shall match wall color
- C. Accordion panel shutters must match color of adjoining window or door frame
- D. No Bahama shutters are permitted
- E. Panels must be in place no earlier than 48 hours prior to storm or warning, and must be removed within 7-14 days after a storm of 48 hours after a warning.
- F. Must not be used for security purposes

### **Section 300 TRASH**

- A. All trash must be placed in containers. Bags and loose trash are not permitted. Containers should be made of rigid plastic with 20-32 gallon capacity, well-sealed.
- B. No trash containers can be put out earlier than 24 hours before pick up.





## *Naples*

- C. Containers must be brought in no later than 12 hours after collection.
- D. Trash containers must be stored out of view. Trash containers may not be stored at the side or rear of the house unless obscured from view by approved landscaping.

### **Section VEHICLES**

- 310 A. No recreational vehicles, trailers, or mobile homes are permitted to be stored within the community unless they can be stored in the garage, with the garage door down, at all times.
- B. Commercial vehicles must be kept in garage at all times.
- C. No car covers or unlicensed cars are allowed.
- D. ATV's, 4-wheelers and similar vehicles may not be driven anywhere within the community
- E. The speed limit throughout the community is 20 mph

### **Section WINDOWS AND WINDOW COVERINGS**

- 320 A. Window coverings shall consist of curtains/drapes, blinds or other traditional window covering. Sheets, newspaper, aluminum foil, bags and other similar items are not permitted.
- B. Tinting shall be non-mirror finish
- C. Broken or damaged blinds or window coverings will be required to be replaced at the discretion of the Board of Directors
- D. Broken windows shall promptly be replaced

### **Section WETLAND AND NATURE PRESERVES**

- 330 A. All preserves on the property are protected under conservation easements. No persons, pets or vehicles are permitted within any preserve on the property at any time.
- B. No homeowner, guest or any other person may remove any tree, vegetation, animal or any other item from any preserve, nor shall any tree, vegetation, waste, debris or any other item be placed in any preserve.

**COMPLIANCE WITH THESE GUIDELINES DOES NOT AUTOMATICALLY GRANT ARCHITECTURAL APPROVAL. ARCHITECTURAL APPROVAL MUST BE REQUESTED IN WRITING FOR ANY CHANGES TO THE EXTERIOR OF YOUR HOME (INCLUDING FLOWER INSTALLATION AND GARAGE CONVERSIONS).**



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**VALENCIA GOLF & COUNTRY CLUB  
HOMEOWNERS ASSOCIATION, INC.**

**RULES AND REGULATIONS ACKNOWLEDGEMENT FORM**

I / We, the undersigned, acknowledge and understand the Valencia Golf & Country Club Homeowners Association Rules and Regulations.

I / We, have read and understand same and agree to abide by the Rules and Regulations.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date