

LL/LC

Section II – Homes and Courtyard Villas

Property owner's (Owner) seeking Architectural Review Committee (ARC) approval shall submit a completed ARC Home/Property Alteration Application Form to the Community Standards Department (Department). Owner's 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. 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.

Home

1. 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;
2. Concrete pads for air conditioner units no larger than necessary to accommodate the air conditioner unit;

3. Generators; and,
4. Pool equipment (pump and related parts including pool equipment screening).

Notwithstanding 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, unless the Rule permits patio and walks within the side yard dominant easement area. All structures, except for permitted patio and walkways, shall be kept a minimum of five (5) feet from the side property line on the dominant easement side. If patio and walkways are permitted within the dominant easement area, they shall be kept a minimum of two (2) feet from the side property line on the dominant easement side. Additionally, rear room additions may extend to the servient easement side wall / fence; however, 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.
- 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 six (6) 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 six (6) 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 six (6) feet, or 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 six (6) feet in width. The walkway shall not be permitted to any carpath or road right-of-way; however, 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.

Homes

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, stormwater maintenance and drainage purposes. Landscape walls and shall be no higher than eighteen (18) inches. However, 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 and storm water maintenance and drainage. 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, stormwater 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. However, 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, ~~or~~ other plant material(s), rocks, or decorative stones. However, the front yard area must include some plant material for aesthetic purposes.

2.2 Arbors, Pergolas, Trellises & Gazebos

Arbor:

Home and, Courtyard Villas

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 and Courtyard Villas***

Only one (1) pergola per lot is permitted. 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.

Courtyard Villa

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Trellis:***Home and Courtyard Villas***

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 and Courtyard Villas***

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, shall not be in any easement area, shall be located in the rear quadrant, the gazebo shall be consistent with the size of the lot, and roof material shall be harmonious with the existing home.

2.3 Awnings:***Home, 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.

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 permanent 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, may have contrasting piping but cannot exceed 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 then partial valances are permitted as long as the length is no greater than the difference between levels or 16 inches maximum.

Architectural Review approval shall be obtained.

4. Partial canvas roof covers 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.
5. The Architectural Review Committee does not review applications 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 permanent 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. The adopted Rule state that Modifications cannot be done on Courtyard Villas that would substantially alter the appearance of the home
3. Canvas roof covers (full and partial) on screen rooms/birdcages are allowed.
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2.5 Driveways, Walkways, Patios, Front Entry Flooring

Home:

- a. Painting/Coatings: Driveways and walkways may have brick pavers or may be painted.
- b. Driveway extensions: Due to the diversity of each individual home unit, it is necessary to refer to the Matrix.

Courtyard Villa:

A. Painting: No colored coatings are permitted without the prior written ARC approval. The courtyard villa driveway / walkway painting is allowed provided a petition listing the desired colors is signed by 75% of the homeowner(s) of the villa unit. Once a particular villa unit's petition has been approved by the ARC, individual lot owners residing therein may submit an architectural application for review in accordance with the approved petition colors. Additional colors may be approved following the same petition process identified herein. Driveway pavers are not allowed. Floor of front entry way under existing roof line may be tiled, painted or covered with pavers.

B. Pavers: Courtyard villa driveway / walkway pavers are allowed provided a petition listing the desired color is signed by 75% of the homeowners of the villa unit. 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 may submit an architectural application for review in accordance with the approved petition colors. Additional colors may be approved following the same petition process as identified herein.

C. 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

Homes and Courtyard Villas

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

2.8 Fountains & Waterfalls

Home, Courtyard Villa

Fountains and waterfalls shall be consistent with the lot size.

2.9 Front Doors

Courtyard Villa

1. Front doors may be modified with glass inserts and glass side panels(s) can be added.
2. Screen doors and storm doors are permitted.

2.10 Garage Doors/Screens

Courtyard Villa

1. Decorative panels with windows are permitted in garage doors.
2. Screens shall be white, black, charcoal, gray, beige, tan or a color matching the home.

2.11 Landscaping

1. Florida Statute 373.185 states: 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 said plantings in designated landscaping beds.

2. Homes: Existing sod 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.

3 Courtyard Villa: 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 for aesthetic purposes.

4. 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’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 Capeweed.

5.Refer to Matrix for sod requirements.

6.Refer to Section 2.1B for easement regulations.

7. 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.

8. 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).

2.12 Lights - Outdoor

Home, Courtyard Villa

Low voltage landscape lighting and security lights are permitted but shall not shine into a neighboring residence window.

2.13 Painting of Residence (Base or Trim)

Home

ARC approval is not required if the chosen color is the original color at time of 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 architectural application. 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 as original. 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.

2.14 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.

2.15 Shutters

Homes, Courtyard Villa, Patio Villa

Shutters shall be mounted in an unhinged fixed position.

2.16 Tree Removal

Homes

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. For a canopy tree, the 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 dryer conditions)