

# ESTERO POINTE

## ALTERATION APPLICATION (ARC)

OWNER(S) NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

PHONE: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

LOT #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

### **TYPE OF ALTERATION:**

Approval is hereby requested for the following modification(s), addition(s), and/or alterations as described below and on attached pages. (Indicate all that apply – must comply with attached ARC guidelines):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Doors New             | <input type="checkbox"/> Patio Extension/Addition | <input type="checkbox"/> Security Camera           |
| <input type="checkbox"/> Driveway Extension    | <input type="checkbox"/> Play Structure           | <input type="checkbox"/> Pool                      |
| <input type="checkbox"/> Exterior Modification | <input type="checkbox"/> Screening/Enclosure New  | <input type="checkbox"/> Solar Panels/Collectors   |
| <input type="checkbox"/> Hurricane Shutters    | <input type="checkbox"/> Landscape                | <input type="checkbox"/> Roof Repair               |
| <input type="checkbox"/> Fence                 | <input type="checkbox"/> Gutters                  | <input type="checkbox"/> Other (please list below) |

### **DESCRIBE IN DETAIL, TYPE OF ALTERATION AND MATERIALS TO BE USED:**

In addition to this application form you are required to include the following documentation (please check all that apply) and upload in AppFolio / Architectural Review Requests in the HOME tab:

- Current Vendor License performing work.
- Current Vendor Proof of Insurance performing work.
- Plot Plan noting size, location and relevant details that will be changed with this ARC.  
(Plot Plans can be found in the Shared Documents section of AppFolio.)
- Photos of relevant change requested such as plants, trees, generators, AC units and/or color selections.
- Any necessary permits from the appropriate Building Department.
- Any other documentation as required by ARC Committee.
- Courtesy notification to neighbors regarding work to be performed.**

**THIS SECTION MUST BE COMPLETED:**

- The work will be performed by a contractor. (provide copy of license and proof of insurance)
- The work will be performed by homeowner. (please read and initial statement below)

The applicant (aka the homeowner) holds the Association and its management agent harmless in the event that the applicant plans on initiating and performing the improvements themselves.

**Applicant Initials** \_\_\_\_\_

**Access to areas of construction is only allowed through your property and you are responsible for any damages done to the common areas during construction.**

The Architectural Review Committee shall have no liability or obligation to determine whether such improvement, alteration and addition comply with any applicable federal, state, county or city law, rule, regulation, code or ordinance.

*IT IS UNDERSTOOD AND AGREED THAT “Estero Pointe Community Association, 19625 Estero Pointe Lane, Fort Myers, FL” And “Coastal Association Services, LLC, 1314 Cape Coral Parkway East, Suite 205, Cape Coral, FL 33904”, ET AL, ARE NOT REQUIRED TO TAKE ANY ACTION TO REPAIR, REPLACE OR MAINTAIN ANY SUCH APPROVED CHANGE, ALTERATION OR ADDITION, OR ANY STRUCTURE OR ANY OTHER PROPERTY. THE HOMEOWNER AND ITS ASSIGNS, ASSUMES ALL RESPONSIBILITY AND COST FOR ANY ADDITION OF CHANGE AND ITS FUTURE UPKEEP AND MAINTENANCE.*

Refundable deposits are required for the following alterations. Deposits may be required for other alternations at the discretion of the Estero Pointe Community Association Board of Directors. There is a \$65 administrative fee to collect and hold the deposit. The deposit and administration fee are submitted through AppFolio and instructions will be provided after the ARC has been approved.

- Lanai Extensions: \$700.00
- Driveway Extensions: \$500.00
- Pool Additions: \$1,500.00
- Roof Replacements: \$1,500.00
- Solar Panels - \$1500.00
- Fences - \$1000.00

Additions to landscaping such as significant changes to beds, additional trees and items that may impact irrigation and water levels – deposit amount TBD by the BOD.

**IMPORTANT:** Please read Article IV of the Covenants “Architecture and Landscaping” carefully. The ARC Committee and/or a Board member will review the work completed to ensure compliance with the ARC application specifications prior to the deposit being refunded. It is the owner’s responsibility to notify the ARC that the work has been completed and to arrange for a walk-thru visit. The owner must ensure all permits have been inspected and passed by the county prior to the walk through. In accordance with Section 4.2 of the Association’s covenants, the ARC my charge fees for reasonable costs incurred from any application by architects, engineers or other professionals.

**Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**(This following is informational only and is not required to be submitted with application.)**

## **ARC Guidelines**

The Community Standards refers to the overall community design, architectural style and the existing Standard Color Packages in place during the construction of the homes within the community. All improvements, additions and modifications to the exterior of the home, including landscaping require ARC and BOD approval.

This document is a summarized guide (in alphabetical order) to help you determine when you are required to submit an Architectural Review Request (ARC). Refer to the Association's Declaration of Covenants, specifically Annex C, the Initial Use Restrictions and other relevant parts of the Estero Pointe Community Association, Inc covenants for a full list of restrictions on improvements and modifications.

**Bird Feeders:** Bird feeders of any type (seeds/mixtures/sugar water for hummingbirds) are not permitted primarily due to the possibility of attracting wildlife and rodents from the preserve, given Estero Pointe is surrounded by preserve land. Bird feeders by design attract birds and often birds will perch on neighboring lanai screens creating dirty conditions in pools.

**Entryway Screening:** Entry way screening is only permitted in the inside of an enclosed Courtyard and must not be visible from the front entry or gate facing the street.

**Extended Driveways:** Pavers may be used to extend the driveway only to the width of the wall containing the overhead garage door. It must extend lengthwise from the corner of the wall containing the garage door to the curb and any existing sidewalk must be modified to include pavers to the curb the length of the driveway. An Exhibit for options for Side Load Garage driveway widening is available. Increased paved areas impacting the overall site drainage is not permitted including walkways extending from front to rear on front entry homes. Any angled extension from paved entry sidewalk to the driveway edge may not extend into the P.U.E. (public utility easement).

**Fences:** No fence of any type, including invisible fencing, is permitted to be erected on a Lot without ARC approval. If you are requesting the installation of a generator and/or pool equipment the recommended fence should be four (4) foot in height PVC Fence (of specified type and color for the community) and enclose the equipment on three sides. Below are the ARC guidelines for building and installing a residential fence on owner lots in the community. These guidelines do not apply to the following scenarios - fencing around air handling equipment, generators, and pool equipment for noise abatement. Please see the applicable ARC guidelines and each request will be reviewed and carefully evaluated by the ARC. Likewise, fences to enclose owner lots must be requested by ARC Alteration Application. The ACR will review the request for immediate and long-term impact of the proposed fence being added to the homeowner's property as well as the impact to the community, where applicable prior to making a recommendation to the Board. Fence configurations and placement may be affected by conservation areas, pools, screened enclosures, utility easements, county requirements and lot size or location and can also govern approval. Fences are NOT allowed in the rear of home sites that have the rear yard abutting or are adjacent to open water. Fences must have gates with a 52" entry clearance for lawn care equipment access. Approved fences may not be modified with netting or other material.

A \$1000.00 security deposit to the Association is required before starting construction.

1. An ARC Alteration Application must be submitted to the Architectural Review Committee ("ARC") in

- AppFolio with the plans and specifications for all proposed fences prior to installation of the fence.
2. The fence must start at the rear corners of your home and will extend to the side property lines and will extend to the rear property line.
  3. The fence must be bronze aluminum, powder coated picket fence. Style will be straight, narrow fence with minimum 2" spacing between vertical posts. See attached picture for example.
  4. Homeowner will be charged an additional maintenance fee if determined by the Association, at a price determined by the Association, as a benefit assessment for additional coordination and scope of maintenance contractor to maintain landscape on the property.
  5. Homeowner will be responsible for the maintenance, repair and replacement costs of all aspects of the fence.
  6. Homeowner will be responsible for obtaining the required Lee County permits required for construction.
  7. Homeowner will be solely responsible for any damages caused by construction including, but not limited to, any damage to your neighbor's landscape, sod, irrigation, etc.
  8. Any debris caused by this work must be removed from association property. It may not be deposited on any existing home site or common area.
  9. Should access be required from your neighbor's property, the applicant will be responsible for obtaining permission from them. This includes vacant home sites owned by the developer and/or a builder.
  10. No access is permitted through any community common area or conservation area.

Sample Standard Fence Option  
Note Double Rail at top of fence.



Sample Puppy Fence Option Photo: Note Narrow Spaced Rails section at bottom of fence.



**Flags:** An Owner may display one portable, removable United States flag in a respectful manner, and one portable, removable official flag in a respectful manner, not larger than one 4½ feet by 6 feet, that represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Any Owner may erect a freestanding flagpole no more than 20 feet high on any portion of the Owner's Lot if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The Owner may further display in a respectful manner from that flagpole, one official United States flag, not larger than 41/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including lighting ordinances in the County and all setback and locational criteria.

**Garage Screens** are not permitted.

**Generators:** Approvals are required for exterior installed generators and should be located in a position of the

least audible and visual impact to existing neighboring residences; in the event that this is not possible a 4 foot in height PVC Fence (of specified type and color for the community) or dense landscape of comparable type and size of existing landscape of the home is required. Variances will be made if the fence or landscaping is limited due to property lines and if it will prohibit lawn care and maintenance to be easily performed. ARC is required for any request for a variance.

**Gutters:** Detailed information showing the location of proposed downspouts, proposed drainage direction and existing drainage patterns (swales) is required. (Drainage direction is indicated on the Final Survey which is provided to residents at closing and required to be included in submission.) Applicant shall demonstrate that there will be no impacts to adjacent properties, drainage or swales. Mid-point downspouts are discouraged, and downspout quantity may be limited. Downspouts may also be required to run underground to connect to a storm water facility (lake, structure, etc.).

**House Art:** House art may be permitted on non-street facing entry walls with an ARC approval. Artwork must be of high-quality material and consistent with the neighborhood architectural style and affixed in a manor such it can withstand high wind events. The ARC submission must include pictures of the artwork as well as exact size and intended location. Note that address signs on the home should not deviate from original design.

**Hurricane Shutters:** Diagram showing location and type is required. Please refer to the covenant Initial Use Restrictions for more details. Homes with Impact Glass rated doors and windows, may not have alternate shutters installed on the exterior of the home. All street facing shutters may not have any shutter surface storing mounts on the exterior of the home or be visible from the street when not in use. No hurricane shutters may be installed, other than the type originally installed by the builder, without written consent of the ARC, which consent may not be unreasonably withheld. If installation of hurricane shutters is made which does not conform to the specifications approved by the ARC, then the hurricane shutters will be made to conform by the ARC at the owner's expense or they shall be removed.

**Landscape:** Each homeowner has the right to re-plant all or portions of their beds at their own expense, including removal of existing sod, shrubbery, trees and beds without replacements. All landscaping requires an ARC application and will be inspected by HOA Property Management to ensure conformance to plant type and quality and if the association maintains the landscape, that irrigation is fully functional after the installation is complete. The only exception is replacement of dead plants with the same type of plant.

The homeowner is not allowed to manually adjust sprinklers. The ARC must include details and a drawing that include increasing the landscape bed size(s), additional landscape beds, hedges or trees outside of existing locations, and must include the location with dimensions on the drawing. Excessive or non-standard variety of plantings may not be approved due to maintenance limitations.

**Use of Hardscape (rocks) in Landscaping:** Thematic landscape features with distinctive colors, form or materials that establish an independent theme which conflicts with the overall street scene and style of the community and houses are not permitted. White stones, pea gravel, decomposed granite, crushed granite and similar materials are not permitted. Coverage of a yard with stone as the primary design element is not permitted. The use of small rocks of any color to completely replace mulch in front or back landscaping beds is not permitted. With ARC approval, dark brown or charcoal rocks/stones can be used for an approximately 12-18" border around landscape beds or between walkways and the house. Owners

are responsible for any damage caused by rocks thrown from their landscaping beds during lawn maintenance. A few larger decorative rocks with average diameter of less than twelve inches may be used to accent front landscaping with ARC approval. Large or boulder sized rocks, faux or artificial decorative rocks are not permitted. This policy applies to backyards as well.

**Landscape Bed Edging** Pavers, form/fashioned/seamless concrete or other above ground material for landscape edging is not permitted. Landscape bed and tree ring edging that is visible above grass level is not permitted. With ARC approval, landscape edging at ground level is permitted, must be correctly installed in a professional manner and maintained for aesthetic appeal. As edging is damaged due to normal trimming and no longer looks presentable, the owner is responsible to replace. If the landscapers significantly damage the edging due to mowing, the landscaper is liable and will replace per the contract.

**Owner Installed Sod:** All plant materials (including bushes / trees) installed by owner remain the owner's responsibility to maintain and replace. For sod installed by the owner, the Association landscaper must inspect sod for proper installation and to ensure irrigation is set properly. It is the owner's responsibility to establish a warranty with the installing landscaper and to replace failed sod for first 6 months, until grass is established. Sod that is damaged due to owner fault is the owner's responsibility to replace. Sod that is damaged by the Association landscaping company will be replaced the company. New sod will be maintained by the landscaping company. 13 MAY 24 Board approved.

**Lot Conditions:** If your lot is adjacent to or near the bottom of a slope or if drainage otherwise flows onto your Lot, then all improvements/modifications to your lot shall not obstruct the flow of that drainage or divert it away from your Lot or otherwise alter the flow of that drainage in any manner that will have any effect on your neighbors and must be restored to original drainage design. This is a requirement of the declaration. Modification of drainage on any lot can impact the drainage as designed and approved by Water Management entities.

**Exterior Lighting:** Lighting that is hard-wired requires ARC approval. A drawing is required with the ARC submission. Solar lights are allowable without an ARC approval. All lighting should be in proportion to landscaping and should not be taller than 12". Garage lighting cannot be changed or altered as this is part of the neighborhood and association security standard. Lightbulbs must be maintained and replaced as needed with the neighborhood standard bulb. Residents are urged to use soft yellow bulbs.

**Outdoor Kitchens:** Hood or exhaust venting may be required to exit through the roof. If approved for side venting a directional cover is required to direct exhaust appropriately.

**Paint:** The approved paint colors and packages that were originally offered through Taylor Morrison are considered the Community Standard. For any touch up or whole house painting the paint color must match the original paint selection. Anything deviating from the existing color is subject to approval. This Standard applies to all areas such as the entire house paint package (exterior, doors, house trim, gutters) window type and color, soffit colors, screen enclosures, pavers and overall architectural design. Touch ups done by the homeowner and meeting the above color specifications do not require an ARC. If a contractor is hired for any painting an ARC is required and must include contractor license and insurance information.

**Potted plants:** Potted plants are not permitted in the front yard landscaping beds and only permitted on sidewalks and front door areas or back yards landscape beds. They are not permitted to be placed on

any portion of the lawn. Maintenance must be done by resident. Plants must be real and maintained in a healthy state. Pots should be made of a heavy grade such that they do not become dangerous during a high wind event. Recommendations are ceramic, resin or cement.

**Pools:** Configurations and placement of pool screen cages may be affected by conservation areas, pools, house plan, utility and drainage easements, surface drainage requirements, county requirements and lot size or location and zoning restriction. Applicant shall demonstrate that drainage flow in side yard swale will not be impacted which includes the drainage from the gutters on any screen cage and must comply with existing site drainage plan. A detailed site plan, at an appropriate scale (Final Survey recommended for this drawing), showing all applicable property lines, easements, structures, and distances between structure and property lines must be submitted included for approval.

**Pool equipment location:** The pool equipment location must be noted on the drawing submitted for approval. Equipment must be screened and enclosed by a 4 foot in height PVC Fence (of specified type and color for the community) and dense landscape of comparable type and size of existing landscape of the home. Placement of pool equipment should be located on the side of the home at a midpoint position from the front to rear of the home in order to minimize the visual and audible impact on neighboring lots.

**Door /Spigot Pads:** Screen cage or exit door pads may be added at the rear and side exits of the home but are limited to a standard. Water Spigot (Hose Bib) pads are limited to a 2ft x 2ft paver pad. Pads may not extend.

**Satellite Dish:** Residents must submit a drawing with the proposed location prior to the installation of the dish. Every effort possible must be made to locate the dish in a manner that obscures the view of the dish from the street and minimizes the view from the neighboring property. The dish will be mounted off the ground on the side of the house with the top of the dish placed no higher than the bottom of the roof line. Plant material of adequate height and density may be required to be planted in the landscape bed on the street side of the dish to screen its view from the street. All installations will be completed in a manner that observes all FCC Regulations relevant to Satellite Dish installation as described in the Declaration of the Association and size is limited to one (1) meter in diameter (39.37 inches).

**Screen cages:** Cage roof style is Mansard and must be of same color metal as gutter/soffits of home. Screen cages must not go past the plane of the homes sides, however pie shape lots Screen cages (inclusive of pools) may extend from the rear corner of the home up to half the distance between the rear corner of the home and the side property line, but in no case, shall it encroach into the minimum side setback of the lot. Screen cage structures may not encroach in or on any applicable easements or inhibit existing storm water drainage or landscape maintenance. Height of the extended sides may not extend past the fascia of the home. (Does not include the mansard of the screen cage roof).

**Security Cameras:** To maintain the aesthetic integrity and privacy of the community while allowing homeowners to enhance security, the installation of exterior security cameras requires prior approval from the Architectural Review Committee (ARC). Homeowners must submit an ARC request before installing any security cameras on the exterior of their home. The request should include: 1) A diagram or photo indicating the proposed camera placement; 2) The camera's specifications, including size and color; 3) Confirmation that the cameras will be installed in a manner that does not unreasonably infringe on neighbors' privacy, specifically for cameras oriented between homes and toward pools. The ARC will review applications to ensure that security cameras are positioned discreetly, blend with the home's exterior, and do not disrupt the overall appearance of the community. Any unapproved installations may be subject to modification or removal at the homeowner's expense.

**Solar Panels - Photovoltaic Systems and Heaters:** All solar energy conservation equipment requires ARC review and approval by the Association. All solar apparatus must conform to the codes and standards in force at the time the apparatus is installed as documented on the Lee County Solar-Photovoltaic System and Heaters Application and Permitting Guide, as it may be revised from time to time. Any system installation, including storage batteries, must be properly permitted and inspected in accordance with the applicable Lee County codes. The roof-top systems must comply with Florida Building Code standards in effect at the time of installation and be engineered using American Society of Civil Engineers standards 7-16 for wind resistance, or higher. The quality, design, color, type, style, configuration, and location of the panels must be compatible and visually integrated and harmonious with the architecture of the house and community as reasonably determined by the ARC. The solar panels must be flush mounted and parallel with the roofline upon which they are installed, and all such equipment shall be black and have glare protected surfaces. To the extent the owner would like to install the solar panels on the roof within an orientation to the south or within 45 degrees east or west of due south, they must be installed on the side of the roof to minimize visual impact and visibility from either a street or lake. Piping is limited to the same side(s) of the roof the panels are on to minimize the visual impact of the piping. Exposed wiring is not permitted. Wiring shall be concealed inside the structure or unobtrusively within the piping. Pipes and conduits on the roof and going down the wall of the house must be painted to match the color of the roof and wall respectively. Any exterior equipment must be screened with appropriate landscaping. Piping and electrical connections will be located directly under and/or within the perimeter of the panels, when possible, and placed as inconspicuously as possible when viewed from all angles. The highest point of a solar panel array will be lower than the ridge of the roof where it is attached. Solar "shingles" are not permitted as the Association has determined roofs will remain concrete barrel tiles to preserve the harmony of the community. Owners are responsible for following manufacturer requirements for routine maintenance. Owners must maintain an umbrella insurance policy or insurance rider policy for fire hazards related to the system and damage caused by broken panels impacting other properties during storms. All such policies shall provide for thirty (30) days written notification to the Association before cancellation of any such policy. The insurance document must be updated annually, and a copy will be provided to the Association Secretary and ARC Committee. The Association shall have the right (but not the obligation) to obtain coverage in the event an Owner's policy is cancelled. This provision is not intended to prohibit the use of solar energy devices.

**Storm/Screen Doors:** Doors must be "Full View" style, with no decorative iron or cross bar and in a complimentary color with minimal contrast to the existing color of the door frame.

**Structural Changes:** A Final Survey (copy) showing all requested structural and site changes drawn on the property at an appropriate scale with dimensions and distance from easements and property lines is required. (ie: fences, pools, screened cages, pool equipment, patios, additions, gutters, etc.)

**Trees:** Designated shade tree(s) are a requirement in the community and may be relocated on the property subject to ARC approval and must be replaced with a designated Shade Tree as defined by the county. Approval through the county may be required as well.

**Yard Art:** Decorative lawn art location is limited to landscape beds and to a maximum of two (2) low -profile items at a maximum 24" in height or less. Due to landscape maintenance requirements, fixed Lawn furniture, decorative yard items or benches are not permitted. The above includes decorative address signs and these should be of high quality material (not plastic) and no larger than 18" in height. All yard art must be removed and securely stored prior to major storms and hurricanes.