

Barrington Cove Neighborhood Association Architectural Review Committee (ARC) Guidelines, Community Rules and Restrictions

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ARC APPLICATION FORM ATTACHED

ALL PERSONS USING THIS MANUAL ARE ADVISED:

1. This manual has been adopted for the purpose of establishing general guidelines for architectural approvals and every day rules for the community and does not supersede or replace the association's governing documents or local, state or federal laws, codes, ordinances, rules or regulations.
2. This manual is subject to amendment from time to time. Also, because of changing circumstances and technologies, matters prohibited or approved in the past may not necessarily be prohibited or approved in the future.
3. While this manual is intended to establish consistency of appearance within the community, it should be remembered that because of factors such as location, neighborhood characteristics and proximity to common areas, lakes, preserves, roads and the like, various properties may be treated differently in order to reflect such factors.
4. As stated in the Association's governing documents, no approval hereunder shall constitute a warranty or approval as to, and neither the Association nor any member or representative thereof shall be liable for, the safety, soundness, workmanship, materials or usefulness for any purpose of any improvement or alteration nor as to its compliance with governmental or industry codes or standards.

December 2016

**Section
10**

Air Conditioners

- A. Window A/C units are not permitted.
- B. Landscape material must be around the A/C equipment to shield from view.

**Section
20**

Antennas and Satellite Dishes - Requires ARC approval

- A. Exterior antennas used for AM/FM radio, amateur ("Ham") radio, CB radio, Digital Audio Radio Services ("DARS"), or antennas used as part of a hub to relay signals among multiple locations are not permitted.
- B. Satellite dishes with a diameter of 36 inches or less may be installed subject to the following:
 - 1. Dish must be installed at least 8 feet above the finished floor of the home.
 - 2. The preferred location for dishes is on the rear wall of the home or on a sidewall within 6 feet from the rear of the home.
 - 3. Cables required for installation, which are exposed on outside walls and more than 3 feet in length, shall be painted to match the existing building color.
 - 4. Dishes may not be installed in common areas.
 - 5. Installation of more than one dish will be considered in the circumstance that a single dish is insufficient to provide an acceptable signal. In such situations, a letter from the satellite service provider must be presented for review to ARC with the homeowner's request.

**Section
30**

Awnings - Requires ARC approval

- A. Only retractable roll-out awnings encased on rear of home are permitted.
- B. You must submit an architectural application, with a survey showing location and sample of fabric, to ARC for approval prior to installation. Colors must be consistent with the color scheme of the houses in the community.
- C. Periodic cleaning and eventual replacement by owner is at the discretion of the Board of Directors.

**Section
40**

Basketball Hoops - Permanent basketball assembly requires ARC approval

- A. Shall be professionally manufactured basketball backboards installed on black poles with white or clear backboard. No roof or roof-mounted backboards are permitted.
- B. Portable basketball assemblies are permitted in driveways but must be kept in good aesthetic condition. Assemblies are to be kept in place as designed with water or sand in the base and at no time should they be weighed down by placing sand or concrete bags, weights, bicycles or other object on the base to keep in place.
- C. Shall not cause a nuisance.
- D. Shall not be located in the end of the driveway or allowing play from the roads. The basketball goal must be a minimum of 10 feet from the road/pavement.

**Section
50**

Watercraft

- A. The only place a boat, canoe, kayak or other watercraft may be kept within the community is within the garage of the unit owner. The garage door must be able to close completely so that the boat, canoe or kayak is not visible from the street. Boats, canoes or kayaks parked in the street, clubhouse, pool parking lot, vacant lot, or any other unauthorized area will be towed at the owner's expense.
- B. Boats, canoes, kayaks and other watercraft are not permitted on the lakes.
- C. Boat houses or docks are not permitted.

**Section
60**

Clothes Drying

- A. No garments, rugs, or any other materials may be hung, exposed, or dusted from the windows or from the front façade of any home.

**Section
70**

Driveways & Walkways

- A. Surfaces must be consistent with original materials and colors.
- B. Walkways from the driveway to front door; front and rear patios and porches may be considered for resurfacing (tile, pavers, etc.,)
- C. Driveways should remain free from oil, gas and other stains. Periodic cleaning may be required at the discretion of the Board of Directors.

**Section
80**

Exterior House Light - Requires ARC approval

- A. All additional light fixtures require architectural approval. Along with your architectural application submit a picture of the fixture and a copy of your survey, showing the location, to ARC for approval prior to installation.

**Section
90**

Fences - Requires ARC approval

You must submit an architectural application with a survey showing the fence location for approval prior to installation. Municipal permits are responsibility of homeowner. At least one gate shall be a minimum of 54" wide.

A. Interior Lots

1. 4' - 5' black or bronze aluminum fencing.
2. Must be set back at least 5' from front corners of house.
3. An Interior lot is a lot that is NOT on a preserve, wetland, lake, or any corner lot.
4. Due consideration should be given to any easements that may exist.

B. Corner Lots

1. 4' - 5' black or bronze aluminum fencing.
2. Must be set back at least 5' from front corners of house.
3. Fences must be set in at least 3' from the sidewalk on the side of the property facing the street.
4. Due consideration should be given to any easements that may exist.

C. Water Lots

1. 4' black or bronze aluminum fencing or white vinyl rail 4'
2. Must be set back at least 5' from front corners of house.
3. Fence cannot encroach into the lake maintenance easement.
4. Fence cannot infringe on any lake bank easements.

D. Swimming Pool Fence

1. 4' - 5' black, or bronze aluminum fencing is permitted to be installed at perimeter of pool deck, not perimeter of property.

**Section
100**

Flag Poles & Flags

- A. No flags or banners other than a Flag permitted by Chapter 720.304, Florida Statutes, or other local, state or federal law which must be displayed in a respectful manner and which is subject to reasonable standards for size, placement and safety.
- B. Only permissible installation is by brackets mounted to the front exterior of house. Flag poles are prohibited. Flags are not permitted to be affixed to trees or other landscaping.

**Section
110**

Garages

- A. Garage conversions are not permitted.
- B. Garage doors should be kept closed when garage is not in use.
- C. Garages doors should be periodically cleaned, painted and maintained. Damaged or unsightly doors may be required to be cleaned, repaired, painted, or replaced at the discretion of the Board of Directors.
- D. Garages with front facing windows should be fitted with appropriate window treatments (see Section 320).
- E. Garage screen doors must be approved.

**Section
120**

Gutters & Down Spouts

- A. Shall remain same color as originally installed.
- B. Additional gutters and downspouts are to match the color of existing gutters and downspouts on the home or match the color used on downspouts and gutters throughout the community.

**Section
130**

House Colors - May require ARC approval

- A. Shall remain as original colors selected for the community.
- B. Approval must be received prior to painting front doors or garage doors a new color. Color must be complimentary to the color scheme within the community.
- C. Homes are required to be kept in a finished, painted and attractive condition.
- D. Roof, exterior walls, sidewalks, patios and driveways must be pressure washed every three (3) years.

**Section
140**

House Paint

- A. Shall not have mildew or irrigation staining.
- B. Shall not have chipped or peeling paint

**Section
150**

Lakes

- A. Individual irrigation from common area waterways is not permitted.
- B. All lakes on the property are permitted through Water Management District for water management purposes and may not be used for recreational purposes. No swimming, fishing or boating is allowed. Use of remote control boats, toys or other items is also prohibited.
- C. No personal property may be kept on the lakes or on the lake banks. Any property being kept on the lakes or lake banks is subject to removal without any further notice and at the expense of the property owner.
- D. Any signs located on the lake banks relating to use of the lake are property of the Association and may not be removed, damaged or altered in any way. Persons removing, damaging or otherwise altering a sign will be

- liable to the Association for the expense of replacing the sign.
- E. No construction debris, lawn clipping or vegetation, trash or other items may be deposited in the lakes.

**Section
160**

Landscaping & Plant Materials - May require ARC approval

- A. Landscaping (includes plants in established planter beds) shall not be removed without prior approval.
- B. All landscaping shall be contained in mulched beds.
- C. Any change from mulch to decorative rock, landscape ornaments of any kind or size, gardens of any type, without prior written approval.
- D. Homeowner is responsible for maintenance and upkeep of all additional landscaping.
- E. Landscaping should not be planted in the Right of Way or Public Utility Easements. Planting in such areas is at the homeowners risk, as if utilities need to be installed or repaired, it is within the right of the installing entity to remove the plants with no responsibility to replace them or compensate the owner.
- F. When installing new landscaping in any area other than an existing planter bed, or when installing a new planter bed, homeowner is required to have all public and private utilities located and flagged prior to digging.

G. LANDSCAPE LIGHTING & DECORATIVE STRUCTURES

- 1. Wiring shall be buried and out of sight.
- 2. Homeowner may be required to assume responsibility for maintaining lawn directly surrounding landscape lighting or decorative structures if the installation of such features creates an undue burden on the lawn maintenance company
- 3. Transformers shall be obscured from view.
- 4. Must not be a nuisance to neighbors.
- 5. No trellises are allowed.
- 6. Ponds, fountains and other water features and sculptures are not permitted unless contained within an enclosed lanai or pool area.

H. PLANT MATERIAL

1. Trees - Planting of new trees requires ARC approval

- (A.) Most varieties permitted, however rapid growing and/or invasive varieties may be prohibited completely, or restricted in certain locations.
- (B.) Shall not be a nuisance due to insects or rodents.
- (C.) Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.
- (D.) Fruit trees must be planted a minimum of 10' from property lines. Standard setback for all trees other than fruit trees is a minimum of 5' from property lines. Large or rapidly growing trees may require greater setbacks.
- (E.) Fallen fruit, branches and fronds must be picked up.
- (F.) Fruit trees may only be planted in backyard.
- (G.) No trees may be planted in the lake or drainage easements.
- (H.) For the health of the tree, the planting of flowers around swale trees is not permitted.
- (I.) Homeowner is responsible for any additions or modifications to the irrigation heads to cover new plantings.

2. Hedging - Planting of new hedges requires ARC approval

- (A.) Most varieties permitted, however rapid growing and/or invasive varieties may be prohibited or restricted in certain locations.
- (B.) Shall not be a nuisance due to rodents or insects.
- (C.) Shall be regularly trimmed so that branches do not become a nuisance to neighboring properties.
- (D.) Spacing of hedging shall be continuous (i.e. planted on 18 inch centers).
- (E.) Hedging shall be planted inside property line by at least 18 inches. On corner lots, hedging must be set back at least 5' from sidewalks and/or roadways.
- (F.) Landscaping shall not extend into lake or drainage easements.
- (G.) Hedging must maintain height between 4 and 5 feet.
- (H.) Homeowner is responsible for any additions or modifications to the irrigation heads to cover new plantings.

3. Plants and Flowers

- (A.) No artificial vegetation allowed (includes grass, plants, etc.)
- (B.) Most varieties of plants permitted.
- (C.) Shall not encroach into lake or drainage easements.
- (D.) For the health of the tree, the planting of flowers around swale trees is not permitted.

**Section
180**

Nuisances

- A. Music may not be played at a level that can be heard outside of you home.
- B. No homeowner shall create an annoyance to the neighborhood. Loud, disturbing and unnecessary noises will not be tolerated and may be reported as noise disturbances to the Collier County Sheriff's Office. Activities that may constitute a noise disturbance include, but are not limited to, the following:
 - a. loud music, television or parties
 - b. sounding of horns and whistles for an unreasonable period of time other than as a danger warning
 - c. yelling, shouting, singing, etc other than at normal conversation levels after 11pm
 - d. barking, howling, whining, screeching of animals
 - e. basketball or other outdoor activities after 9 pm
- C. Rodents and insects shall be controlled.
- D. Garage or yard sales are not permitted.
- E. Firearms, pellet and BB guns shall not be discharged within the community.
- F. Fireworks are not permitted within the community.

**Section
190**

Parking of Vehicles

- A. Parking on streets, parking, parking on lawns, parking on vacant lots, and parking on common areas is not permitted.
- B. No ATV's, golf carts, scooters or mini motorcycles are permitted on any property.
- C. Car covers are not allowed
- D. Board of Directors or their agent has the authority to tow vehicles which are in violation of the rules and regulations of the community at the vehicle owner's expense.
- E. Vehicle owner will be responsible for expense of repairs required to any property damaged as a result of parking in violation of these rules (i.e.: damage to grass, sprinkler, etc.).

**Section
200**

Patios & Lanais - Requires ARC approval

- A. Wood decks are not permitted.
- B. Shall be constructed of pavers or concrete.
- C. Materials shall be consistent in color and type with those used in the construction of the home.
- D. No flat or metal roofs allowed. If a roof is to be installed on a lanai, the roof must match the roof on the home.
- E. Shall not extend beyond the side plane of the house.
- F. Shall not encroach on any lake, drainage, or utility easements.
- G. Homeowner is responsible for having all public and private utilities located prior to commencing construction.
- H. Irrigation lines and heads that run through the area the improvement will be installed should be capped and/or re-routed so that no running water is flowing under the patio/lanai. Homeowners who build over existing lines do so at their own risk. In the instance a line breaks underneath the patio/lanai, Association's irrigation contractor may repair the line and is permitted to remove any portion of the patio/lanai necessary to complete the repair. Neither Association nor contractor will be responsible for repair or reimbursement to Homeowner for damage caused to the patio/lanai as a result of the break.

**Section
210**

Pets

- A. A maximum of 2 dogs (other than breeds prohibited by the Associations insurance policy, applicable governmental agency or other breeds which in the reasonable determination of the Board of Directors are determined to be a threat to the safety of the occupants of the Property) **OR** 2 cats per home is permitted
- B. The Board of Directors shall specifically have the power to either permit additional domestic dogs or cats to be kept by an Owner if in the determination of the Board such pets shall not cause or be deemed by the Board of Directors to constitute a nuisance to any other Owner.
- C. Pets must be leashed or under direct physical control at all times when they are not in a fully enclosed patio/yard.
- D. You must pick up after your pets.
- E. Pets cannot be left outside, including within a screen patio area or a pool screen enclosure, to bark or to the annoyance of neighbors.
- F. Owners must have liability insurance coverage for all pets and show evidence of insurance, if necessary.

**Section
220**

Swing Sets and Play Equipment

- A. Tree houses and trampolines are not permitted. Association insurance will not cover any injury or damage caused by use of unauthorized play equipment.
- B. No swing set or play equipment with a height taller than 15' is permitted.
- C. Shall be located within the side planes of the house.
- D. Shall be properly maintained and kept in good repair; Swing sets or play equipment that are in disrepair, unclean, or become a nuisance may be requested to be removed from the property at the discretion of the Board of Directors.
- E. It is recommended that any swing set or play equipment that is not portable be installed in a mulch bed to accommodate lawn maintenance. Neither Association nor landscaper will be responsible for equipment damaged in the course of routine lawn maintenance. Homeowner is responsible for replacing grass upon removing the swing set or play equipment.
- F. Shall not be placed closer than 10 feet from any adjoining property line nor shall be placed within any easement.

**Section
230**

Pools & Pool Equipment - Requires ARC approval

- A. Swimming Pools & Spas
 1. No portion of pool, pool deck or enclosure may extend beyond the plane of the house.
 2. No portion of pool, pool deck or enclosure may encroach on any lake maintenance easement.
 3. Homeowner is responsible for having all public and private utilities located prior to commencing construction. Homeowners that proceed with construction without having utilities located will be responsible for costs associated with damage to any utility line.
 4. Irrigation lines and heads that run through the area the pool and deck will be installed should be capped and/or re-routed so that no running water is flowing under the pool or deck. Homeowners who build over existing lines do so at their own risk. In the instance a line breaks underneath the improvement, Association's irrigation contractor may repair the line and is permitted to remove any portion of the improvement necessary to complete the repair. Neither Association nor contractor will be responsible for repair or reimbursement to Homeowner for damage caused to the as a result of the break. Only the Landscape Maintenance company for the Association can cap, re-route or shut off any irrigation.
 5. Survey showing a scaled drawing of pool/spa and pool equipment should be attached to your architectural application.
 6. It is suggested that you receive architectural approval from ARC before applying for permits.
 7. A refundable security deposit as determined by the Board, is required at time of application.
- B. Pool Equipment & Gas Tanks (heaters, pumps)
 1. Landscaping, a minimum of 36" high, shall be used to obscure pool equipment from street view.
 2. Type of landscaping that will be used should be identified in architectural application submitted for pool installation.
 3. Propane gas tanks must be underground or significantly shielded.

**Section
240**

Screen Enclosures & Screen Doors - Requires ARC approval

- A. Shall not extend beyond the plane of the house nor encroach on any easement, including lake maintenance easement.
- B. Shall be white, black, or bronze aluminum framing with charcoal color screening.
- C. Shall not have flat aluminum covered roof.
- D. Landscaping may be required, particularly on corner lots.
- E. It is suggested you receive architectural approval from ARC prior to applying for permits.
- F. Use of Elite or similar roofing systems will not be permitted.

**Section
250**

Seasonal Lights & Holiday Decorations

- A. Must be removed annually no later than January 21st.
- B. No hooks, nails or other devices shall be placed on a tree or other landscaping for purpose of hanging lights or other decoration as this is harmful to the health of the plant.

**Section
260**

Sidewalks (Parallel to Streets)

- A. Shall not be painted or stained.
- B. Shall be kept free of irrigation stains.
- C. Sidewalks are never to be altered except as originally installed.

**Section
270**

Signs

- A. One "For Sale" or "For Rent" sign may be displayed in the front window of the home provided the face surface shall not be larger than 3" x 5". Once the developer has sold all homes within the community the size restriction will be increased to 18" x 24".
- B. No other signs are permitted.

**Section
280**

Storage Sheds & Tents

- A. Storage sheds and tents are prohibited.

**Section
290**

Storm Shutters – Requires ARC approval

- A. Shall preferably have removable panels.
- B. Roll-down and sliding models shall match wall color.
- C. Accordion panel shutters must match color of adjoining window or door frame.
- D. No Bahama Shutters are permitted.
- E. Panels must be in place no earlier than 48 hours prior to storm or warning, and must be removed within 7 – 14 days after a storm or 48 hours after a warning issued by the National Hurricane Center.
- F. Clear shutters may remain up throughout the hurricane season from June 1st – November 30th.
- G. Must not be used for security purposes.

**Section
300**

Trash

- A. All trash must be placed in containers. Bags and loose trash are not permitted.
- B. No trash containers can be put out earlier than 24 hours before pick up.
- C. Containers must be brought in no later than 12 hours after collection.
- D. Trash containers must be stored out of view. Trash containers may not be stored at the side or rear of the house unless obscured from view by approved landscaping or fencing.
- E. Disposal of large items may require coordination with the local waste hauler prior to setting at the curb for pick-up.

**Section
310**

Vehicles

- A. No recreational vehicles, trailers, or mobile homes are permitted to be stored within the community unless they can be stored in the garage, with the garage door down, at all times.
- B. Commercial vehicles must be kept in garage at all times.
- C. No car covers or unlicensed cars are allowed.
- D. ATV's, 4-wheelers, golf carts, scooters or mini motorcycles and similar vehicles may not be driven anywhere within the community.
- E. The speed limit throughout the community is 20 M.P.H. unless otherwise posted.

**Section
320**

Windows and Window Coverings

- A. Window coverings shall consist of curtains/drapes, blinds or other traditional window covering. Sheets, newspaper, aluminum foil, bags and other similar items are not permitted.
- B. Tinting shall be non-reflective, non-mirror finish.
- C. Broken or damages blinds or window coverings will be required to be replaced at the discretion of the Board of Directors.
- D. Broken windows shall promptly be replaced.

**Section
330**

Wetland and Nature Preserves

- A. All preserves on the property are protected under conservation easements. No persons, pets or vehicles are permitted within any preserve on the property at any time.
- B. No homeowner, guest, or any other person may remove any tree, vegetation, animal or any other item from any preserve, nor shall any tree, vegetation, waste, debris or any other item be placed in any preserve.

Compliance with these guidelines does not automatically grant architectural approval. Architectural approval must be requested in writing, for any changes to the exterior of your home. Application and instructions can be found on the attached Architectural Review Committee Application form or by calling Cardinal Management Group at 239-774-0723.

**BARRINGTON COVE NEIGHBORHOOD ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE
APPLICATION AND APPROVAL FORM**

Name: _____

Address: _____

Phone: _____ (alternate) _____

Lot: _____

Date Submitted: _____

Approval is hereby requested to make the following modifications, alterations, or addition to my home or lot.

Please attach a detailed description of the improvement/modification (i.e.: color, size, materials to be used), along with a lot survey containing a scaled drawing of the location of the modification/improvement, and copy of professional license and proof of insurance of contractor who will be performing the work if other than the homeowner.

I AGREE:

1. To abide by the decision of the ARC/Board of Directors.
2. That if the modification is not completed as approved, said approval can be revoked and the modification removed.
3. That I am responsible for restoring all property affected by my installation/modification to its prior condition and that I am responsible to pay for and repair any and all damages done to any common area or adjoining property as a result of the installation/modification within a reasonable time following completion.
4. That I may be required to place a deposit with the Association as determined by the Board, depending on the size and nature of project, to secure against property damaged as a result of the installation/modification. Once the improvement/modification is completed and the property is appropriately restored, the deposit will be returned to me. Should I fail to restore or repair damaged property caused by the improvement/modification within a reasonable time, the Association will have the right to use my deposit to complete the repairs.
5. To obtain all necessary permits and comply with all State, County, and City codes and ordinances.
6. That I am responsible for having all public and private utilities located prior to commencing work on any improvement/modification that requires any digging or excavation.

I have read, understand and agree to all of the above.

Owner's Signature

Please mail, email or fax request to:

Cardinal Management Group
4670 Cardinal Way Suite 302
Naples, FL 334112
Fax: 239-775-0723
k.caldwell@cmgflorida.com

Date received by ARC/BOARD: _____

Approved by: _____ Date: _____ Denied by: _____ Date: _____

Comments: _____
