

# MOODY RIVER ESTATES NEIGHBORHOOD ASSOCIATION'S

## *DESIGN & ARCHITECTURAL PLANNING CRITERIA*

**PLEASE BE SURE TO REVIEW YOUR SPECIFIC NEIGHBORHOOD ASSOCIATION'S GOVERNING DOCUMENTS AS THEY MAY APPLY TO YOUR REQUESTED CHANGES, ALTERATIONS OR MODIFICATIONS.**

NOTE: These Guidelines and Criteria are supplementary to the Neighborhood Association's Governing Documents.

Dear Coach and Carriage Owners,

The intent of the Moody River Estates Neighborhood Association Design Guidelines & Architectural Planning Criteria is to ensure a consistent standard of design excellence and a high level of aesthetic quality throughout Moody River Estates. The consistent application of these requirements will help to protect property values within Moody River Estates.

Please use this to guide your plans for exterior modifications, additions and/or changes.  
(Please see the Table of Contents and Exhibits for additional information.)

Recognizing the master objectives of being an exceptional community depends greatly on the cooperation of all Homeowners, Designers, Builders and Contractors to follow and adhere to the Neighborhood Association Design Guidelines and Architectural Planning Criteria set forth by the Neighborhood Association, its Board of Directors and its Governing Documents.

Should a homeowner or Neighborhood Association wish to make any of the listed modification to their home or Neighborhood, the Request for ARC Application Form must be by completed and submitted to the specific Neighborhood Association Board of Directors for review. In addition to the ARC Application Form, all additional required documentation must be attached. No action will or can be taken on incomplete ARC Application Forms therefore, incomplete ARC Application Forms will be returned to the respective requestor. Once reviewed and approved by the specific Neighborhood Association, the ARC Application Form will be forwarded with all attached documentation to the Master HOA ARC for final approval. In the case of a Homeowner initiating the Request Form, the Homeowner and the Neighborhood Association will be notified by the Master HOA ARC of the final decision. ARC Application Forms are available by request of the specific Neighborhood BOD's and/or on the Moody River Estates Community Association, Inc. Management Office or by downloading from the MRE website, <https://web.kw-ic.com/moodyriver>

In addition to the Neighborhood Association ARC Guidelines and Criteria, the Neighborhood Association Board of Directors and the Master HOA Architectural Review Committee strongly encourage homeowners to review and become familiar with their specific Neighborhood Association's governing documents.

Please refer to the following pages for particular types of modifications allowed at Moody River Estates and the type of information that is necessary to support your request. Please **DO NOT** begin an alteration or modification until written approval has been received from the Master HOA Architectural Review Committee. The Neighborhood Association's Board of Directors and the Master HOA Architectural Review Committee approval is primarily for aesthetic purposes and does not address the engineering or technical specifications of plans or compliance with applicable building codes or ordinances for which the owner is responsible. From time to time, the Committee may amend these Neighborhood Association's Architectural Planning Criteria.

**The Moody River Estates Neighborhood Associations Board of Directors has the authority to stop any construction in violation of these restrictions. Changes or alterations to the original approved request CANNOT be made without submitting an amended ARC Application to the Neighborhood Association Board of Directors and receiving approval of the amended ARC Application by the Master HOA ARC.**

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## **ARTICLE 1 – DEFINITIONS**

**General** - Where terms are not defined in these Guidelines and Standards, such terms shall have the meaning ascribed to them in other applicable publications such as the Florida Building Code and Ordinances of Lee County, Florida. If not included within these publications, then the terms shall have the meanings as defined in Webster's Third New International Dictionary of the English Language Unabridged.

**ARC** - Architectural Review Committee of the Association, referred to as the Architectural Review Committee in the governing documents.

**Alteration** - Any changes to the landscaping, entry walkway, driveway or any other item(s) on the outside of the Home. It shall also include any changes to the exterior of the Home, but not limited to the walls, windows, doors, roof, and landscape. The word, "Modification" shall also be construed to mean "Alteration".

**Note:** Some of these requested alterations are available only to the Neighborhood Association.

**Applicant** - The Homeowner or Condominium Association. (See ARC Application at the end of these Guidelines)

**Association** - Moody River Estates Neighborhood Association, Inc. and its Board of Directors.

**Community Association** - Master HOA Inc. and its Board of Directors or its Master HOA ARC when acting with Board approval.

**Contractor** - The company or person, licensed by the State of Florida and Lee County, and authorized by the Homeowner to be responsible to perform the work or services described in the Application. The Homeowner shall remain responsible for the entire Contractor's work.

**Governing Documents** - Includes the following Neighborhood Association documents: the Moody River Estates Neighborhood Declaration, the Articles of Incorporation, the Bylaws, and the Rules and Regulations and all subsequent Amendments to these documents that may be approved and adopted by the Neighborhood Association Board of Directors.

**Home** - A Living Unit within the specific Neighborhood Association. The names house or residence shall also mean the Home.

**Improvement** - Defined to include any ALTERATION or CHANGE which terms may be used interchangeably.

**Lanai (Enclosure)** – Under roof patio.

**Vendor** - The company, or person, incorporated by the State of Florida, or sole proprietor, registered with Lee County, insured, and authorized to provide services, materials, equipment, or other items in accordance with their license.

**Walkways** – The pathway allowing access to other approved walkways on Property contained in Common Areas.

## **ARTICLE 2 – WHEN AN ARC APPLICATION IS REQUIRED**

**ANY AND ALL CHANGES OR MODIFICATIONS TO THE EXTERIOR OF THE HOME, LIVING UNIT OR PROPERTY REQUIRES PRIOR APPROVAL BY THE NEIGHBORHOOD ASSOCIATION’S BOARD OF DIRECTORS AND THE MASTER HOA ARCHITECTURAL REVIEW COMMITTEE PRIOR TO BEGINNING A PROJECT.**

## **ARTICLE 3 – AIR CONDITIONING UNITS**

- 3.1 An air conditioning unit may be installed by the Homeowner wholly contained within the Living Unit’s garage. Installation of a new air conditioning unit requires permit(s) from Lee County, Florida. \*\*Deposit Required.**

## **ARTICLE 4 - DOMESTIC WATER FILTRATION EQUIPMENT**

- 4.1 A Domestic Water Filter System may be installed by the Homeowner wholly contained within the Living Unit’s garage. Installation of a new Water Filtration Systems requires permit(s) from Lee County, Florida. \*\*Deposit Required.**

## **ARTICLE 5 – EXTERIOR SIGNS**

- 5.1 FOR SALE signs shall be allowed as described in Exhibit B Attached. No Window Signs.**
- 5.2 It is the Homeowner’s responsibility upon receipt of an Approved ARC Application to ensure their Realtor has the allowed specifications as noted in attached Exhibit B.**

## **ARTICLE 6 – FLAGPOLES**

- 6.1 Any homeowner may erect one flagpole attached to the front wall of the home. It is expected that standard flag etiquette will be honored. Standard Flag Size is 3’ x 5’ for house mounted.**

## **ARTICLE 7 - SCREENED LANAI**

- 7.1 Replacement doors and supports shall be constructed of aluminum, white in color, with charcoal nylon mesh or Florida glass screening and approved by the Neighborhood Association Board of Directors and the Master HOA ARC. Exterior Storm Shutters are not allowed on Lanai. \*\*Deposit Required.**
- 7.2 Sliding or Retractable Garage Screens are permitted with Neighborhood Association and Master HOA ARC approval.**

## **ARTICLE 8 - STORM SHUTTERS**

- 8.1 Mesh / Metal Roll Down, Accordion and Hurricane Screen Storm Shutters shall be allowed as approved by the Neighborhood Association’s Board of Directors and the Master HOA ARC. Galvanized mill finished shutters provided by the builder are allowed without ARC approval. Bermuda / Bahama style shutters are not permissible.**
- 8.2 Color of shutters must be harmonious with community. Only light, neutral solid colors will be approved (white or off-white). \*\*Deposit Required.**

## **ARTICLE 9 – WINDOWS AND SLIDERS**

- 9.1** The exterior appearance of all windows and sliders must be comparable to the current design, color (white only) and size. **\*\*Deposit Required.**

## **ARTICLE 10 - EXTERIOR PAINT COLORS**

- 10.1** Exterior Painting of the building, trim or doors shall not be allowed without approval by the Neighborhood Association and the Master HOA ARC.
- 10.2** Neighborhood Associations are responsible for maintaining exterior paint in good condition.

## **ARTICLE 11A – LANDSCAPING**

- 11.1** All landscape planting, except grass areas, shall have a bed of organic mulch, or other approved ground cover, and must be of a color that is uniform and standard within the specific Neighborhood Association.
- 11.2** Neighborhood Association landscaping is not permitted to be installed in any designated easement areas which include: utility, drainage and lake maintenance easement areas.
- 11.3** Fruit bearing trees or vegetable plants are not allowed.
- 11.4** Any changes to the landscaping within Neighborhood Association's common areas, including the addition, removal, or relocation of trees, palms, or shrubbery must be approved. Removal of any trees or palms which are included in the Lee County Land Development Code, known as the "Lee County Tree Protection Ordinance", must be made in accordance with that County code. For a complete list of protected trees and palms refer to Lee County Code Section 14-380, website:  
**<https://www.leegov.com/dcd/es/trees/treelist>**
- 11.5** No island bed size or location shall be created that will inhibit the Neighborhood Association's landscape maintenance contractor from their normal process of mowing the lawn.
- 11.6** To submit a landscape change plan, see ARC Exhibit A, "Landscape Modifications". A list of suggested plants is available in the MRE Property Management Office. No artificial plants or trees are allowed in the landscape beds located in common areas.

## **ARTICLE 11B – IRRIGATION**

**THE MASTER HOA OWNS, OPERATES AND MAINTAINS THE MAIN IRRIGATION SYSTEM. NO MODIFICATION, ALTERATION OR TAMPERING IS ALLOWED.**

## **ARTICLE 12 - ROOFS, GUTTERS AND DOWNSPOUTS**

- 12.1** Metal Roof Gutters and down spouts may be installed with the approval of the Neighborhood Association and the Master HOA ARC and must be white or same color as existing materials.

- 12.2** Roofs must be consistent with the type and style of your community. They must be concrete barrel tile or concrete flat tile. Colors must be consistent with colors within the community.

## **ARTICLE 13 - WALKWAYS AND DRIVEWAYS**

- 13.1** All changes or modifications to walkways or driveways require prior approval of an ARC Application submitted to the applicable Neighborhood Association and the Master HOA ARC. Materials and colors should be harmonious with the specific Neighborhood Association. Approved materials and colors would be poured concrete or pavers and colors would be per the specific Neighborhood Association.

## **ARC APPLICATION PROCESS**

**Required Information for respective request to be sent with “ARC Application Form”**

### **Modification to Existing Structure - Walkways or Driveways – (Neighborhood Association Only)**

1. A scale drawing on Site Plan showing current footprint and indicating setbacks from lot boundaries and all easements must also be reflected.
2. Show (to scale) where the replacement walkway or driveway will be located.
3. **\*\*A Refundable Deposit** is required in the form of a check payable to Moody River Estates HOA for those modification requests as noted on the Neighborhood Association’s ARC Application. Deposit – if required – will be refunded when the Master HOA ARC is notified that the construction is complete and accepted by the specific Neighborhood Association.

### **Re-Painting Existing Structure (Neighborhood Associations Only)**

1. Include paint brand, name of color and color number. Attach a sample of each to the ARC Application form, indicating which is to be Trim, Body, Garage Door, Front Door, etc.
2. To ensure compatibility with proposed color palette, include color of roof and driveway pavers, if applicable.

### **Removal/Addition of Landscaping (Neighborhood Association Only)**

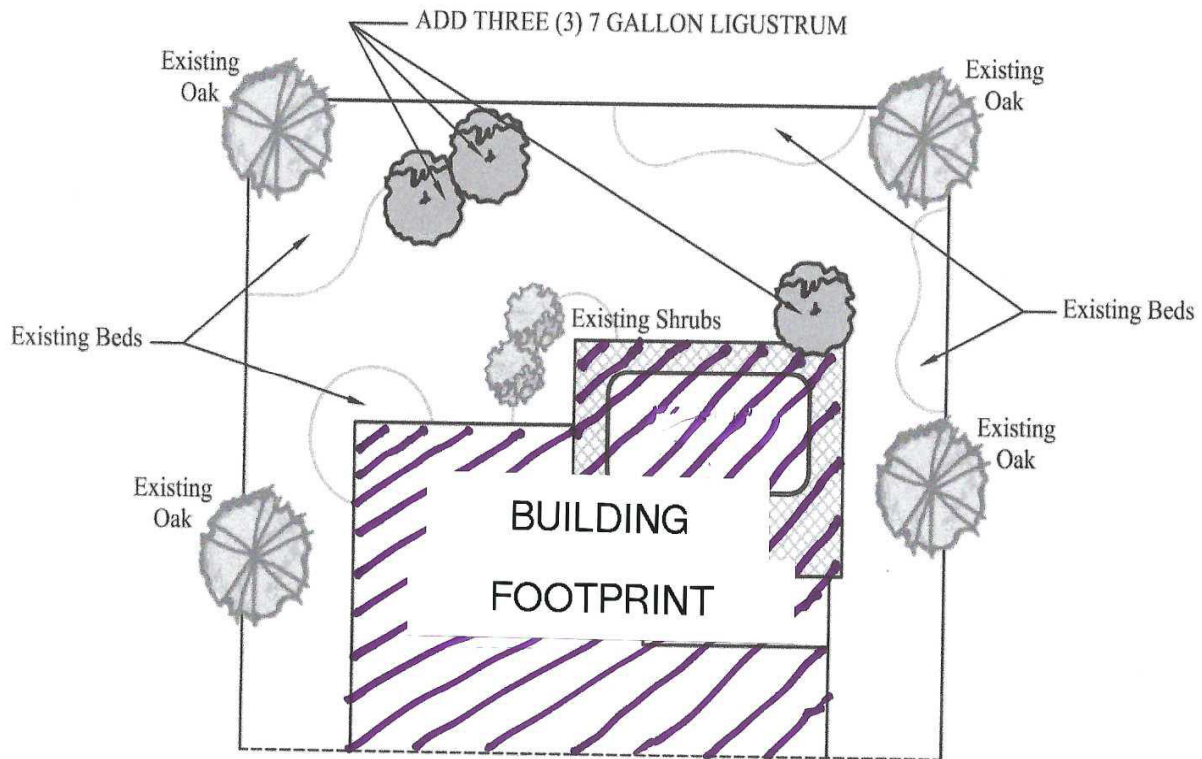
1. Show footprint of residence, property line and location on site. (Site Plan usually helpful)
2. A separate color ink should be used to show existing vegetation, plants to be moved and to where and vegetation to be removed.
3. Show additional landscaping which will be required around mechanical and related equipment.
4. Any alteration to the Original Landscape Architectural Design must be approved by your Specific Neighborhood Association and the Master HOA ARC prior to making changes.

## ARC EXHIBIT A

### Landscape Modifications

The proposal must consist of a landscape plan to scale. Show existing material as well as the changes or additions being proposed, also the types and sizes. Refer to the landscape palette in the MRE Management Office for suggested plant material.

For example:

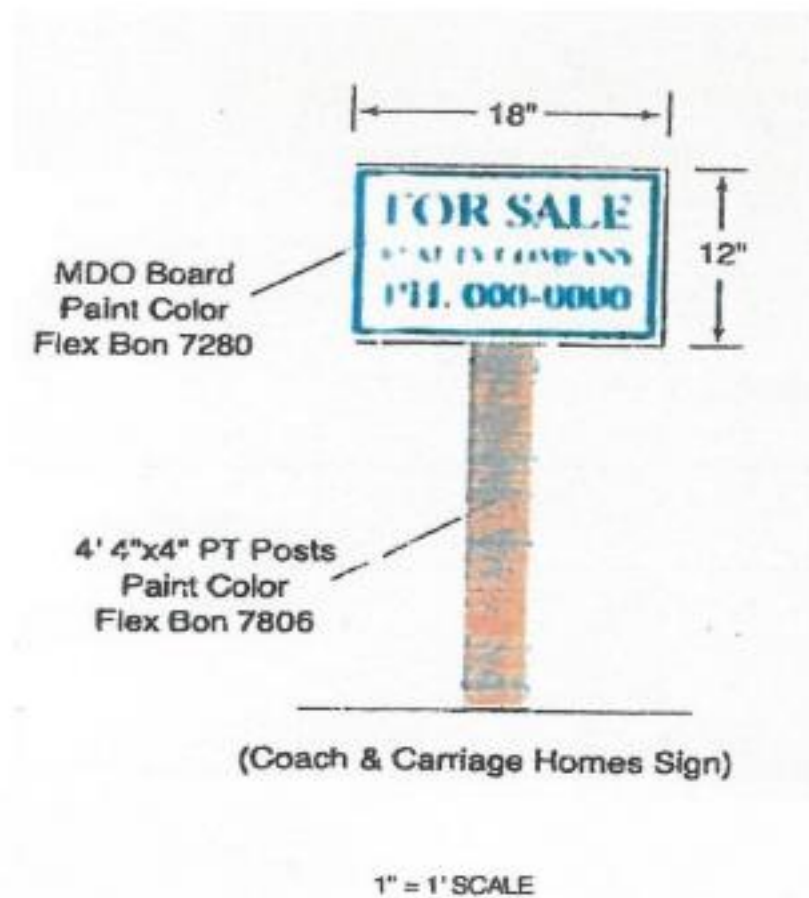


Landscape Plan



## ARC EXHIBIT B

### Moody River Estates Resale Signs



**\*\*NO WINDOW SIGNS ARE ALLOWED\*\***