

LL/LC

Section II – Home, Courtyard Villa

Property owners (Owner) seeking Architectural Review Committee (ARC) approval shall submit a completed ARC Application Form to the Community Standards Department (Department). Owners have the burden of demonstrating their requested improvement is aesthetically pleasing and benefits and enhances the respective subdivision. It is the Owner's responsibility to contact the Department to obtain the most up to date version of the application or print said application from the District's website: www.districtgov.org.

The District's Rule to Bring About Deed Compliance (Rule), which includes a Matrix of External Deed Restrictions and Fine Schedule (Matrix) can also be found on the above website under the Community Standards home page.

2.1 Easements and Property Lines

Site plans shall include all easement areas including but not limited to platted easements, special easements, easements described in the recorded declaration of restrictions and identified in the Rule.

Owners are responsible and liable for any and all easement encroachments regardless of ARC approval. Improvements shall not cause adverse additional drainage flow on adjacent properties. Owners receiving ARC approval remain liable for any water flow blockage, interruption of water flow, redirection of existing drainage flow, disruption to the grading of the dominant easement area and any additional drainage flow caused by any improvements made to the property including the installation of landscaping. In addition, said Owner is responsible for any damage that may be caused to any said improvements, including landscaping, should access to the easement area be necessary by any party having rights to the easement area.

A. Structures

Note: Landscape walls, curbing and edging do not constitute a "structure" for purposes of this section. These items are addressed under Section 2.1B.

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No structure of any kind shall be permitted in the easement areas as indicated in the Rule or on the site plan submitted with the application except for the following:

- concrete/pavers for ingress/egress doorway pads for a birdcage/screen room no larger than four (4) feet by four (4) feet.
- doorway stairs not exceeding four (4) feet by four (4) feet unless necessary to accommodate land elevations.
- concrete pads for air conditioner units no larger than necessary to accommodate the air conditioner unit.

- generators.
- pool pump and related parts including pool equipment screening.

The above doorway pads, stairs, air conditioner pad, generator and pool equipment shall remain two (2) feet from the property line under all circumstances.

If the Rule does not address easements, all structures of any kind shall be kept a minimum of seven and one-half (7 ½) feet from rear property line, five (5) feet from side property line and ten (10) feet from every street or road fronting on the subject lot for aesthetic, uniformity and drainage purposes.

Courtyard Villa

1. Rear Easements: No structure of any kind shall be permitted in rear easement areas as indicated in the Rule and/or site plan submitted with the application unless the Rule permits patio and walks within the rear easement area. If patio and walks are permitted, they shall be kept a minimum of two (2) feet from the rear wall for maintenance and drainage purposes. Additionally, landscaping shall be kept a minimum of two (2) feet from the rear wall for maintenance, drainage purposes and aesthetics. If the Rule is silent regarding easements, no structure of any kind shall be permitted within seven and one half (7 ½) feet from the rear wall except for patios and walks which shall be permitted but kept a minimum of two (2) feet from the rear wall for maintenance and drainage purposes.

2. Side Easements: Dominant Easement (Owner's side yard enjoyment area)/Servient Easements (Owner's side yard burden): No structure of any kind shall be permitted in the servient or dominant easement areas. All structures shall be kept a minimum of five (5) feet from the side property line on the dominant easement side. Additionally, rear room additions may extend to the servient easement side wall/fence. All other modifications (i.e. birdcages, pergolas, concrete slabs, walks and the like) to the rear of the home must remain two (2) feet from the servient easement side wall / fence for maintenance purposes. If the Rule does not address side easements, all structures of any kind shall be kept a minimum of five (5) feet from property line for aesthetic, uniformity and drainage purposes.

3. Front Yard / Driveway Area Easements: The courtyard villa front yard area consists of all the area in front of the gate. Due to the courtyard villa's unique design, easement rights, limited pervious surface and aesthetic uniformity, no modifications shall be allowed in the front yard or driveway easement area, with the following exceptions:

- landscaping in accordance with landscaping provisions.
- corner/end lots for courtyard villas may be permitted to construct additions which may require moving the gate forward but not past the existing structure and so long as the addition does not encroach into any

easement. If it is necessary to adjust a sidewalk, as originally constructed by the Developer, to accommodate the addition and gate movement, the adjusted sidewalk shall not exceed four (4) feet in width and shall not be permitted to any walkway, carpath or road right-of-way. This exception does not permit additional sidewalks.

- end lot walkway expansions to the original developer constructed walkway only if the lot and existing walkway are not situated at or near an intersection, the completed walkway width does not exceed eight (8) feet, does not encroach into any easement, the expansion is being requested simultaneously with a golf cart garage addition and the golf cart garage door does not exceed eight (8) feet in width. The walkway expansion shall not be permitted to any walkway or carpath.
- corner/end lot new walkway improvements only if the width does not exceed eight (8) feet, does not encroach into any easement, the expansion is being requested simultaneously with a golf cart garage addition and the golf cart garage door does not exceed eight (8) feet in width. The walkway shall not be permitted to any carpath or road right-of-way. The walkway is permitted to be attached to an existing driveway.

B. Landscaping

Note: This section refers to new/additional landscaping and not landscaping originally installed at time of construction.

Home

Note: Curbing, edging and landscape walls shall only be permitted around approved landscaping beds and not to be utilized as a dividing instrumentality.

Landscaping plans which do not include curbing, edging or landscape walls, shall be kept a minimum of two (2) feet from the property lines for aesthetics, maintenance, storm water maintenance and drainage purposes. When landscaping plans include curbing, edging and landscape walls, those items shall be kept a minimum of three (3) feet off the property line for aesthetics, maintenance, storm water maintenance and drainage purposes. Landscape walls shall be no higher than eighteen (18) inches. Landscaping walls may exceed eighteen (18) inches in height, if necessary, due to existing lot elevations. Existing sod or other plant material shall only be replaced with sod or other plant material. Rock is not an acceptable replacement for sod or other plant material(s) except as an accent material in approved landscaping beds.

Courtyard Villa

1. Side Yard: Landscaping shall not disturb the grading of the dominant easement area. Landscaping plans which do not include curbing, edging or landscape walls shall be kept a minimum of two (2) feet off the dominant tenement side yard wall/fence, a minimum of two (2) feet off the servient tenement side yard wall and a minimum of two (2) feet from the rear property line

for aesthetics, maintenance, storm water maintenance and drainage purposes. When landscaping plans include curbing, edging and landscape walls, those items shall not disturb the grading of the dominant easement area, shall be kept a minimum of three (3) feet off the dominant tenement side yard wall/fence and a minimum of three (3) feet from the rear property line for aesthetics, maintenance, storm water maintenance and drainage purposes.

2. Front Yard: The courtyard villa front yard area consists of the area in front of the gate. Landscaping plans, with or without curbing, edging and landscape walls, are permitted in the front yard area up to the street pavement, shall not disturb the grading of the dominant easement area and shall be kept a minimum of three (3) feet from the neighbor's front yard wall/fence for aesthetics, maintenance, storm water maintenance and drainage purposes. Landscaping, with or without curbing, edging or landscape walls, is not permitted in the servient easement areas.

3. Rear Yard: Landscaping plans which do not include curbing, edging or landscape walls, shall be kept a minimum of two (2) feet from the rear property line for maintenance and drainage purposes. When landscaping plans include curbing, edging or landscape walls, those items shall be kept a minimum of three (3) feet from the rear property line for maintenance, storm water maintenance and drainage purposes.

4. Existing sod may be replaced with sod, other plant material(s), rocks, or decorative stones; however, the front yard area must include some plant material (planted in the ground) for aesthetic purposes.

2.2 Arbors, Pergolas, Trellises & Gazebos

Arbor:

Home, Courtyard Villa

Arbors may be freestanding, shall be anchored into the ground for safety purposes, shall be located in the rear or side quadrant, shall not be located in any easement area and shall have no fences on either side. Only one (1) arbor per lot shall be permitted and shall be consistent with the size of the lot.

Pergola:

Home, Courtyard Villa

Pergolas shall not be located in any easement area, shall be anchored into the ground for safety purposes and shall be located in the rear or side quadrant. Pergolas shall be consistent with size of lot. Pergolas constructed with a concrete pad may be screened on the sides. Pergola roofs may be screen, glass (tempered, plexi, poly carbonate, laminated, or similar product), canopy (including retractable, shade sail), solar panel or louvered. All canopy products shall be a solid color harmonious to the home.

Trellis:***Home, Courtyard Villa***

A trellis is a two dimensional structure of open lattice work which may be freestanding and is permitted but shall not be permitted in any easement area. Trellises shall be consistent with the size of the lot.

Gazebos:***Home, Courtyard Villa***

A gazebo is a freestanding, roofed, open-sided structure providing a shady resting place and is permitted. Only one (1) gazebo per lot is permitted. A gazebo shall not be in any easement area, shall be located in the rear quadrant, shall be consistent with the size of the lot, and its roof material shall be harmonious with the existing home.

2.3 Awnings:***Courtyard Villa***

Permanent awnings with vertical structures are prohibited within any easement area. Retractable awnings shall maintain a minimum of two (2) feet from any adjoining building or dividing wall. Awning color shall be harmonious with the color of the existing home.

2.4 Building Additions/Screen Rooms/Birdcages/Screen Front Entry***Home***

1. Building additions: all materials, including roof pitch, shall match existing home.
2. Screen rooms/birdcages shall have a concrete floor or some type of finished flooring with the exception of permanently raised landscape planters.
3. Canvas roof covers (full and partial) on screen rooms/birdcages are allowed. The covers shall be on a metal frame, firmly attached to the existing screen room/birdcage and be in accordance with applicable county, state and federal regulations. Canvas roof covers shall be a solid color complimenting the color of the home/roof with no stripes or designs allowed. Valances are allowed on full canvas roof covers and may have contrasting piping, but cannot exceed sixteen (16) inches in length. Valances are not allowed on partial canvas roof covers unless there are different levels in the screen room/birdcage roof. If different levels exist, partial valances are permitted as long as the length is no greater than the difference between levels or sixteen (16) inches maximum.
4. The ARC does not review applications for conversions from glass to screen or screen to glass so long as the original window/door opening does not change in size by more than eight (8) inches.

Courtyard Villa

1. Screen rooms/birdcages shall have a concrete floor or some type of finished flooring with the exception of permanently raised landscape planters.

2. Due to the diversity of the adopted Rule, it is necessary to refer to the specific set of adopted Rules for roofing material and pitch.

3. Screening of the front entryway is not allowed.

4. Canvas roof covers (full and partial) on screen rooms/birdcages are allowed. The covers shall be on a metal frame, firmly attached to the existing screen room/birdcage and be in accordance with applicable county, state and federal regulations. Canvas roof covers shall be a solid color complimenting the color of the home/roof with no stripes or designs allowed. Valances are allowed on full canvas roof covers and may have contrasting piping but cannot exceed sixteen (16) inches in length. Valances are not allowed on partial canvas roof covers unless there are different levels in the screen room/birdcage roof. If different levels exist, partial valances are permitted as long as the length is no greater than the difference between levels or sixteen (16) inches maximum.

2.5 Driveways, Walkways, Patios, Front Entry Flooring

Home:

The ARC does not review applications for driveway painting/coating.

Driveway extensions: Driveway extensions may be granted only if the extension is affixed to the existing driveway originally constructed/designed by the Developer and accommodates an existing garage, a garage expansion or addition of a golf cart garage or expansion thereof. Driveway extensions shall not be granted if proposed expansion violates any Rule provisions.

Courtyard Villa:

1. Painting/Coating: No colored coatings are permitted without prior written ARC approval. Courtyard villa driveway / walkway painting is allowed provided a petition, approved by the ARC listing the desired colors is signed by 75% of the homeowner(s) of the villa unit. Only one signature per homesite is permitted. Once a particular villa unit's petition has been approved by the ARC, individual lot owners residing therein are not required to submit an ARC Application Form for review when utilizing the approved petition colors. Additional colors may be approved following the same petition process identified herein. Floor of front entry way under existing roof line may be tiled, painted or covered with pavers.

2. Pavers: Courtyard villa driveway/walkway pavers are allowed provided a petition, approved by the ARC listing the desired color is signed by 75% of the homeowners of the villa unit. Only one signature per homesite is permitted. Pavers shall be a solid color throughout (not a mixture of colors) and flush with the connecting driveway/walkway/roadway. Once a particular villa unit's petition has been approved by ARC, individual lot owners residing therein are not required to submit an ARC Application Form for review when utilizing the approved petition colors. Additional colors may be approved following the same petition process as identified herein.

3. Driveway extensions are not permitted.

2.6 Fences/ Railings

Note: This section does not prevent statutorily required fencing such as pool fencing.

Home

1. Fences may be used to screen condenser/compressor units, pool pumps and related equipment and shall be no higher than the unit(s) itself.
2. Railings or fences are permitted around patio slabs so long as they are wrought iron, aluminum, plastic concrete or any other aesthetically pleasing material no higher than 48" at its highest point.
3. Railings or fences are permitted across the front of the home and/or abutting the front walkways so long as they are wrought iron, aluminum, plastic, concrete or any other aesthetically pleasing material no higher than 48" at its highest point.
4. No other fences or railings are permitted.
5. Railings or fences are not permitted on either side lengthwise of the driveway.

Courtyard Villa

1. No fences or railings are permitted on the front of the Courtyard Villa.
2. Should the construction of an addition to a Courtyard Villa require the removal of any section of a neighboring common wall or fence, District Property Management shall be notified. At the cost to Owner, the removed section of a wall or fence shall be returned to its original form as either a portion of the new construction, where permitted, and/or as a "stand alone" section as it originally existed.

2.7 Flagpoles

Home, Courtyard Villa

One (1) flagpole is allowed but shall not exceed a maximum height of 22 feet or encroach any easements.

2.8 Fountains & Waterfalls

Home, Courtyard Villa

Fountains and waterfalls shall be consistent with the lot size.

2.9 Front Doors

Courtyard Villa

The ARC does not review applications regarding front door modifications, including but not limited to glass inserts, glass side panels, screen doors, storm

doors or door color. ARC approval is required if said modification is to increase the height or width of the door.

2.10 Garage Doors/Screens

Courtyard Villa

The ARC does not review applications regarding garage door or screen modifications to install or remove glass, decorative panels, garage door screen or garage door painting if the chosen color is the color used at the time of original construction. All other exterior painting and modifications to the height or width of the garage door requires ARC approval.

2.11 Landscaping

Home, Courtyard Villa

Section 373.185, Florida Statute 373.185 provides: A deed restriction or covenant may not prohibit or be enforced to prohibit any property owner from implementing Florida-friendly landscaping on his or her land. (Effective 7/1/09) Florida-friendly landscaping refers to the utilization of drought tolerant “plants”. It does not mean that sod may be replaced with rocks, decorative stone, pine straw, mulch, pine bark or similar non-plant material; however, those non-plant materials may be used as an accent around plantings in designated approved landscaping beds.

1. For all requests seeking to replace sod with Florida-friendly plantings, said plantings shall constitute “ground cover” providing full ground coverage to maintain “a lawn appearance” in keeping with the aesthetics of the community. “Ground cover” plantings are those Florida-friendly plantings that grow low to the ground providing a permanent covering. Ground cover shall be fast growing, appropriate to the region and have a mature height one (1) foot or less. Full ground coverage (i.e. providing a “lawn appearance”) shall be achieved within eight (8) months of the ARC Application Form’s expiration date. The intent is to permit sufficient time for the plants to reach their mature spread. Mulch may be utilized in the interim period between plant installation and mature spread. After the time period identified herein, mulch shall not be visible as the ground coverage shall have filled in the spacing between plantings providing a “lawn appearance.” The Florida-Friendly Landscaping Guide to Plant Selection and Landscape Design provided by the University of Florida, IFAS Extension can be used as a guideline when approving Florida- friendly sod replacements. The following are some examples of acceptable Florida-friendly ground covers: Buglewood, Perennial Peanut, Blue Daze, Algeria Ivy, English Ivy, Twin Flower, Oblongleaf Snakeherb, Creeping Juniper, Horizontal Juniper, Sunshine Mimosa, Mondo Grass, Dwarf Lilyturf, Dwarf Liriope, Turkey Tangle Fogfruit and Capweed.

2. Refer to Matrix for sod requirements.

3. Refer to Section 2.1B for easement regulations.

4. Owners shall comply with, and be liable for any non-compliance with, the applicable construction plan for the surface water management system pursuant to the approved plan on file with the applicable state water management district.

5. Property owner is liable for any resulting blockage, interruption, or redirection of existing drainage flow, any additional drainage flow or any type of easement encroachment(s).

Home: Existing sod shall only be replaced with sod or other plant material. Rock is not an acceptable replacement for sod or other plant material except as an accent material in approved landscaping beds.

Courtyard Villa: Existing sod may be replaced with sod, other plant material, rocks, or decorative stones; however, the front yard area must include some plant material (planted in the ground) for aesthetic purposes.

2.12 Painting of Residence (Base, Trim, Accent)

Home

ARC approval is not required if the chosen color is the color used at the time of original construction, a color included on the current District approved color palette or a color within the hue range of the palette. All other re-paintings shall submit an ARC Application Form. For purposes of this section, the gable on the home is considered an accent and may be painted a color that varies from the base color so long as it is on the approved color palette, within the hue range of the palette, or an ARC Application Form is submitted and approved by the ARC. Only solid colors that are harmonious with the surrounding neighborhood and will benefit and enhance the entire subdivision in a manner generally consistent with the plan of development thereof shall be approved by the ARC. Hot, electric, neon or bright colors are not permitted.

Courtyard Villa

When repainting the residence the color shall be the same color at time of original construction. When repainting shutters or front doors, no owner shall undertake any exterior painting which would substantially alter the exterior appearance of their home without prior written approval. Hot, electric, neon or bright colors are not permitted.

2.13 Roof

Courtyard Villa

Re-Shingling/Re-Roofing Guidelines

1. All roofs shall be consistent in color within a given community. When re-shingling a Courtyard Villa if the original color is not available, a color closely resembling the original shall be used.

2. The shingles can be upgraded to an architectural style shingle.

2.14 Shutters

Home, Courtyard Villa

Shutters shall be a color harmonious with the home and surrounding homes. Hot, electric, neon or bright colors are not permitted.

2.15 Tree Removal

Home

No tree with a trunk four (4) inches or more in diameter shall be removed or effectively removed through excessive injury without first obtaining permission from the ARC. Palms are not considered a tree for purposes of this regulation. ARC does not review applications for palm removal. For a canopy tree, the District's arborist will examine the tree and submit a report to the ARC. The ARC will review the documentation and their decisions will be determined on a case by case basis.

Generally a tree that matures at over 30 feet and is not a palm or conifer is considered a canopy tree. Per the arborist, below is a list of the most commonly used canopy trees:

- Live Oak, Shumard Oak
- Laurel Oak (not recommended by the arborist – short lived and inclined to get infested with mistletoe)
- Southern Magnolia, Little Gem Magnolia (recommended for confined areas)
- Drake Elm or Chinese Elm
- Allee Elm
- Winged Elm
- Red Maple (used in The Villages but does not do well in some areas due to poor soil or dry conditions)