

# **ARCHITECTURAL CONTROL GUIDELINES AND REVIEW PROCEDURES**

AS AMENDED 2015 AND 2016

## TABLE OF CONTENTS

### 1.0 DEFINITIONS

- 1.1 Park Model
- 1.2 Living Area
- 1.3 Lot Right-of-Way
- 1.4 Set Back

### 2.0 LIVING ACCOMMODATIONS

#### 2.1 Site / Lots

- 2.1.1 Lot Size
- 2.1.2 Site Plan
- 2.1.3 Site Pads New Structure
- 2.1.4 Site Pads Existing Structure
- 2.1.5 Unit Height

#### 2.2 Other Than Park Models

- 2.2.1 Size
- 2.2.2 Hurricane Season
- 2.2.3 Skirting

#### 2.3 Park Models

- 2.3.1 Size
- 2.3.2 Placement
- 2.3.3 Scheduling
- 2.3.4 Utilities
- 2.3.5 A/C Placement

#### 2.4 Accessory Structures and Additions

- 2.4.1 Construction
- 2.4.2 Color
- 2.4.3 Size
- 2.4.4 Placement
- 2.4.5 Unit Yard Light
- 2.4.6 Gazebo, Yard Tent or Beach Covers
- 2.4.7 Carports, Car Tents or Vehicle Cover Structures

#### 2.5 Driveways

- 2.5.1 Size

#### 2.6 Concrete Framing/Concrete

- 2.6.1 Framing
- 2.6.2 Concrete
- 2.6.3 Patios
- 2.6.4 Sidewalks

2.7 Entrances

2.7.1 Front

2.7.2 Side

2.7.3 Rear

2.8 Decking, Stairs and Stair Landing

2.8.1 Uncovered Decking, Stairs and Stair Landing

2.8.2 Covered Decking, Stairs and Stair Landing

2.8.3 Fencing

**3.0 INSPECTIONS**

3.1 Initial Inspection

3.2 Continuing Inspections

3.3 Transfer of Unit

**4.0 STORAGE**

4.1 Unit Storage Buildings

4.2 Exterior Use

4.3 Circle Storage Buildings

**5.0 GRANDFATHER RIGHTS**

5.1 Grandfather Rights

**6.0 RIGHT TO APPEAL**

6.1 Right to Appeal

**7.0 SPECIAL NOTES TO CONTRACTORS**

7.1 Contractor Notification

7.2 Contractor Registration

7.3 Drawings and Permits

7.4 Utility Company Notification

7.5 Forming Inspection

7.6 Notification Inspection

7.7 Truck Restrictions

7.8 Quiet Hours

7.9 Quiet Days

**8.0 NON COMPLIANCE/DAMAGE/RECORDS**

8.1 Non Compliance

8.2 Damage

8.3 Records

**9.0 REFERENCES – STANDARDS – MEASUREMENTS – DATA AND COUNTY REGULATIONS**

9.1 Standards, Measurements, Data, and County Regulations

9.2 Licensed Surveyor

**10.0 AMENDMENTS/ADDITIONS**

10.1 Proposal

10.2 Final Approval and Effective Dates

10.3 Basic Guideline

**11.0 CONFLICTS**

11.1 Conflicts

## ARCHITECTURAL CONTROL GUIDELINES AND REVIEW PROCEDURES

In order to insure orderly and controlled growth in our park, your Directors have adopted the following guidelines for park models installation and accessory structures and additions.

Compliance with these guidelines does not relieve the lot owner and/or contractor the responsibility of conformance to Lee County and/or Village of Estero codes and obtaining the necessary permits. Copies of permits shall be provided to the Park Office prior to construction. The Association does not have authority to waive any Lee County or Village of Estero codes. Park regulations may be more stringent than the applicable codes.

It is to be noted that situations not covered by language in these Guidelines can only be approved by the Board of Directors. To be considered, a detailed drawing and explanation of the proposed additions and/or changes shall be submitted to the Architectural Committee. Within seven (7) days the committee shall make a recommendation to the General Manager who may forward same to the Board of Directors for disposition.

Special consideration may be given, upon request, to persons physically impaired.

Any questions concerning the requirements of these guidelines should be directed to the Architectural Control Committee.

### 1.0 DEFINITIONS

- 1.1 Park Model – See Lee County Recreational Vehicle Park District Section 1000.
- 1.2 Living Area – Area as measured from the outside dimensions of the structure i.e. park model and additions
- 1.3 Lot Right-of-Way – Area between Circle roadway and front lot line.
- 1.4 Set Back – Distance from the front and rear property line and from the side boundary lines to the structure.

### 2.0 LIVING ACCOMMODATIONS

#### 2.1 Sites/Lots

2.1.1	<u>Lot sizes</u>	Interior	All Lots	2233 sq. ft.
		Exterior	Lot #1	2221 sq. ft.
			Lots #2 - #26	2222 sq. ft.
			Lot #27	2224 sq. ft.

#### 2.1.2 Site Plans

Prior to placement of park models, additions and related equipment, such as air conditioning units, and/or accessory structures, detail site plans including all measurements, tree removal, utilities, together with all required Lee County permits

must be submitted to the office on Park approval forms and be approved by the Architectural Committee and General Manager.

2.1.3 Site Pads, New Structures

Site pads may extend under the entire park model including air conditioners (if so equipped) and/or under any addition and may be used for support and tie down. When extended, four (4) inch reinforced concrete must be used. It is recommended new units be placed on three (3) high cinder blocks with a one half slab block, then a 2 X 6 wood plate along with any shims needed to level the unit. However, the unit shall not be placed any lower than two (2) high cinder block with a one half slab block, then a 2 X 6 wood plate along with any shims needed to level the unit.

2.1.4 Site Pads, Existing Structures

Site pad extensions under existing park models or any additions is limited to six (6) inches outside the structures perimeter (weed eater protection) provided the extension does not extend beyond the property line or onto common ground. When extended, four (4) inch reinforced concrete must be used.

2.1.5 Unit Height

Unless a county code restricts a lesser height, the maximum height of a unit, new, used or remodeled, shall not exceed eighteen (18) feet from the pad elevation to the peak of the roof.

2.2 Other than park models – For living accommodations other than park models also see Rules and Regulations Section 5.2 Tie Downs.

2.2.1 Size

The maximum length of an RV for any lot is forty (40) feet. The minimum length is eighteen (18) feet exterior wall to exterior wall. **When located on a lot it will be situated on the site pad with a minimum set back of 20 feet from the edge of the roadway, measured on the long edge of the driveway. The stabilizers of any RV unit must be placed on the site and not extend on to common ground. If the RV unit is of shorter length it can be set back further to accommodate hookup, but it can not extend on to common ground.**

2.2.2 Hurricane Season

Any RV that will remain unoccupied during Hurricane season shall be tied down per Lee County specifications. Exception to this rule is if the RV will be removed from the site during evacuation orders from Emergency Management Personnel.

2.2.3 Skirting

Skirting must be put in place on permanently tied down RV's within 90 days placement.

2.3 Park Models

2.3.1 Size

Single wide park models are not to exceed 14 feet wide and 24 feet wide for double wide park models. The combination of nominal length and width is not to exceed HUD area Standard of less than 1,000 square feet, but in any event the acceptable lengths and widths shall be determined by lot dimensions and set back requirements according to applicable Lee County Codes.

2.3.2 Placement

A 10 foot minimum County requirement from structure to structure and a 14 foot minimum to the original adjoining concrete pad must

be maintained. **Before placement of a park model, a property survey by a Florida licensed surveyor must be provided to the Architectural Committee. Such survey shall also show the proposed placement of the park model. Placement of the park model must be far enough to the rear property line to allow a minimum of a 20 foot long driveway measured from the park model to the road edge. Because of the circle roadway design, the 20 foot measurement shall be on the “long side” and the “short side” may be less than 20 feet. In some cases, especially on the interior circle lots, a park model may need to be re-configured in order to meet County and community setbacks.**

In cases where a replacement structure is to be built next to an existing structure on the next lot, the replacement structure must be set on the same line as the original to meet the County placement requirement. **If the original was placed incorrectly, the replacement shall conform with current setbacks.** Roof overhang or eaves may encroach into the required 10 foot separation, provided the encroachment does not exceed 8 inches. The park model utility side may extend no more than 48 inches from the original pad. A park model, its extremities, protrusions, and/or its equipment may not extend beyond the property line. **However, placement of the A/C unit and pad may be allowed to partially extend past the rear property line.**

2.3.3 Scheduling

Installation of park models must be scheduled with the General Manager not less than 48 hours in advance of the date the unit will be installed.

2.3.4 Utilities

The electrical junction box may be located at either the rear of the park model or on the utility side. The water and electrical service installation must have written Park approval before a park model may be placed. The water and electrical connections must be mounted on one or maximum of two (2) approved 4” X 4” support posts. The TV and telephone junction boxes exit the ground in the same area as the electrical and water services and may use the electrical and/or the water support posts for junction boxes. Gas bottles are to be placed at the utility side or rear of park models and

shall be a minimum of 12 feet from the A/C unit. Gas bottles must be securely tied down and shall not extend beyond the property line. (see Section 2.4.4). They may not be placed under the park model.

2.3.5 A/C Placement

All A/C units shall be installed in the rear of the unit and 12 feet away from all gas bottles. Any existing A/C units not located in the rear shall be re-located upon replacement of the old A/C unit. A concrete slab to accommodate the A/C unit may be allowed and A/C units must be anchored according to County regulations.

2.4 Accessory Structures and Additions

2.4.1 Construction

Wooden (stick built) or “Pan Tech” panel Florida rooms are allowed. Construction of these structures shall be according to a copy of County approved Engineering drawings that have been reviewed by the Architectural Committee and the General Manager.

2.4.2 Color

Good match to the RV or white.

2.4.3 Size

The total floor area of any addition shall not exceed the total floor area of the park model to which they are attached. The total square footage of any addition along with the park model may not exceed the total allowable square footage as described in Section 2.3.1. Screen Rooms, as described in amendment approved by the Board on January 22, 2004 is exempt from the total square footage allowable. See attachment.

2.4.4 Placement

A ten (10) foot minimum from structure to structure is required. Roof overhang or eaves may encroach into the 10 foot separation, provided the encroachment does not exceed 8 inches. No protrusions, extremities, and/or equipment shall extend beyond the property line into common property except as herein described below.

2.4.5 Unit Yard Light

An optional yard light may be placed only on the left side of the driveway (facing the property) a minimum of eight (8) feet from the circle street, no less than four (4) feet from the existing driveway concrete and not exceed six (6) feet in height to the top of the light fixture.

2.4.6 Gazebo, Yard Tent or Beach Covers

Portable gazebos, yard tents or beach type tent/covers may be allowed in the community. Such structures can not exceed 12' X 12' and must be of a design and color that blends with the surrounding area. These structures may not be used as storage of any kind and are strictly for entertainment, shade, relaxation and comfort. They must be completely removed, including stakes, prior



to residents leaving for the summer and/or any time the unit is not occupied during Hurricane season. They may be placed partially or completely on common ground or in other areas approved by the Architectural Committee and General Manager. A floor, such as patio stones or pavers, may be allowed for such structures provided they are in compliance with Section 2.6.3 below. Otherwise, they must be placed on the ground or a combination of approved patio and ground. Such structures shall be placed to the rear of the unit, if space allows, and not in the front or side. Each structure must be approved prior to installation and must be kept in good condition. The Association is not responsible for the lawn maintenance inside and immediately surrounding the structure. The Architectural Committee and General Manager may deny such structures at their discretion whenever the structure is deemed unfit or objectionable by the Board and/or General Manager.

2.4.7 Carports, Car Tents or Vehicle Cover Structures

Carports, car tents or other vehicle cover structures are prohibited on any unit or lot.

2.5 Driveways

2.5.1 Size

Driveways may be widened to a total of sixteen (16) feet using four (4) inch reinforced concrete. A twelve (12) inch minimum distance must be maintained between the edge of the driveway and the property line with corresponding widening of the access connection across the right of way within an extended line of the property from the street to the driveway, all at the owner's expense.

2.6 Concrete Framing/Concrete

2.6.1 Framing

Concrete framing shall be approved by the Architectural Committee prior to pouring.

2.6.2 Concrete

Concrete may not exceed sixty (60) percent of the total lot square footage **which amounts to approximately 1,333 square feet for an outside lot and 1,340 square feet for an inside lot. Where possible, pavers should be used in place of poured concrete.**

2.6.3 Patio

~~In addition to the sixty (60) percent rule found in Section 2.6.2 above and upon prior approval of the Architectural Committee and/or General Manager, a patio may be installed using patio stones or pavers or other removable porous material. Such patios may encroach partially onto common ground, however, the entire patio area may not exceed 144 square feet whether on private property or a combination of common and private property. However, any encroachment onto common ground must be~~

~~removed upon request of the Architectural Committee or General Manager for any reason.~~

**Upon prior approval of the Architectural Committee and/or General Manager, a patio may be installed using patio stones or pavers or other porous material. Such patios may encroach partially onto common ground. The patio area shall not exceed 144 square feet not including adjacent edging or sidewalk area. A detailed sketch including dimensions must be submitted for approval and before any work is started. Any work done that deviates from the approved sketch may, at the request of the Architectural Committee or General Manager, have to be removed at owners' expense. Construction of the patio must be such that it does not impede the work of the grass cutting crew. Any installation on common ground is considered to be temporary. At the request of the General Manager, should the need arise for any reason, any installation on common ground may have to be removed at owners' expense.**

#### 2.6.4 Sidewalk

The width of a sidewalk shall not exceed 4 feet. If constructed of concrete, the 60% rule must be observed. Sidewalks must not impede the work of the grass cutting crew.

### 2.7 Entrances

#### 2.7.1 Front

Front entrance landings and stairs are to clear an outward swinging door by six (6) inches and may extend up to three (3) feet into the front set back.

#### 2.7.2 Side

Side entrance landings and stairs are to clear an outward swinging door by six (6) inches and may extend up to six (3) feet into the side set back.

#### 2.7.3 Rear

Rear entrance deck and/or landings and stairs are to clear an outward swinging door by six (6) inches and may extend into the rear set back.

### 2.8 Decking, Stairs and Stair Landing

#### 2.8.1 Uncovered (open) Decking, Stairs and Stair Landings

Uncovered (open) decking, stairs and stair landings are not counted in calculating living area. Uncovered (open) decks up to one hundred twenty (120) square feet in area, may be permitted provided all setback requirements are met. Stairs and stair landings that are incorporated into a deck shall be calculated in the square footage of the deck.

#### 2.8.2 Covered Decking, Stairs and Stair Landings

Covered decking (**under roof**), stairs and stair landings are counted in calculating living area **only if they are enclosed with windows/walls. Screened in decks or landings are not considered living area.** Stairs or stair landings, which are attached to an addition, and which are not incorporated into an open deck, may be permitted to encroach three (3) feet into the side and rear setbacks and no stair landing shall exceed sixteen (16) square feet.

2.8.3 Fencing

Fencing portions or all of a lot is prohibited. A small amount of decorative fencing around patios and driveways may be allowed at the discretion of the Architectural Committee and/or General Manager. However, such fencing may not exceed two (2) feet in height and may not obstruct the performance of the lawn crew.

**3.0 INSPECTIONS**

3.1 Initial Inspections

No park model or addition may remain on a lot over five (5) days without approval of the Association's representative in accordance with this document.

3.2 Continuing Inspections

Installed facilities are subject to follow-up inspections by the representative of the Association for continuing compliance with this document.

3.3 Transfer of Unit – Final Inspection

Prior to Association approval of the transfer of a unit or lot the Association's representative shall make a final inspection report of compliance with this document.

**4.0 STORAGE**

4.1 Unit Storage Buildings

Storage buildings are allowed on undeveloped RV lots or where single wide units are installed. Such storage buildings are restricted to thirty two (32) square feet or less floor size and may be located on the rear eight (8) feet of the existing pad. Concrete may be added at the rear of the pad, to the property line, on the left side facing the property from the circle street. Where room additions exist, no utility building or shed shall be allowed outside the existing covered living area. Construction of a utility building is allowed under the rear enclosed living area (porch) provided the plan is approved by the Architectural Control Committee and the General Manager. Color to be a good match to RV or white. Buildings must be tied down securely.

4.2 Exterior Use

The exterior use and/or storage of refrigerator, freezer, LP gas bottles over forty (40) pounds, large tool chests, boats, boat equipment, trailers or vehicle parts is prohibited. This includes storage of any item of any type under an RV unless the RV has been skirted properly.

4.3 Circle Storage Building

Circle storage buildings must be located adjacent to the existing bath/laundry facility. Storage buildings require a poured concrete base, be of stick construction, not exceed sixteen (16) feet in length, four (4) feet in width or exceed the eaves height of the existing building. Concrete forms and building framing must be approved by the Architectural Committee. Storage buildings must be tied down securely.

## **5.0 GRANDFATHER RIGHTS**

- 5.1 Unit storage buildings and other exterior storage facilities granted under “Grandfather Rights” must be removed from the unit area at the time of sale, change in present unit design or construction or as provided in any Board resolution.

## **6.0 RIGHT TO APPEAL**

- 6.1 Any member may appeal a decision of the Architectural Control Committee or the General Manager in writing to the Board of Directors. The decision is to be complied with pending Board determination on the appeal. Appeal form attached as Exhibit A2.

## **7.0 SPECIAL NOTES TO CONTRACTORS**

- 7.1 Contractor Notification  
Your dealer or contractor shall be provided a copy of these guidelines.
- 7.2 Contractor Registration  
Any contractor entering the park must be registered at the General Manager’s office.
- 7.3 Drawings and Permits  
All drawings and measurements must be submitted to the park office, on park or Association approved forms, together with all County permits before work is started (contractors responsibility). See approved forms Exhibits A-3 and A-4 attached.
- 7.4 Utility Company Notification  
Utility companies involved shall be notified and the area marked before relocating electrical service lines, cable TV lines, telephone lines, widening driveways or planting on the utility side of the unit.
- 7.5 Forming Inspections  
An inspection of all forms must be performed prior to pouring concrete.
- 7.6 Notification and Inspection  
In order to insure full compliance with the requirements of the park, contractors must notify the office when framing has been completed and the roof has been installed. At this time, the Architectural Committee and General Manager will visit the site for an inspection.
- 7.7 Truck Restrictions  
Concrete or heavily laden trucks may not enter any circle and must stay on the main roads.
- 7.8 Quiet Hours  
Quiet hours are from 10 PM to 8 AM. No work will be allowed during these hours.

- 7.9 Quiet Days  
Quiet days are designated as Saturday, Sunday and Holidays. A contractor may perform noiseless type work i.e. no compressors, generators, etc. on Saturdays only. Contractors are not allowed to perform any work on Sundays or Holidays without prior authorization from the General Manager. Minor noise type work and minor maintenance type work being performed by owners is allowed on Saturday, however, respect for the neighbors should be honored.

## **8.0 NONCOMPLIANCE/DAMAGE/RECORDS**

- 8.1 Non Compliance  
All new work started after issue of these guidelines, not in compliance with these guidelines, completed or not, shall be removed, dismantled or put into compliance immediately at owners expense.
- 8.2 Damage  
Any damage to any utility by owner or contractor shall be at contractors or owners expense. The park Association assumes no liability for any damage done by owner, by any party, working on behalf of the owner.
- 8.3 Records  
All placements, additions or alteration documents, with approval of record shall be on file at the park office for review.

## **9.0 REFERENCES – STANDARDS – MEASUREMENT DATA AND COUNTY REGULATIONS**

- 9.1 This section contains relative standard, measurement methods and data, and County regulations that form the basis for these Architectural Control Guidelines as set forth above. Due to its bulk, owners may request such references from your contractor or the County building department.
- 9.2 Licensed Surveyors  
Unit owners are encouraged to engage a licensed surveyor to confirm their lot lines.

## **10.0 AMENDMENTS/ADDITIONS**

- 10.1 Proposal  
The provisions of this document will be reviewed and amended by the Association Board of Directors from time to time as deemed appropriate. Document amendments may be proposed by any member or group of members of the Association.
- 10.2 Final Approval and Effective Date  
An amendment shall become effective when approved by the Association Board of Directors. This document shall be filed in the public records of Lee County.
- 10.3 This document offers basic guidelines for the Association in order to help provide consistency throughout the community. Written guidelines can not be established for every single question that may be presented. However, “normal and customary” judgment shall be used whenever items are not specifically addressed above. The Committee and Management shall use

their best judgment to interpret the best “intent” of these guidelines in the best interest of the Association.

## **11.0 CONFLICTS**

### **11.1 Conflicts**

In the event of a conflict between any of the governing documents, the following hierarchy shall prevail: Declaration of Covenants, Conditions and Restrictions, Articles of Incorporation, By-Laws, Architectural Control Guidelines and Review Procedures, Rules and Regulations, Book of Resolutions and Book of Minutes.