



Lakes of Windermere Architectural Review Board ARB Guidelines

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I. INTRODUCTION

The Declaration of Covenants, Conditions, Easements, and Restrictions (Declaration) for The Lakes of Windermere is the basis for the governance of the community.

The overall goal of the Declaration is to provide the framework for the formation and continuance of a community that is attractive and maintains the highest levels of property value for its community members. A key element of this is the Architectural Review Board (ARB).

The purpose of the ARB is to review and approve all proposed changes to any aspect of the property visible from outside the property, pursuant to the goal of the Declaration.

Please note that any changes to the property visible from outside the property must be approved prior to any changes being made.

All homeowners should have a copy of the Declaration, and it is available on the Lakes of Windermere HOA web site. [Visit us on the Net.](#)

A. WHY GUIDELINES

The Declaration addresses all aspects of property, Home Owner Association (HOA) functions, easements, and general appearance of the community. Now that the Lakes of Windermere is built out, the sections most relevant to the homeowners needs to be clarified and consolidated into an easily set of guidelines to assist the homeowner. These guidelines do not replace the Declaration; they simply provide more conclusive clarification of the Declaration.

B. GETTING STARTED

The first step is filling out the applicable ARB Application form, which are available on the Lakes of Windermere HOA web site. This includes site plan indicating the exact placement of the improvements, which is essential for the ARB to understand exactly what you want to accomplish; do not assume your contractor's diagrams will be sufficient.

The more information you provide the easier it is for the ARB to understand exactly what you intend to accomplish. Pictures, landscape layout, site maps clearly showing fence heights, gates placement, and setbacks, from adjacent lots, streets, and sidewalks are essential. Exact plant name (botanical and common) and size (e.g. 10, 15, 30 gal or height) is essential to the over all understanding and approval of projects.

Please note the management company will be reviewing each application and will return the application to the requestor if the application is incomplete. Your assistance in this is greatly appreciated and will speed the process.

C. THE APPROVAL PROCESS

The ARB utilizes email and other electronic means to conduct its business. This allows the ARB to approve applications in between its monthly meetings while maintaining the ARB consensus process. It also allows for the ARB to immediately request additional information if required to completely understand the request. Our goal is to resolve all applications in the least amount of time.

Again, the more information you can provide the better chance we have of understanding and resolving your application.

II. EXTERIOR PAINT

Exterior paint colors were specifically selected to complement the architectural styles of the various homes in Lakes of Windermere. In order to maintain the original design intent of the community, the Architectural Review Board (ARB) must approve all exterior paint colors BEFORE they are applied to a home.

There are several approved color scheme combinations (base color, trim, accessories, door) per housing style (i.e.: Victorian, Craftsman, and Classical). The ARB has compiled a comprehensive "Paint Boards" of all the approved combinations the first step in painting any house in the community is to review these Paint Boards and reference the board you choose to use. The Sherman Williams paint codes are on the boards to enable the homeowner to get samples for review.

If it is your intention to repaint your home in the existing color scheme, the paint colors should be listed on the panel door of your circuit breaker box or in the original closing documents.. If you can't find the color names, please enclose a picture of your home with your ARB application, and the ARB will supply you with the color names. If you choose to paint your house a new color, please the Paint Board with your ARB application. The same process applies to changing the color of your door.

Please note the ARB realizes the original builder (Ashton Woods) did not always follow the existing rules of the association. In addition, they did not always follow their own paint schemes. The ARB is committed to work with the homeowner to develop a mutually agreeable paint scheme for the specific location.

III. LANDSCAPE

The community is comprised of mostly of similar lot sizes; however it also has some custom lots that are significantly larger than the standard lot. These larger lots typically accommodate a larger scale of landscape while maintaining the community's continuity. Any landscape request for custom lots will be reviewed on a case-by-case basis.

A. LANDSCAPE TERMINOLOGY

The following explains some terminology used in the ARB guidelines

1. Front & Back Yards

For the purposes of these guidelines the front yard is defined forward of the front face to the public road and for corner lots from the front and side face to the respective public road. Any area not considered the front yard is the back yard.

With that noted, the exact delineation between the front and back yard for the purposes of fences or other such structures is at the discretion of the ARB, based on the location house, window placement, and visibility from outside the lot.

The following diagram illustrates the front yards of center and corner lots

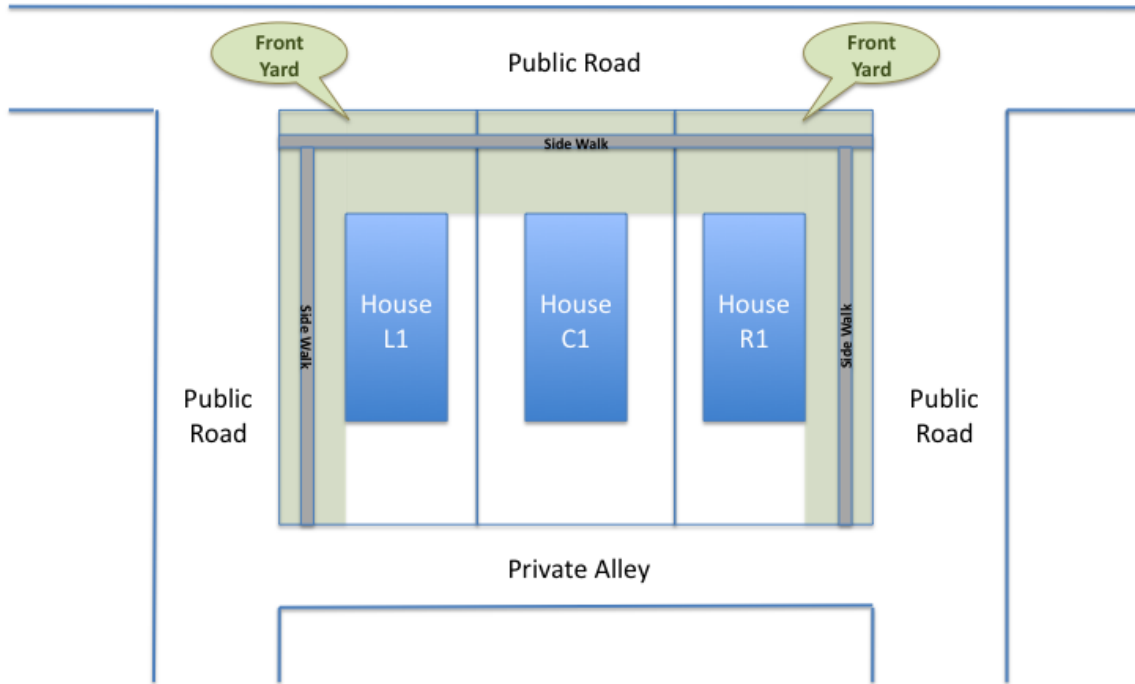


Figure 1 - Front & Back Yard

2. Curb

The term curb refers to the inside (closest to the home) edge of the cement curb of a public road or the inside edge of a private alley.

3. Height

Height is measured from the existing property elevation where the object (fence, shrub, etc) is placed.

B. FENCES

No fence shall be constructed until its location, height, type (including posts, caps, and gates) have been approved by the ARB.

All fences must be constructed of white PVC or black aluminum.

No fence will exceed a height of six feet (6').

Fences must be kept clean and free of debris, e.g. no mold, dirt, stains, or weeds; pressure washing is an excellent way to keep PVC fences clean.

1. Front Yard Fences

- ❖ Fences must be no higher than four feet (4') in height.
- ❖ Fences must be no closer than three feet from the sidewalk, i.e. there must be at least three feet (3') between the sidewalk and the fence.

2. Back Yard Fences

- ❖ Fence placement applies to the border between the front and back yard, the property line between lots, and along the private alley.
- ❖ Fences may be placed up to the property line of adjacent lots but must be wholly within the lot.
- ❖ *Any disputes between neighbors on property line issues are outside the scope of the ARB.*

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- ❖ Fences must be at least four feet (4') in height and may not exceed six feet (6').
- ❖ Fences four feet (4') in height must be least three feet (3') from the inside edge of the private alley.
- ❖ Fences exceeding four feet (4') in height must be least five feet (5') from the inside edge of the private alley.

3. Side Yard Fences

This category is applicable to homes on corner lots.

- ❖ Fences must be no closer than three feet (3') from the sidewalk, regardless of the height of the fence.

C. GENERAL LANDSCAPING

- ❖ Lawns and landscaping must be maintained and kept in an astatically pleasing condition.
- ❖ Landscaping must be used around the house and lawn cannot solely occupy the front yard.
- ❖ Each lot must have evergreen shrubs in the front yard along the perimeter of the house.
- ❖ Each lot must have areas planted with perennials in the front of the house. The areas must be of at least four (4') feet deep and extend from either side of the porch to the respective corner of the house.
- ❖ All planting areas will be kept weed free and well mulched.
- ❖ Areas that are not planting areas will be lawn.
- ❖ Each lot must have one (1) tree planted between the sidewalk and the public street in the front of the house.
- ❖ Corner lots must have two (2) additional trees planted between the sidewalk and the public street on the side of the house.
- ❖ Trees planted between the sidewalk and a public street must have the lower branches removed to promote a uniform presentation along all public streets. For mature trees all branches below seven (7) feet must be removed.
- ❖ Each lot must be fully irrigated by an automatic sprinkler providing full coverage.
- ❖ It is the homeowner's responsibility to ensure trees and plants do not obstruct sidewalks or alleyways. Tree branches extending over the sidewalk edge must be no lower than 7 feet above the sidewalk to avoid possible injury.
- ❖ The trees located between the sidewalk and a curbed street must have all branches below four (4) feet removed. This will allow the tree to grow taller, faster, and provide a more harmonised appearance with the other trees.
- ❖ Artificial plants and artificial flower arrangements are not permitted on the exterior of any house.

D. LAWN

Lawns must be St. Augustine-Floritam grass or its equivalent such as St. Augustine Classic. This type of grass installed in all Lakes of Windermere lots at the point of construction and was defined as the only approved lawn grass in the community declarations.

The only grass permitted between the sidewalk and the curb of a public road is St. Augustine - Floratam.

The Xeriscape or Florida Friendly Landscape for a lot will be considered as and to the extent of required by applicable Florida law. Please note, due to the reclaimed irrigation water installed in the community some elements of the Florida Statutes do not apply.

Any Xeriscape or Florida Friendly Landscape plan will be subject to review and approval of the ARB. If such plan is approved the following will apply

- ❖ A landscape buffer will be required between adjacent lots. This buffer will be a minimum of eighteen inches (18") wide, separating the respective lawns, and consist of mulch or stone.
- ❖ The landscape must be consistent along the entire front yard or back yard; no patchwork of different grass lawns will be permitted.

E. PALM TREES

Large palms are not permitted in the front yard of any standard lot. Palms suitable for use in the front yards are Robellini (Pigmy Data Palm) or *Rhapidophyllum hystris* (Needle Palm). For custom lots other palm types will be considered on a case-by-case basis.

F. BORDERS

1. Landscape Borders

Landscape borders separating lawns from planting areas made of cement, brick, or brick-like materials are permitted. These borders should be neat, maintained and spaced appropriately. Landscape borders around any area made of wire, mini picket fence, or wrought iron style are not permitted.

2. Property Borders

Property borders other than fences and scrubs are not permitted, unless the planting areas extend to the property line; in that case the Landscape Borders (number 1) above applies.

3. Soft Property Borders

Soft property borders are defined as any shrub or other plant intended to delineate one lot from the adjacent lot in a similar manner that a fence would.

Regardless of the plant used the height and setback requirement of the fences will apply to the soft property borders.

G. PRIVATE ALLEY VISIBILITY

The alleys provide a unique challenge for homeowners with access to their garages via the private alley. The alleys are only single car width and must be driven on with caution. The visibility when backing out presents a challenge of other cars; but most importantly other people, especially children at play.

Regardless if a fence is constructed or not, there must be three feet (3') of low foliage (lawn or ground cover) extending for the inside edge of the alley towards the house on either side of the driveway. In addition the next two feet (2') towards the house must have plants no higher than four feet (4'). Trees planted five feet from the inside edge must have the branches seven feet (7') and below removed to allow an unobtrusive view down to the alley; when the tree gets to a height to sustain such pruning.

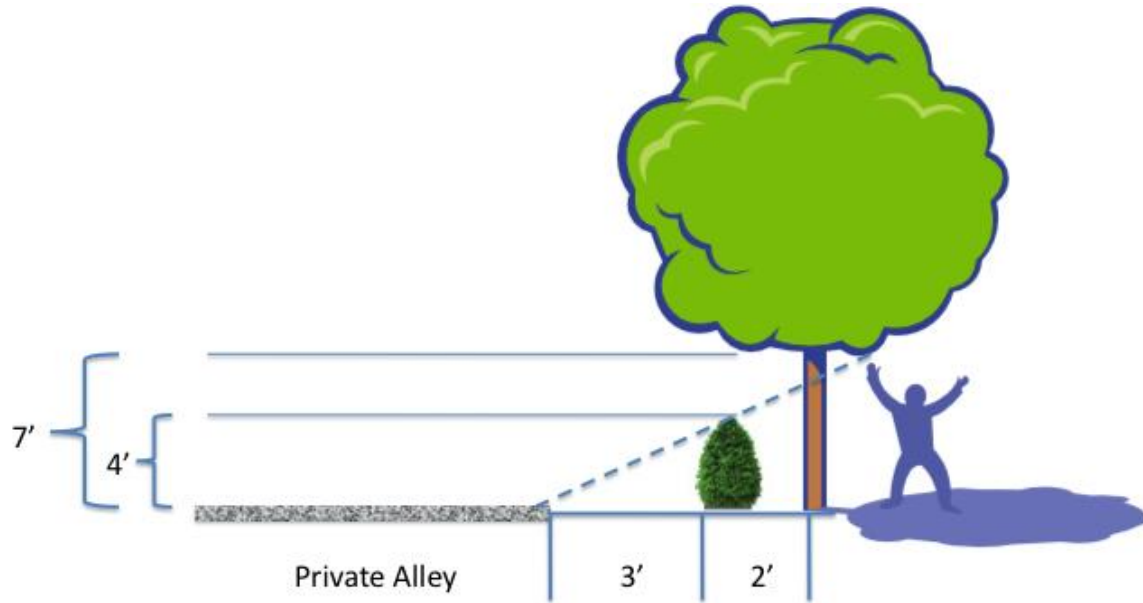


Figure 2 – Private Alley Visibility

IV. OTHER EXTERIOR CHANGES

A. GUTTERS & DOWNSPOUTS

Gutters and down spouts may be installed with prior approval by the ARB. Gutters must be the same color of the existing fascia and down spouts must be the color of the surface they are in front of, e.g. the body of the house.

B. MAILBOXES

All mailboxes within the community at the time of construction are the same. Any replacement of the original mailbox shall be the same style and color of the original.

Mailboxes paint must be maintained in original condition and color. When repainting a mailbox stick on gold or brass color numbers may be used as long as they are consistent with the original size and style.

The mailbox is from the Estate Collection model 3M with 3" fluted post. The local supplier is Creative Mailboxes <http://www.creativemailboxdesigns.com/> or telephone 813-818-7100.

The original paint is Rustoleum Hi Performance Industrial Enamel. The product code is 7400 System, Hi Gloss Black #634402.

C. HOUSE NUMBERS

Replacement of house numbers with like style numbers in black, antique brass, or gloss brass are permitted. Stick on house numbers, on the house, are not permitted.

D. STORM & SCREEN DOORS

Storm and / or screen doors, including roll up type screen doors, over your exterior door must have a small outer frame in white or be painted white, with mostly glass in the center. All such doors must be submitted for approval prior to installation.

E. SATELLITE DISHES

Satellite dishes are not permitted in the front of the house including yard areas. They must be placed in the back yard area attached to the house side or roof and be barely visible from the public roads.

F. WINDOW BLINDS

All blinds used on front and side (street facing) windows must be white or brown. They must be either plantation shutters or wood blinds at minimum two inches (2") in width. Colored blinds and vertical blinds are not consistent with the look of the community.

G. FOUNTAINS AND SCULPTURES

Fountains and sculptures are only permitted on 90 foot lots and larger (custom lots); exact size, style and placement must be approved by the ARB.

H. AIR DRYING LAUNDRY

No outdoor drying of laundry, including pool towels, is permitted if it is visible from outside the property (public street, private alleyway, or adjacent lot). This includes yards, garages with open door, patios, porches, and screened enclosures.

The key element here is it cannot be visible by neighbours or passerby.

I. IN-WINDOW AIR CONDITIONERS

In-window air conditioners are not permitted at any time.

J. SOLAR HEATING EQUIPMENT

No solar heating equipment or devices are permitted outside of any enclosed structure of any lot, except such devices whose installation and use is protected by federal or Florida law.

All such equipment, if approved by the ARB, will comply with the following conditions:

- ❖ All equipment will be installed with minimal visual intrusion.
- ❖ All installation will be in compliance with the applicable ARB Guidelines.
- ❖ Solar panels will be restricted to the back or side of the house

K. EXTERNAL POOL & UTILITY EQUIPMENT

All above ground pool equipment, LP Gas tanks, and other equipment must be screened from view from the public streets and private alleyways by means of fence or landscaping.

L. PLAY STRUCTURES**1. Skateboard Ramps**

Skateboard ramps of any kind are not permitted

2. Basketball, Soccer, and Golf Equipment

All basketball, soccer, and golf equipment, including but not limited to, backboards, poles, and ball nets, must be set behind the front of the house and be no closer than 10 feet from the side property line.

No such equipment is permitted in the front yard.

All poles and structural apparatus must be painted black

3. Swings & Climbing Structures

These guidelines are applicable to permanent as well as temporary or seasonal structures.

Structures shall not have any covering material or canopies except those approved by the ARB.

The ARB may require landscaping or fencing screening of the structures.

All structures must be positioned behind the front yard and no closer than ten feet (10') from the property line.

4. Trampolines

Trampolines are permitted in the backyard if the back yard is enclosed by a six-foot (6') high privacy fence, in compliance with the fence guidelines.

M. HOLIDAY DISPLAYS

Holiday displays are encouraged as long as they are tastefully executed and not excessive.

1. Lights

Holiday lights attached to the house must be removed within 30 days of the holiday. For example Christmas lights should be taken down no later than of the fourth week of January.

2. Yard Displays

Tasteful holiday displays are encouraged. Please be considerate of your neighbours with regards to light and sound. All holiday yard displays must be removed within 30 days of the holiday.

V. PROGRESS ENERGY EASEMENTS

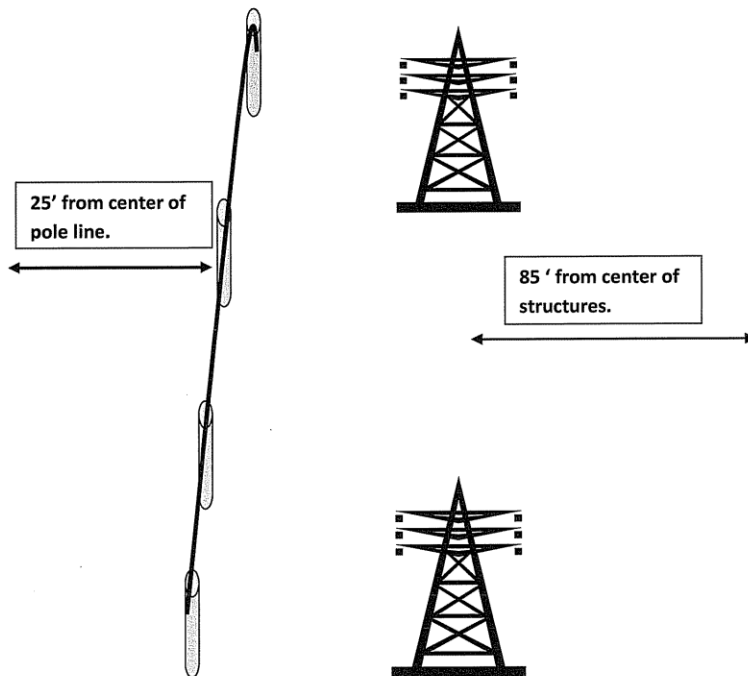
Federal regulators require utilities take steps necessary to ensure trees and plants do not cause outages on high-voltage power transmission lines.

Grantors, i.e. the Lakes of Windermere HOA, in the restriction of trees, (other than citrus) buildings, structures or obstacles will be permitted within the easement area.

Progress Energy has the authority to trim or remove any landscaping they deem necessary to comply with federal and state laws.

This primarily affects, but is not limited to, lots 83, 100, 184, 254, and 255.

Easement Dimensions



Easement Restriction (partial)

***GRANTORS hereby agree that *no trees, other than citrus trees*, and no buildings, structures, or obstacles, other than fences, will be located or constructed within the easement area by the GRANTORS herein, their heirs and assigns, further agree that at no time shall the lands within the easement area be utilized for vehicular parking.**

* For complete scope of restrictions and conveyances refer to specific easement documents of parcel.

Figure 3 - Progress Energy Easement

VI. GENERAL COMMUNITY APPEARANCE

The overall appearance and continuity of properties is a primary goal of the community. The following are item to keep in mind.

A. PARKING

No commercial oversized vehicle or recreational vehicles may be parked on any lot or street other than for loading or unloading.

There will be no parking in any alleyway except for active loading or unloading. Any vehicle parked in a driveway will not extend in any manner into the alleyway.

There will be no parking on lots other than driveway or garages. Any vehicle parked in a driveway will not extend in any manner into the sidewalk

B. DRIVEWAYS, WALKWAYS, AND SIDEWALKS.

All Driveways, walkways, and sidewalks must be kept clean and free of debris, e.g. no mould, dirt, oil stains, and weeds. The homeowner is responsible for the sidewalk bound by their property lines. Pressure washing is an excellent way to keep these areas clean.

C. OUTDOOR FURNITURE

All outdoor furniture visible from outside the lot must be maintained in a manner consistent with the overall appearance of the neighbourhood, e.g. clean, no peeling paint, torn cushions, etc.

In addition, the furniture on the front porch must be consistent with the look and appearance of the house.

D. EXTERNAL SECURITY DEVICES

Security signs and window stickers are permitted.

Security cameras, lights, and other such devices must be consistent with the overall architecture of the house and not obtrusive. As these are changes to the outside appearance they are subject to ARB approval.