

STONEYBROOK
A GOLF COURSE COMMUNITY

Architectural Review Committee
Standard Guidelines



Updated January 2024

PRELUDE

We are fortunate to live in a serene and picturesque community surrounded by nature in a central location to shopping, restaurants, golf and RSW. The intent of these guidelines is to ensure our Community remains a peaceful place for current Homeowners, an inviting neighborhood to our future Buyers and to maintain our community property values. The ARC is always available to advise and assist homeowners with any exterior projects around their homes. The Committee will insure that minimum standards are maintained in the Community for the benefit of all. We appreciate your adherence to the guidelines to keep Stoneybrook beautiful now and for years to come.

Please note:

Homeowners are solely responsible for submitting project requests on the appropriate ARC form. No project shall begin until written approval is granted.

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CHAPTER 1
MASTER DECLARATION

SECTION 1.1 – SECTION 6; BYLAWS

SECTION 1.2.1 – GENERAL

The ARC shall meet the first Thursday of each month at 4:30PM in the Community Center unless otherwise posted or noticed. These meeting shall be open to all homeowners/residents All requests for changes to the exterior appearance of Structures, Lot or Neighborhood Common Areas must first be submitted to the ARC no later than seven (7) days prior to the scheduled meeting. Requests must be submitted using the ARC Submittal Form which is available online and in the Community Center Office. Requests for changes to structure or lots must include the site drawing for the lot showing the changes. Incomplete forms will be returned and not considered until re-submitted complete.

Within the six (6) days prior to the monthly scheduled meeting, at least two (2) member of the ARC shall visit each site requesting a change to verify the request is in compliance with the guidelines of the Community. Follow-up visits will be conducted to review the progress on the change(s) to ensure the project remains within the parameters approved by the ARC. Failure of the homeowner to follow the approved work request will result in a letter to the homeowner informing of the situation and the actions necessary to bring the work into accordance with the ARC Guidelines.

ARC approvals will be for 6 months from the date of issue. Failure to complete the project within this time period will require re-submittal for an extension to the approval.

ARC Note: Requests to change the landscape of the property must include the site plan showing the change to the lot. This includes, but is not limited to, lanai extensions, swimming pools, landscaping, etc, and must includes the exact locations. All work performed on a homeowners property must be of professional quality and in no way, can be perceived by the ARC of adversely affecting property value.

CHAPTER 1.2 – Enforcement

Failure to follow the guidelines of the ARC will result in the issue being forwarded to the Fining Committee for its action to bring the situation into compliance and possible application of a fine.

CHAPTER 1.3 – Entry Rights/Threats

Each Neighborhood Association and each owner shall permit the members of the ARC, or any authorized agent of the ARC, to enter upon a Neighborhood Common Area or the Owners lot at reasonable times, to carry out the provisions of this Declaration and entry shall not constitute trespass (See Covenants II 11.1) This provision shall not be construed as authorization entry by an ARC member, or agent of the ARC, into the interior of any Living Unit without the owner's permission.

ARC Note: Any verbal or physical threat to an ARC member by an owner, or owner's lessee, guest or family member will be dealt with immediately by local authorities and/or a potential fine by the Fining Committee. **These instances will be enforced by the Board of Directors and will not be tolerated.**

CHAPTER 1.4 – Condos/Villas

The Condos and Villas have its own governing Board which follows its own documents for structural changes. Owners of Condos or Villas must obtain prior written approval from its respective Homeowners Association before applying to the ARC for project approval.

CHAPTER 2

ARCHITECTURAL MANAGEMENT

SECTION 2.1 – Side Setbacks

For purposes of establishing a uniform standard for the side setback line of any property, it is the continuation of the line of the side walls of the structure. ***If the distance between the homes is twenty-five (25) feet or less, no new cage or other construction may extend sideways beyond this implied line. For area's greater than twenty-five (25) feet, these requests will be reviewed by the ARC and decided based on the type and dimension of the construction or request. Nothing can be install within five (5) feet of the homeowners sideline and/or the neighboring sideline.*** The rear line is established for each lot by the County. A rule of thumb for the rear line will be fifteen (15) feet for the survey lot line or, in other cases, the water's edge, thus allowing for the rear easement to remain clear.

SECTION 2.2 – Property Dividers (walls, fencing, hedges)

No wall, fence, hedge or other divider shall be constructed or maintained on any adjoining Lot or Neighborhood Common Area; it being the express intent that no fences, walls or dividers shall be permitted on any Lot or Neighborhood Common Area which abuts lakes, preserve areas, streets or roads unless the ARC so approves. Hedges construction shrubbery or other suitable vegetation, may be approved, but only in those situations where back-to-back lots or home sites so request and are approved by the ARC. Any dispute as to height, length, type, design composition or materials shall be resolved by the Community Association's Board of Directors, whose decision will be final. Approval will not be granted for the construction of any wall, fence, or hedge which materially interferes with the water view, golf course view or preserve view of any Lot or Living Unit. No vegetation shall hinder the operation of the drainage swales. ***The use of fences, including for the purpose of creating a dog run, is not permitted on any home site, including lanais. Electronic or underground fencing (invisible fence) is acceptable as an alternative to perimeter fencing.***

SECTION 2.3 – Roofs

All roof changes, whether the same material, a different material, a color change or painted tiles, must be submitted to the ARC prior to contracting with any roof vendor. Asphalt shingles (asbestos not allowed), clay and concrete tile, metal roofing and newly engineered roofing materials are acceptable replacements if approved by the ARC upon review. Slate, wood shingles and synthetic roofing (plastic, rubber) are not acceptable roofing materials. Homeowners must submit a sample and color of the requested material for approval by the ARC. The name of the roofing company and its current insurance/bond/licenses should accompany the ARC request.

It is the homeowner's responsibility to maintain the appearance of the roof and keep unsightly black mold from forming and staining the roof. Residents do not need ARC approval to have the roof cleansed of mold.

If a roof is missing less than one-third of roofing tile, shingles or other material, it may be possible to add the missing roofing material as long as it matches the existing material and color. If this cannot be accomplished, the entire roof needs to be replaced.

SECTION 2.4 – Driveways & Parking areas

Driveways and parking areas must be surfaced with concrete, paver blocks or other hard surface approved by the ARC. Driveways and homeowner sidewalks can be painted or stained with appropriate concrete paint or stain. Driveways can be painted or stained a neutral color which first must be approved by the ARC.

Driveways and parking areas must be surfaced with concrete, paver blocks or other hard surface approved by the ARC and the POA. Maintenance and repair of all driveways, parking and other paved parking facilities (except driveways serving only one single family home) shall be the responsibility of the Property Owners Association (if located in the Common Areas) or the responsibility of the Neighborhood Association (if located in a Neighborhood Common Area). Driveways must be kept clean and free of excessive weeds, oil, rust or other unsightly stains.

Worn and aging driveways which are permanently discolored, stained or have multiple cracks, need to be repaired and either stained (with paint) painted or replaced entirely.

SECTION 2.5 – Screen Enclosures (Lanai)

Lanais may be enclosed, with ARC approval, as long as the construction materials used match those materials used in the construction of the residence. The construction must conform to County Codes and permits issued by the Village of Estero, as well as approval from the ARC. An enclosure can NOT extend beyond the sidelines (exterior walls) of the residence. Roofs on the lanai may be made of a solid building material and may extend out no more than sixteen (16) feet from the back wall of the structure with approval of the ARC. This roof must be within the side wall limits of the house.

Screened pool enclosures must conform in as much as they must not exceed the dimensions of the pool deck and must be of the mansard type roof. Fences four (4) feet in height may be

Section 2.5 cont'd:

Substituted for a pool enclosure, but also must not exceed the dimensions of the pool deck area. If fencing is used, it must be of metal construction and can be white, black or bronze in color and meet all Village of Estero, County and State Codes for swimming pool protection. Upon completion of a screened enclosure of fence, a minimum of THREE (3), 3-5 gallon-sized plants must be added along the three (3) sides of the cage or fence.

SECTION 2.6 – Windows

All replacement windows must meet current Florida Building Code; so as a result, any replacement windows must be impact resistant or require shutters. All replacement windows must be approved by the ARC prior to replacement. For windows which may be prone to damage by golf balls from the Stoneybrook Golf Course, a clear, high-impact insert to fit into the window opening may be installed with ARC approval.

SECTION 2.7 – Garage/Accessory Buildings

- (A) No detached garage, other accessory building or modular sheds shall be erected. Repairs of vehicles shall be permitted only inside the garage. When ingress and egress to the garage is not desired, the garage doors shall remain closed.
- (B) Carports are not permitted
- (C) Car canopies are not permitted
- (D) No garage shall ever be permanently enclosed or converted to other uses without substitution of another enclosed garage and approval of the ARC. All garages must have a minimum 16-foot wide overhead style garage door, or two (2) 8-foot wide overhead garage doors.
- (E) If a garage door needs to be replaced, the replacement door must be of the same or similar material as the existing garage door. Wooden garage doors are not allowed as a replacement. Windows in garage doors must be hurricane resistant.

SECTION 2.8 – Paint Colors

No exterior colors on any structures shall be permitted that, in the judgment of the ARC, would be in harmonious conflict or unsuitable with the Community. To assist residents in selecting colors for their homes, a binder is available in the Community Center Office containing the Board approved exterior paint colors for Stoneybrook. This binder requires a \$20.00 deposit and is refundable if the binder is returned, undamaged and within 48 hours of being removed from the office. The color scheme chosen must be included on the ARC request form.

SECTION 2.9 – Gutters/Downspouts

ARC approval is required prior to the installation or replacement of rain gutters on a structure or screen cage. Gutters are normally white in color, but if any other color is requested, a paint chip must accompany the request form. If the color is not white, then it must match the color of the house or trim of the residence.

SECTION 2.10 – Hurricane Shutters

Hurricane shutters are allowed without reservation. Shutters come in many choices of materials, including, but not limited to, metal, aluminum, plastic and fabric. They can be of several operational types, including, but not limited to, roll down, accordion, whole window covering, metal panels and plantation. Plantation (Bahama) shutters are only allowed on a limited basis on the Villas and must have approval from the Villas Association accompany their ARC request form to obtain approval for installation. Shutters normally come in white, clear or beige. However, they can be color-coded to match the trim or body paint of the residence. Hurricane shutters, awnings, solar film and other window shading or decorations are subject to prior approval and control of the ARC.

Any hurricane or other protective devices visible from the outside of the home or unit shall be of a type as approved by the ARC and in accordance with the guidelines as promulgated by the ARC. No such devices shall be installed without the prior written approval of the ARC. If the hurricane or other protective devices consist of roll-down, accordion, clear panel, mesh/fabric shutters, galvanized or aluminum (painted to match the body color of the home), the owner may install, operate or place in the closed or down position those storm shutters for the purpose of securing the residence for any reason whatsoever. If the hurricane shutters or other protective devices consist of galvanized steel or aluminum panels, plywood or other style not listed herein, the owner may only install, operate or have in a closed or down position if and when the National Weather Service has issued a hurricane watch for the County or Municipality where the owners dwelling is located. Those styles not listed above must be returned to the open or up position within seventy-two (72) hours after such hurricane watch expires or is otherwise no longer in effect. If any owner fails to comply with the terms of this Section, such owner shall be subject to the imposition of fines as detailed in this Declaration.

SECTION 2.11 – Swimming Pools

No above ground swimming pools are permitted. Any owner may, if approved by the ARC, construct an in-ground swimming pool and screened enclosure on his property. In the event such construction requires entry on or access over an adjoining Lot, the entry or access shall be only with the **written** consent of the owner of the adjoining Lot. Consent may not be withheld without good cause.

Any resident requesting approval for a swimming pool must include letters of consent from their adjacent neighbors with the request form to the ARC. A site plan showing the location of the swimming pool and all related construction, including distance to property lines and golf course easements, along with require plantings, must also accompany the ARC Request Form.

Upon completion of a swimming pool and the installation of the cage or fence, a minimum of three (3), 3-5 gallon sized plants must be installed along three sides of the cage or fence.

SECTION 2.12 – Building Materials

In the marketplace, the term “building materials” often refers to ready-made products, made from various materials, which are fitted into the architecture of a building. New innovative products and concepts are continually being developed. The ARC’s responsibility is to continually assess these new products when presented to the committee by homeowners for project approval. The ARC decision on any new products will be based upon its architectural conformity to the community standards. Any materials utilized must receive written approval from the ARC prior to installation.

SECTION 2.13 Building Expansions

No building expansions, structure or other improvements shall be erected or altered on any lot, or other work which in any way materially alters the exterior appearance of any structure without prior approval of the ARC. Building expansions will require detailed drawings of the expansion showing the plot plan and all dimensions to the existing property lines of all surrounding structures and golf course/other lot easements. The ARC Submittal Form should also include any and all materials that will be used in changing the appearance of the building or structure. This will include, but not limited to: paint colors, window replacements, roof materials and colors or any other visual materials that will be added to the structure or building expansion. Any building expansion will require Village of Estero permits, letters of approval from adjoining neighbors on both sides along with an ARC request form. (Consent may not be withheld without good cause).

SECTION 2.14 – Stone/Veneer materials

Stone veneer is a product made from natural stone as well as manufactured stone. Stone veneer will be accepted on resident's homes based upon the following criteria: The product requested must first be presented to the ARC for approval and acceptance for color and style. The stone veneer product can NOT cover more than 1/3 of the front façade of the home. The veneer product must be installed to the structure using a non-corrosive anchoring system. If the veneer becomes damaged or detached, it must be repaired or replaced in a timely manner. No vinyl stacked stone siding will be allowed. No brick veneer products will be allowed. The stone veneer product should be installed in a professional manner so that it fits into the integrity of the community architecture.

SECTION 2.15 – Stone, Gravel & Mulch/Swale areas

Stone/Decorative gravel will not be permitted in the swale areas between the homes. If homeowners are experiencing standing water and drainage issues during the rainy season, a French drain system can be installed between the homes. The French Drain will consist of a ditch with perforated plastic or PVC piping covered in gravel. The piping should be sloped to direct the standing water away from the designated area of concern. The gravel and pipe must then be covered with top soil and new sod. Pavers and or concrete walkways may be allowed between the homes provided there is adequate space, and if so, a French drain MUST also be installed. In some instances, underground drainage systems connect the lakes and environmental areas

Section 2.15 cont'd:

together and are located between the homes in the swale areas. In these instances, the ARC will not approve any changes to the existing swale area.

Decorative stone/rock may be used in landscaping area with ARC approval. A sample of the proposed product shall be submitted to the ARC, along with a drawing of the location of the decorative stone/rock. Gravel is not an acceptable landscaping product. Mulch is acceptable landscaping material. Please ensure the color of the mulch coordinates with the home.

CHAPTER 3 AESTHETIC MANAGEMENT

SECTION 3.1 – Landscaping/Lawns

Florida Friendly Landscaping is NOT mandatory. If the homeowner chooses to install Florida Friendly Landscaping or wants to change the current landscape plan, they must submit a request to the ARC for review and approval. The request should include the type of plants to be installed and a copy of the site plan showing the location of the plantings. ***A Florida Friendly Landscape Plan must follow the strict rules and guidelines developed by the Florida Department of Environmental Protection and the University of Florida. It is the Homeowners responsibility to prove their landscape plan is Florida Friendly certified.*** No landscaping shall be installed, cut down, destroyed, or removed without the prior written approval of the ARC. No plantings may be placed within 5 feet of the swale between the neighboring homes.

Decorative landscape concrete edging may be installed in single family yards with prior approval of the ARC. The edging may be colored to match the color of the driveway. A site drawing showing the location and edging type must accompany the ARC request form.

SECTION 3.2 – Hedges

Hedges/ vegetation shall not exceed three (3) feet in width from the structure into the yard/ lot. Vegetation/ trees planted along sides of the structure must be no higher than eight (8) feet. Hedges/ plantings may not block the neighboring structures view of the lakes, golf course or preserves. Landscaping surrounding utility boxes, etc., may not exceed more than one (1) foot above the utility structure. Bushes/ plantings around water meter can be no higher than three (3) feet from the ground. All hedges and plantings must be kept trimmed and maintained in healthy condition. All hedges and plantings must be approved by the ARC.

SECTION 3.3 – Trees

Homeowners may plant or remove trees and shrubs on their property only with prior written approval from the ARC. Coconut Palms, fruit bearing, and non-native exotic trees/plants *are not permitted*. Trees added to Lots may not block the view of the lakes or golf course for neighboring structures. Trees requesting to be removed or cut down must be stumped or ground down. If a request to remove a tree is on or near CDD common property, approval MUST first be obtained from the CDD prior to subsequent approval from the ARC. Thus, there may be delays with this approval/denial. Please note: There is a requirement of three trees (2 of these 3 MUST be palm trees), with an initial minimum height of six (6) feet, per front of each house.

SECTION 3.4 - Solar Panels

Solar collectors, panels, roof vents and other installations on the roofs of structures, shall be permitted only at locations approved in writing by the ARC. The required solar operation mechanicals/boxes attached to the home must be screened by natural landscaping. No freestanding solar panels are allowed at any time, excluding solar powered landscape lights.

SECTION 3.5 – Outside Lighting

Except for what has been initially installed by the Developer, no spotlights, floodlights, or other outdoor high intensity lighting shall be placed or utilized upon any Lot which in any way will allow light to be reflected on any other Lot or the improvements thereon without written authorization of the ARC and Community Association. Solar landscape lights are allowed provided they are a single style. Colored lights, blinking/twinkling lights are allowed during fall and winter holidays and may be utilized beginning October 1st and ending January 30th. Operation may be from dusk to 12am. Colored lights for other federal/patriotic holidays shall be allowed for no more than 5 days. Colored lights for other occasions shall be allowed no more than 3 days. Strobe lights are not allowed.

SECTION 3.6 – Air Conditioners

Wall or window air conditioning or heating units are not permitted.

SECTION 3.7 - Outdoor Equipment, Garbage/Trash & Recycle Containers

All garbage containers, oil tanks, bottled gas tanks, permanently installed generators, swimming pools, spa equipment and housing, sprinkler pumps and other such outdoor equipment must be underground, or placed in areas not readily visible from the front of the residence, golf course and/or adjacent neighbor. Adequate landscaping must be used as screening around these items and maintained by the homeowner. Shrubs shall be no less than 5-gallon plants.

Section 3.7 cont'd:

No trash, garbage, refuse or rubbish shall be deposited, dumped or kept within the Community except in closed containers, dumpsters or other trash/garbage collection facilities deemed suitable by the Board or in properly sized closed plastic bags for curbside pickup as required.

Water hose bibs, hose reels and/or hose containers must be placed on the side or back of the residence.

SECTION 3.8 – Mailboxes/Lamp Posts

The installation and maintenance of all mailboxes and supporting post shall be the responsibility of the Master Association. If you have an issue with your mailbox, call the community center for resolution.

Front yard lamp posts and its supporting structure shall be uniform in style, appearance, and location, and are subject to regulations and approval by the ARC.

**CHAPTER 4
OUTDOOR ACCESSORIES**

SECTION 4.1 – Trampolines

Trampolines are not allowed anywhere within Stoneybrook

SECTION 4.2 Satellite Dishes

All satellite dishes, with ARC approval, must be placed within the edge of a roofline or near ground level, (no dishes allowed on roofs). It may be placed on the rear of a house or on the side of the house. If placed on the side of the house, it must be no more than 10 feet from the rear edge of the house. The dish may not be obtrusive and not interfere with any neighbor's views or property. No satellite dish may be installed on the front portion of any structure or front yard.

SECTION 4.3 - Basketball Standards (Movable)/ Soccer/Sports Nets

No permanent basketball standard and backboard may be placed on any lot. Portable (movable) basketball standard poles & backboards and temporary/ transportable soccer nets may be utilized with prior written approval of the ARC following these guidelines:

1. It cannot be permanently attached to the ground or any other structure.
2. Sports nets may be placed in the rear yards, but if not possible, it must be shielded from street view.
3. It must be removed or moved inside when not in use.
4. It must be kept in good repair and remain upright.

Section 4.3 cont'd:

5. It must be moved inside during extended absences from the home by occupant (vacation, etc.)
6. It must be moved inside at times of approaching tropical weather systems or when high winds are expected.
7. It shall not be placed on or near the roadway, sidewalk, walking path or cart path.
8. It shall not be placed in a location or position which is detrimental to any adjoining or adjacent property owners.
9. Soccer nets must be stored in the resident's home or garage when not in use.

SECTION 4.4 – Flag displays/Ornamental flags/Signage

Per Florida Statute 720.304 and subsequent *revision effective July 1, 2023*: A homeowner may display up to TWO of the following:

- The United States flag;
- The official flag of the State of Florida;
- A flag that represents the United States Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard;
- A POW-MIA flag; or
- A first responder flag that may incorporate the design of any other allowed flag permitted to form a combined flag.

A first responder flag is a flag that recognizes and honors the service of any of the following:

- Law enforcement officers
- Firefighters
- Paramedics or emergency medical technicians
- Correctional officers
- 911 public safety telecommunicators
- Advanced practice registered nurses, licensed practical nurses or registered nurses
- Person participating in a statewide urban search and rescue program developed by the Division of Emergency Management, or
- Federal Law enforcement officers

Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4.5 ft by 6 ft, which represent the United States Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, or a POW-MIA flag or First Responder, regardless of any covenants or restrictions, bylaws, rules, or requirements of the association.

Section 4.4 cont'd:

Condominium association unit owners may display one portable and removable flag on Patriot Day (September 11) that represents the United States Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard.

Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement or swale areas. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4.5 feet by 6 feet and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, or a POW-MIA flag or First Responder 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, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and location criteria contained in the governing documents. Additionally, lighted flagpoles must be low intensity type as not to interfere with, or shine upon any neighboring property.

Wall brackets (up to TWO) for display of the American Flag or any flag allowed per Florida Statute 720.304 may be permitted.

SECTION 4.4 (a) – Ornamental flags/banners

Ornamental flags such as "welcome" or sports team banners/flags shall be no larger than 20" by 16 inches and no more than 2 ornamental flags are allowed in the front of a residential home site. The flags must be placed in mulch beds ONLY.

At no time are political flags/signs/banners, commercial flags/signs/banners of any nature allowed to be displayed on a homeowners property.

SECTION 4.5 – Fountains

Decorative fountains may be installed in single family yards with prior approval of the ARC. The request should include a picture of the fountain size and drawings of the site indicating the fountain location.

Fountains and or water features must be placed within ten (10) feet of the structure.

SECTION 4.6 – Ponds

Ponds of any type or size are not permitted on the homeowner's property.

SECTION 4.7 – Children's Play Sets & Swing Sets

These units may be installed in rear yards of single family homes. Prior approval by the ARC is required before installation. The set must be installed within the extended lines of the sidewalls of the house and have landscaping plants around the set to hide it from view from the street or neighboring homes. The installed set can be no larger than 14' x 14' x 9' high.

Tree swings or anything that attaches to a tree is NOT permitted.

SECTION 4.8 – Outdoor Fireplace/Fire Pits

Except for homes with a built-in fireplace, due to the close proximity of the homes, absolutely no wood burning fireplaces of any type are allowed outside. This includes, but is not limited to, free standing brick or metal fireplaces. Propane fireplaces, within the confines of a deck or screened lanai, are allowed and must conform to all County Codes.

Fire pits are permitted to be placed ONLY WITHIN a screened lanai and must have the screen cover in place while the unit is in operation. Operating the fire pit with the cover off will not be permitted as open fires are not allowed by State and County Regulations. Open fires, and firepits placed in driveways, yards or grassy areas may NOT be used at any time.

SECTION 4.9 – Decorative Outdoor Materials "Yard Art" (SF Homeowners)

"Yard art" which includes, but is not limited to banners, fountains, sculptures, figurines, garden flags and flowerpots should be minimized in the front and side areas of the homeowners property. Outdoor decorative items shall be limited to plant pots of the same material and color. No more than eight (8) pots can be displayed in the planting beds or driveway at the FRONT and SIDE of the home. Pots with live plants can be buried in the planting beds.

- All pots shall contain live plants or flowers; otherwise, they must be stored in the garage.
- Pots should primarily be of the same size material and color
- Maximum of 8 pots should be visible from the street and/or neighbor. Decorative art is suitable for lanais

Sculptures and figurines should also be minimized to NO MORE than five (5) visible from the street and neighbors and the size should not be such that it overwhelms the landscape. Homeowners are encouraged to discuss their design plans with the ARC.

Banners and fountains are addressed elsewhere in these guidelines. Any variation from the guidelines requires ARC approval.

CHAPTER 5

HOMEOWNERS RESPONSIBILITY

SECTION 5.1 – Contractor Insurance

To help protect the community and the homeowner against claims of property damage, personal injury, or negligence, all contractors hired by the owner or Neighborhood Association is required to have updated insurance prior to entering Stoneybrook to work. A copy of the contractor's updated certificate of insurance should accompany the ARC Request Form. All general contractors licensed in Florida are required to have general liability and Workers Compensation insurance and cannot perform work without it. If the general contractor is utilizing a sub-contractor, make sure you receive an updated Certificate of Insurance/ Workers Compensation that covers the sub-contractor.

SECTION 5.2 - Conservation Areas

Areas within the Community designated as "Conservation Areas" are governed by the terms and conditions of Lee County and the SWFL Water Management. Residents/Owners are prohibited from any construction, structures, patios, filling, removal of earth, cutting or removal of trees and plantings within these designated areas. It is the responsibility of the residents/owners to ensure these areas are left undisturbed. The residents/owners shall indemnify and hold harmless the Community Association from any legal fees incurred due to any legal action brought on by any governmental agency due to violation of these provisions.

SECTION 5.3 - Owners Rights

Any person aggrieved by a decision of the ARC shall have the right to make a written appeal to the Board within thirty (30) days after notification of the decision. The determination by the Board, upon review of any decision, shall, in all events, be final, and shall not be unreasonably delayed.

Records of all ARC submittal forms will be retained in the Community Center Office and available for public review during normal business hours

