



Venetian Golf and River Club Property Owner's Association, Inc.

Approved By The POA Board

02 July 2019

RULES AND REGULATIONS

(PAGES 4-12)

AND

**ARCHITECTURAL CONTROL COMMITTEE
STANDARDS**

(PAGES 13-26)

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RULES AND REGULATIONS

The purpose of these RULES AND REGULATIONS is to supplement and provide a summary of those items set forth in the ARCHITECTURAL CONTROL STANDARDS and MASTER DECLARATION OF THE VENETIAN GOLF & RIVER CLUB (“Declaration”) that apply to everyday standards of living and property maintenance in the Community. The standards and criteria presented in these Rules and Regulations document are not necessarily all of the requirements applicable to a specific topic. Further details on many items covered here are available in the documents listed above. Compliance with the Community standards, rules and regulations will be verified through a routine, periodic inspection program. Enforcement is by the authority of the Property Owners Association (POA). All capitalized terms used but not otherwise defined herein shall have the meaning ascribed thereto in the Declaration. In the event that these Rules & Regulations conflict with language in the Declaration, the language in the Declaration shall govern the issue.

In accordance with the Master Documents of the Venetian Golf & River Club Property Owners Association, any changes made to the exterior of your property requires ACC approval BEFORE the work can be performed. Exterior modifications CANNOT begin unless there is ACC Approval of an Application filed by the homeowner. Please review the ACC Standards and Rules Regulations of the Venetian Golf & River Club (POA). When in doubt, fill out an application. If you live in a neighborhood association (HOA or Condo) you may need acknowledgement/review from them.

1.0 MAINTENANCE (Declaration Article 6)

Home maintenance is the periodic cleaning or repair of the physical building structure, including the house, pool cage, driveway, sidewalks, etc. Home maintenance may or may not require approval from the Architectural Control Committee (ACC).

1.1 Driveway/Sidewalk (including curb) Paver/Concrete Maintenance (Article 10)

Driveway and sidewalk pavers/concrete generally require periodic cleaning, most conveniently done when the roof is cleaned. In addition, weeds and grasses often take root in the joints between pavers, requiring periodic removal. Any sealer applied to the paver driveways and sidewalks must be clear with no color added and with a satin, not gloss finish.

1.2 Exterior Painting (Declaration Article 10)

Outside paint often becomes noticeably dirty and faded over time. Trim such as shutters and doors, especially where it is exposed to the weather, may require more frequent painting. Before proceeding with any external painting, the ACC criteria should be consulted and a Request for Design Review must be submitted to the ACC. The home/roof/driveway/sidewalk and curb must be clean prior to painting. Testing/confirming colors is the responsibility of the

homeowner/contractor.

1.3 Hurricane Shutters (Declaration 6.29)

The policy adopted by the Board regarding the types of hurricane shutters that are permissible follows:

No hurricane shutters of any kind may be deployed on the side walls or the front of a home, or on the rear of the home outside of the covered lanai screened area, except when an official tropical storm or hurricane watch or warning has been issued for Sarasota County. These shutters must be removed within 10 days after the warning or watch period has expired.

Metal shutters and fabric hurricane shutters which were provided by the builder and are painted or colored to match the home may be deployed inside the covered lanai screened area during the summer season.

Permanently installed storm shutters/hurricane protection, installed on the front or side of a home, must closely match the base color of the home, and if installed in the front entryway of a home the housing must be concealed.

Permanently installed fabric roll-down, metal roll-down, and accordion type shutters can be used to protect the rear covered lanai screened area as the homeowner desires. Their color must closely match the color of the walls of the home or the lanai. Permitted colors for metal are Bronze, Beige, Ivory, and White. Permitted colors for fabric are White, Bone, Black, Brown, and Grey.

1.4 Tile Roof/Gutter and Trim Cleaning (Declaration Article 10)

The cleaning cycle of roof tiles and gutters will normally be determined by the rate of mold or black stain accumulation on the tiles, which will vary depending on house location and orientation relative to the sun, nearby vegetation, amount of rainfall since the prior cleaning and color and pattern of the original tile. Any sealer applied to the roof tiles must be clear with no color added and with a satin, not gloss finish.

2.0 LANDSCAPE MAINTENANCE (Declaration Article 8)

Landscape maintenance is the on-going upkeep of healthy lawn, shrubbery and trees on the Lot. This type of maintenance does not require Architectural Control Committee (ACC) approval unless dead or dying grass or shrubbery is not replaced in-kind.

In accordance with the Community Wide Standards; it is the responsibility of the Owner and any Neighborhood Association, to maintain landscaping in a neat and trimmed manner. Trees require periodic trimming or pruning to remove dead or dying branches or to keep them in an attractive condition, especially Palms that do not naturally shed their fronds. The following illustration shows when a palm tree is due for trimming, and the ACC recommended trimming to the 9:00-3:00 o'clock position, along with an example of an over trimmed palm.



Typical Palm with
brown drooping
fronds



Recommended
9:00 to 3:00 trim



Improperly, over
trimmed Palm

Sabal (Cabbage), Bismarcia and Canary Palms should be trimmed at least once per year:

Sabal Palms should be trimmed as the lower fronds of the tree brown out. If a Sabal has four or more brown fronds, the rules Committee will advise the homeowner that the tree is overdue for trimming.

The following palms should be trimmed at least twice per year.

Queen Palms, Ribbon Palms, Sylvester & Medjool Palms.

Washingtonian Palms require trimming when the bottom ring of fronds brown out and droop around the trunk. Since Washingtonians grow at such a fast rate, they generally require trimming at least twice a year. The ACC recommends that one of those semiannual trimmings occur in May just before the start of hurricane season in June.

Rules will advise homeowners of Washingtonian Palm trees requiring trimming when the lower ring of fronds brown out and droop, creating a hula skirt appearance. The ACC recommends trimming Washingtonian Palms to the 9:00-3:00 o'clock position. (The Photograph below illustrates when Washingtonian Palms are beyond the point where trimming is required. A properly 9:00-3:00 o'clock position Washingtonian trim should be similar to the illustration in the preceding paragraph).



Photograph of Washingtonian Palms with lower rings of fronds browning out and drooping creating the "Hula Skirt" appearance.

2.1 Doors (Declaration Article 8)

Glass inserts for front doors must be ACC approved and meet all criteria of the current City of Venice building code. Inserts must be either leaded or clear colorless glass. The glass pattern may not contain depictions of animals or people. The ACC recommends that the door insert trim molding match the color of the door. Natural wood stain doors are allowed with ACC approval.

Screen doors on the front of the Home must be retractable (phantom screens); the trim of the retractable door must match the color of the front door. Courtyard homes with side entrance only are allowed to apply to ACC for installation of "other" screen doors. Screens on garage doors are prohibited.

2.2 Exterior Sculptures and Similar items (Declaration 6.27)

All exterior sculpture, statuary, fountains, bird baths/feeders, shepherd hooks seashells/decorative shells, decorative flags and similar items in the front of a Lot are prohibited. Artificial vegetation is not permitted except for seasonal or holiday decorations. However, nothing generally shall prohibit the appropriate display of the American flag. Decorative items may only be placed in the covered front entry/alcove of the Home or in the rear of the home. House numbers must be black, 4 inch high cursive, as installed by the

developer. Decorative or non-standard house numbers and/or signs are only permitted in the covered front entry/alcove of the home.

2.3 Irrigation

All Home landscapes are required to have an automatically controlled irrigation system. A schedule for system operation is issued periodically by the Venetian CDD, primarily when the scheduled irrigation times change due to rainy or drought conditions.

The schedule for each Home is based on the street number of the address, and is intended to distribute the locations of Homes scheduled for irrigation so that an adequate water supply is available and there is not a pressure drop in the system due to overuse of water in one specific area. Each Owner is responsible for making sure the irrigation system on their Lot is operating at the appropriate time, although the routine checking of the system may be delegated to landscape maintenance or other personnel. Although the water system is normally turned off during the days, the system normally is pressurized on designated wet check days so that routine sprinkler maintenance and checking can be performed. Designated wet check days are for irrigation system testing only. However, the Home irrigation system must be off during this time unless work is actively being performed by appropriate personnel. Individual homeowners are responsible for maintaining their irrigation system/battery/panel.

2.4 Lawn Mowing and Fertilizing

Other than in the colder months of the year when grass grows at a relatively slow rate, lawn mowing should generally be done weekly. Edging the grass along driveways, sidewalks and streets should be done as part of the mowing process to maintain a crisp, clean appearance. From June 1-September 30 no nitrogen or phosphate fertilizer may be used.

2.5 Potted Plants and Trellises/Accessory Structures (Declaration 6.27)

Pots and trellises should conform to ACC requirements (pots/planters/trellises) must have live plants. Trellises must be within 12" of structure wall and should blend into the surrounding vegetation in an aesthetically pleasing manner. Dead plants in pots/trellises should be replaced immediately, or pots/trellises must be removed from the yard.

The decorative pot size is limited to 2' x 4' in any direction or smaller. Courtyard, Carriage, and Villa homes may have 5 pots or less. Classics, Estates and Grand Estates may have 10 or less. No "nursery pots" are permitted.

Two (2) earth tone 12"x12"x8" hanging tree planters are allowed per lot.

2.6 Shrub Beds

Periodic pruning, fertilizer, insecticide and weed control are needed to maintain satisfactory looking shrub beds. Organic mulches such as cypress mulch or pine bark should be upgraded with additional mulch or replaced annually. Earth tone and lava rock beds should be

maintained by adding supplemental material on an as-needed basis to maintain a solid, uniform bed base and cover drip lines. White colored rock and shells for mulching/landscaping purposes is prohibited unless builder installed.

3.0 RESIDENTIAL LIVING STANDARDS (Declaration Article 6)

Residential living standards provide a degree of uniformity and quality of living in the community, as well as promote good relations between neighbors and the rest of the community.

3.1 Access by Property Owners Association (Declaration 6.45)

The officers, employees or designated agents of the Property Owners Association have a right of entry onto the exterior of each property to the extent reasonably necessary to investigate or enforce the provisions of the rules and regulations of the Property Owners Association. Such right of entry must be exercised in a peaceful and reasonable manner and the entry may be only upon reasonable notice whenever circumstances permit. Entry into the interior of any Home may not be made for any purpose without the consent of its Owner or occupant.

3.2 Animals and Pets (Declaration 6.7)

There are no restrictions on the size of household pets which are permitted to be contained in a Home, but no more than two household pets shall be permitted to be contained in a home, provided that the pets do not become a nuisance or annoyance to other owners. "Household pets" means dogs, domestic cats and other domesticated animals expressly permitted by the P.O.A., if any. Pets must be on a leash at all times and under control of the owner when outside the confines of the Home or lanai. Anyone walking a dog or pet is required to immediately remove pet droppings deposited by the animal, and to carry a bag or other means to do so. Pets may not be left unattended on the lanai or tied outside of the Home.

*See Master Declaration 6.7 for more detail on this rule

3.3 Contractor Work Hours

Normal working hours during the week are Monday-Friday 7:00am-7:00pm. Saturday hours are 9:00am-3:00pm. Homeowner contractors/maintenance services/landscapers are not allowed to work within the community on Sunday and major holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day), excluding any emergency services or special home deliveries.

3.4 Easement for Golf Balls (Declaration 6.33)

Every lot and other residential parcel and the common property is burdened with an easement permitting errant golf balls hit from the golf course to come upon a lot or other parcel, and for golfers at reasonable times and in a reasonable manner, to come upon the exterior portions of the lot (not including lanais) and other parcels to retrieve errant golf balls. In no way are

golfers relieved from liability for damages resulting from errant golf balls.

3.5 Extended Vacation or Absences (Declaration 6.42)

In the event a Home will not be occupied for a consecutive period of one month or longer, the Homeowner is responsible for preparing the home prior to departure. The Owner is responsible for: (a) removing all removable furniture, plants and other items of personal property from the exterior of the Home, including vehicles from driveway and or (b) designating a firm or individual which or who will be responsible to undertake his or her general maintenance responsibilities, if required and (c) compliance of POA Rules & Regulations and home maintenance year round.

3.6 Exterior Lighting (Declaration 6.26)

Incandescent or halogen bulbs may not exceed 30 watts, LED not to exceed 5 watts in each individual fixture installed. Site lighting may be incorporated in the landscape and architectural plans for a dramatic night time effect. Lighting can be used to accent architectural elements and specimen landscape materials. Lighting layout and product specifications must be included with the landscape plans. All lighting should be directed within your Lot, with no spillover onto adjacent Lots. The use of colored lenses is prohibited, except when used in holiday displays. All exterior lighting should only utilize bulbs of a warm white color (Technical Color Specification 2700 Degrees Kelvin), and must be of a constant burn (flickering/flame bulbs are not permitted.) Except for seasonal Christmas or holiday decorative lights, which may be displayed between Thanksgiving and January 10 only, all exterior lights must be approved by the ACC prior to installation.

3.7 Firearms (Declaration 6.13)

The discharge of firearms within the Community is prohibited. The term "firearms" includes "B-B" guns, pellet guns, and other firearms of all types, regardless of size.

3.8 Home Business Use (Declaration 6.34)

No trade or business may be conducted in or from any Home except that an Owner or occupant residing in a home may conduct business activities within the home so long as: (a) the existence or operation of the business activity is not apparent, disruptive or detectable by sight, sound or smell from outside the Home; (b) the business activity conforms to all governmental requirements; (c) the business activity does not involve persons coming onto the residential properties who do not reside in the VG&RC or door-to-door solicitation of residents of the VG&RC; and (d) the business activity is consistent with the residential character of Home and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the VG&RC.

3.9 Lake and Pond Access (Declaration 6.21)

An easement has been established for a distance of 10 feet on the land side of the control

elevation of each lake in the Community in order to permit legal access and maintenance of all lakes and ponds. Access to this area is limited to authorized maintenance personnel and Homeowners of the lot immediately adjacent to the easement area and their invited guests. No swimming, boating, playing, or use of personal flotation devices, shall be permitted in the lakes or ponds. Owners (whose property abuts lakes or ponds) and their guests may fish only from their own yard and that portion of the easement immediately adjoining the property or from Common Property or CDD property designated for fishing, if any. In an effort to maintain privacy for surrounding neighbors, Owners **CAN NOT** give or grant other residents or persons permission to fish from their lot or property. Owners must be present on the property while guests are fishing.

3.10 Leases and Rentals (Declaration Article 5)

Only Homeowners whose accounts are in good standing with the POA may lease their Homes. Leases shall be for a minimum period of two months and there may be a maximum of four 2-month rental arrangements in any 12-month period. No advertising for a lease less than a two-month term is permitted. Lease must be for the entire Home – no sublets allowed. Owners must provide the POA's Management Company with a copy of the written lease for approval prior to its inception. Lease applications can be accessed through the POA website by visiting www.venetianpoa.com. Overnight, weekend, weekly, monthly and other short-term rentals are prohibited. Lessees must complete a registration form at the security gate upon arrival and are expected to comply with the terms of the Declaration as well as the rules and regulations of the community. Homeowner is responsible for any damage caused by tenant.

3.11 Nuisances and Hazardous Materials (Declaration 6.8)

No noxious or offensive activity shall be conducted upon any portion of the Property, nor shall anything be done thereon which may become an annoyance or nuisance to the Community or its members. No flammable, combustible or explosive fluid or chemical substance shall be kept on any portion of the Property except such as are required for normal household use and same must comply with all applicable laws and ordinances and be kept within the home.

3.12 On-Site Fuel Storage (Declaration 6.28)

No on-site storage of gasoline or other fuels shall be permitted on any Property except that up to five gallons of fuel may be stored at each Home for emergency purposes and/or lawn mowers and similar tools or equipment. Standard sized storage tanks for propane gas grills are permitted. Underground fuel tanks are prohibited.

3.13 Parking and Vehicular Restrictions: Garages and Driveways (Declaration 6.5)

No motor vehicles of any type or nature or trailers or campers or boats or boat trailers may be parked upon any portion of the CDD owned property, except in areas specifically designated by CDD Board for such purpose; provided, however, that trucks and the like may be parked briefly for delivery/service purposes. Street parking during approved times is only allowed in the direction of traffic.

No unregistered motorized vehicles can be parked in any driveway or upon any lot. No commercial vehicle which includes but is not limited to the following may be parked in any driveway or upon any lot: vehicles with signage or other commercial identification, vans/pick-up trucks with ladder/pipe racks, vehicles with emergency lighting, cargo vans without side windows or passenger seating or any other vehicles as determined by POA. No pickup truck used for business purposes can be parked in the driveway if it has visible tools, building materials or construction debris unless these items are covered.

No vehicles under protective covers can be parked in any driveway or upon any lot. No vehicles can be parked on any portion of grass or extend into the sidewalk line. Motor Homes must be in pre-approved temporary parking areas as designated by the POA/CDD. Travel trailers, campers, boats of any kind and trailers are not permitted in any driveway or upon any lot, except for loading and unloading in driveways in accordance with the provisions of the Declaration; at all other times they must be parked completely within garages or outside of the Venetian.

No motor vehicle or boat repair work shall be conducted on any portion of the Property other than for very minor short term work on owner vehicles. No vehicles may be stored in a driveway for an extended period of time. Vehicles parked in driveways or on the street must have all the doors, hatches, hoods, trunks and such closed when vehicle is unoccupied or unattended. No overnight street parking between the hours of 1:00am-6:00am daily.

No automobile garage shall be permanently enclosed and converted to other use without the substitution of another enclosed automobile storage facility upon a Lot (which shall require prior ACC approval). A garage is defined as a storage facility primarily used for homeowners personal motor vehicles that are registered and operational.

All driveways in the Community shall be paved and of stable and permanent construction. The driveway base shall be concrete or brick paver. No driveway surface shall be painted, repainted, or otherwise artificially colored. The Condo Neighborhood Associations must receive approval from the ACC for any driveway/sidewalk changes. Asphalt is prohibited.

3.14 Signs (Declaration 6.23)

No signs, advertisements, notices or other lettering of any kind, including "For Rent" or "For Sale" or "political/campaign" signs may be erected on the Property or shown from within any Home or Unit if visible from the outside, unless specifically permitted in the Declaration or consistent with standards adopted from time to time by the ACC or otherwise approved in writing by the ACC or required by legal proceedings. Signs approved in accordance with the foregoing shall be displayed on an individual support not higher than three feet above ground level. 12" x 18" signs are permitted, with approved VG&RC design, one in the front and/or back in mulched islands areas only. Security signs are permitted, no larger than 1 square foot.

Open House/For Sale

The only "Open House" sign that may be placed anywhere within Venetian Golf & River Club is to be placed in the Resident's front yard.

Also, one sign will be allowed on Laurel Road adjacent to the Community Entrance.

(Signs are not permitted to be placed in vehicles other than those physically at the property for sale. All vehicular signage must be removed from view by 5pm each night, and may not be displayed in common areas of the community.)

Permitted "Open House" signs placed on a unit's front yard may not exceed 3' x 3' in size.

Please contact the POA office for permitted "FOR SALE" signage specifications.

Directional signage, and/or any other types of signage, in any area other than the two stated above, are not permitted. A maximum of 3 balloons are permitted on the property with an "Open House," and each balloon is not to exceed 12" (standard latex balloons fill to approximately 10", and an additional 2" is permitted to allow for "stretching.") Balloons may only be displayed during permitted "Open House" hours, from 1pm-4pm, on Saturdays and Sundays only.

Flags/banners are not permitted in the community. "Open House" and/or For Sale flags/banners are not to be erected and/or displayed within the community, at any time.

All solicitation for the purpose of marketing the home must occur within the unit and not in the common areas of Venetian Golf and River Club.

No brochures, business cards, advertising or flyers are to be left out or placed in any of the common areas, (which includes the Golf Club and the River Club,) referring to marketing, homes for sale and/or listings.

All Realtors/Unit Owners are responsible for actions of their guests.

Community Events

All other types of signage must be approved by the POA Property Manager. Requests must be submitted to the POA no later than 14-days prior to the event

Approved signage may be erected no earlier than 7-days prior to an event, and the sign must be removed no later than 1-business day after the event.

Signs must be professionally printed, (not on standard paper from a home/office printer, and not hand written,) and must have the dimension of 24" x 18".

Approved signage will be placed at the main gate entry to the community, and Community Association's may post their signage at the entrance to their respective neighborhood.

Signage promoting events for a monetary and/or political gain will not be permitted.

3.15 Trash (Declaration 6.9)

All areas of the Lot are to be maintained in a neat and orderly appearance. All trash must be kept in rigid containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition, and stored out of sight. Trash containers and standard city recycling bins may be put out after sunset the day prior to pick-up and must be removed by sunset the day of pick-up. Heavy duty plastic bags are permitted only if put by the curb on the

day of pick-up. Shrub and tree trimmings to be picked up by the weekly trash collection service may be placed at the curbside the day prior to the date scheduled for pick-up.

ARCHITECTURAL CONTROL STANDARDS

All homeowners in Venetian are automatically members of the Venetian Golf & River Club Property Owners Association, Inc. (the "Master Association"), and are required to maintain their membership in this Association and pay their annual dues. The Board of Directors of the Master Association "Board" has appointed an Architectural Control Committee (ACC), which reviews plans and specifications for modifications and additions in accordance with these guidelines. **(Section 8 of the Master Declaration fully explains the purpose and general rules for the ACC. Sections 6.3 and 6.43 addresses the right of the POA to address Rules and Regulations).** Only Homeowners may submit ACC forms and only Homeowners and contractors hired and accompanied by the Homeowner may speak at an ACC meeting. In the event that these Architectural Control Standards conflict with language in the Declaration, the language in the Declaration shall govern the issue.

All capitalized terms not defined herein shall have the same meaning set forth in the Master Declaration for Venetian Golf & River Club ("Declaration")

Step1: Preliminary Review: A preliminary review of the anticipated alterations and improvements should occur with the Property Owners Association Management Company ("Property Management"). At this time, conceptual ideas and drawings that you have conceived may be reviewed. This preliminary review is suggested to help avoid approval difficulties at the time of the final review and does not constitute approval. Final approval must be granted by the ACC.

Step 2: Final Review: When final drawings for anticipated alterations and improvements are complete, they must be submitted to the ACC for final approval. This information includes:

1. Site Plan showing the siting of the improvement or structure under Consideration on the Lot. Dimensions with relation to existing structures, easements and lot lines must be shown on the site plan.
2. For permanent structures, plans prepared by an architect and/or professional engineer as evidenced by their seal(s) include:
 - a. Floor Plan
 - b. Elevations depicting the Front, Rear and side views of the structure.

- c. Roof Plan
- 3. Drainage Plan
- 4. Irrigation Plan
- 5. Landscaping Plan
- 6. Exterior Lighting Plan (if applicable)
- 7. Color Sample Boards for Exterior Finishes
- 8. Required permits are the sole responsibility and liability of the Owner.
- 9. If an independent architect is consulted, applicant must bear full cost for consultation.

Completed plans must be submitted to the ACC. The ACC will make every attempt to review the plans at the next scheduled ACC meeting after the submittal. At this time, adjustments to the plans may be required. If the revisions are substantial, the ACC may require that the plans be resubmitted for review. Once the plans are approved, the Homeowner will be notified. No site clearing or construction work of any kind is permitted on the Lot until final approval is received from the ACC. Construction work must begin within six months of the final approval of the plans or the approval shall be void.

This Architectural Control Review Procedure must be followed to insure that the Contractor follows the Architectural Control Standards. The ACC may require inspection of the staking plan for your Home and Lot improvements before construction may begin. Intermediate inspections may also be done by the ACC at any time during construction to verify compliance with the approved construction drawings. Developer is exempt from ACC review and approval.

The review and approval of the ACC is limited solely to whether the respective plans or work meet certain requirements, standards, and guidelines relating to aesthetics and the harmony and compatibility of proposed improvements in the Community.

The ACC reviews plans and specifications solely for the Association and the Declarant and shall have no liability of any kind to any other party for any matter whatsoever, including but not limited to the conformance or non-conformance by any party with respect to these Standards. The ACC reserves the right to waive or modify any conditions of these Standards and no person shall have any claim as a result thereof. Any waiver or modification shall be considered a waiver of modification with respect to any other similar or different matter. The ACC may withhold or grant its consent in its sole and reasonable discretion.

1. **ACCESSORY STRUCTURES (Declaration 6.27)**

The siting of permanent play structures including swing sets and basketball backboards, etc., are not permitted. Portable basketball hoops are permitted as long as they are put away in the homeowner's garage when not in use, and by sunset each evening. Lawn furnishings and decorations such as; doghouses, birdbaths, pole-mounted feeders, flag poles (except as allowed by Florida statute), fountains, statues, gazing balls, shepherd hooks, sea shells and similar accessories are prohibited in the front of the house. Such

items may be placed in the back of the Home and are subject to the approval of the ACC. Planters and trellises with live plants in front of the Home are permitted but must be properly maintained. **Courtyard, Carriage, and Villa homes may have 5 pots or less. Classics, Estates and Grand Estates may have 10 or less. No “nursery pots” are permitted.** Trellises must be within 12” of the structure. Clothes drying lines may be permitted on Lots only in locations approved by the ACC. Decorative wall ornaments may not be used on exterior walls in the front of the Home; however, decorative items may only be placed in the covered front entry/alcove of the Home. Permanently installed awnings inside the cage used to shade the rear lanai area are permitted with ACC approval.

2. **ANTENNAE AND SATELLITE DISHES (Declaration 6.10)**

In accordance with Section 6.10 of the Declaration, antennae which broadcast a signal must be concealed and installed inside the Home. Because satellite dishes require an unrestricted ‘line of sight’ . . . a satellite dish **may be** mounted on the exterior of the home. The location and size of any such satellite dish **must be** approved by the ACC before it is installed . . . Insofar as possible, satellite dishes **should be** installed at the rear of the Home, below the roof line and screened from view in accordance with Section 4 Privacy Screening and Fencing.”

3. **APPEALS (Declaration 8.9)**

If approval is denied by the ACC and the Homeowner believes that the decision is unfair, the Homeowner may appeal to the POA Board.

4. **CONSTRUCTION SITE CONDUCT**

The contractor for your improvements is responsible for the conduct of the workers on the job and the condition of the site. The Owner is responsible for any damage to any Common Areas or Common Area improvements done by the contractor or any sub-contractor.

To ensure quality and safety of all workers, drugs and intoxicants are not permitted on any construction sites. The contractor is responsible for trash and debris from the construction activity that might litter the streets throughout the Community. Trash should be stored in a covered dumpster on the job site and be emptied on a regular basis. Construction sites are to be cleaned daily.

Fires are not permitted on construction sites. At the end of each day, workers must clean up the trash at the site and keep construction materials neatly stored. Construction trailers are not permitted on any Lots or common areas.

To preserve the natural areas of the Lot and preservation areas, barricades shall be constructed as necessary. Additionally, all vehicular traffic should be kept away from the area within the drip line of existing trees to prevent soil compaction of the root

zones. Damaged limbs and dead vegetation shall be removed from all sites.

5. **DRIVEWAYS/WALKWAYS (Declaration 6.5)**

The layout and materials used for the driveway, entry walk and walkways to the side yards create first impressions of your Home. Plain broom finished concrete, or concrete paver blocks in warm earth tones must be used for your driveway. Asphalt driveways are prohibited. The use of exposed aggregate as a paving surface is prohibited because these materials tend to deteriorate. The entry walkway to your Home should be wide enough to provide an entry statement to your front door. Walkway materials must be the same as, or compatible with, the driveway material. Stepping stones may be used as walkways to the side yards or placed in mulched areas on a Lot. The color scheme of these stones must match the entry walk paver or driveway and be of earth tones to blend in with either the grass or the mulch.

No epoxy coatings, elastomeric concrete finishes, paint or other similar concrete finishes will be allowed on driveways or walkways in the front of Homes. Any sealer applied to the paver driveways and sidewalks must be clear with no color added and with a satin, non-gloss finish. All homeowners and Neighborhood Associations must receive approval from the ACC for any driveway/walkway changes.

6. **EMERGENCY GENERATORS**

Emergency generators must conform to all utility, city, and county codes, be screened from view in accordance with section 4 Privacy Screening and Fencing and be fueled by natural gas. Weekly duty cycle must be during 10am-3pm, Monday through Saturday.

7. **EXTERIOR FINISHES (Declaration 8.1)**

All homes within the Community have a stucco finish. Various textures of stucco and the use of stucco bands are encouraged for variety. Wood and simulated siding materials are prohibited as exterior siding materials. All stucco walls must be painted or have approved color impregnation. Door and window trim must be finished to match or complement the materials of the elevations. Windows with reflective glass are prohibited. All gutters must be painted white with the exception of lanai/gutter downspout, which must match the lanai frame color. Downspouts must be painted white or the color of the exterior wall upon which they are installed. Roofs must be Barrel Tiles and of the color to match the color scheme of the House.

Glass inserts for front doors must be ACC approved and meet all criteria of the current City of Venice Building Code. Inserts must be either leaded or clear colorless glass. The glass pattern may not contain depictions of animals or people. The ACC recommends that the door insert trim molding match the color of the door. Natural wood stained doors are also allowed with ACC approval.

Screen doors (phantom screens), on the front of the Home must be retractable; the trim of the retractable door must match the color of the front door. Courtyard homes with side entrance only are allowed to apply to ACC for installation of “other” screen doors. Screens on garage doors are prohibited.

8. **EXTERIOR LIGHTING (Declaration 6.26)**

If replacing or changing the carriage fixtures (on either side of the garage) or installing landscape lighting, ACC approval is required. Incandescent bulbs may not exceed 30 watts, LED not to exceed 5 watts in each individual fixture installed. Site lighting may be incorporated in the landscape and architectural plans for a dramatic night time effect. Lighting can be used to accent architectural elements and specimen landscape materials. Lighting layout and product specifications must be included with the landscape plans. All lighting should be directed within your Lot, with no spillover onto adjacent Lots. The use of colored lenses is prohibited, except when used in holiday displays which are temporarily allowed during the designated holiday season. All exterior lighting should only utilize bulbs of a warm white color (Technical Color Specification 2700 Degrees Kelvin), and must be of a constant burn (flickering/flame bulbs are not permitted.)

9. **FINAL INSPECTION**

Upon construction completion, the Homeowner or contractor must give written notice to the ACC that the project is complete and ready for inspection. All trash and building materials must be removed from the site. The landscape contractor must have all of the landscaping installed and the sod in place. The irrigation system shall be completely tested and fully operational. Any unauthorized changes to the actual construction which vary from the approved plans must be cleared with the ACC before the final inspection is approved.

10. **HURRICANE SHUTTERS (Declaration 6.29)**

The policy adopted by the Board regarding the types of hurricane shutters that are permissible follows:

No hurricane shutters of any kind may be deployed on the side walls or the front of a home, or on the rear of the home outside of the lanai screened area, except when an official tropical storm or hurricane watch or warning has been issued for Sarasota County. These shutters must be removed within 10 days after the warning or watch period has expired.

Metal shutters and fabric hurricane shutters which were provided by the builder and are painted or colored to match the home may be deployed inside the lanai screened area during the summer season.

Permanently installed storm shutters/hurricane protection, installed on the front or side of a home, must closely match the base color of the home, and if installed in the front entryway of a home the housing must be concealed.

Permanently installed fabric roll-down, metal roll-down, and accordion type shutters can be used to protect the rear screened lanai area as the homeowner desires. Their color must closely match the color of the walls of the home or the lanai. Permitted colors for metal are Bronze, Beige, Ivory, and White. Permitted colors for fabric are White, Bone, Black, Brown, and Grey.

11. HVAC, MECHANICAL & ELECTRICAL EQUIPMENT (Declaration 8.1)

Window or wall air-conditioning units and water-to-air heat pumps are prohibited. Exterior equipment, such as condensers, water treatment systems, pool equipment, emergency generators, etc. must be screened from view in accordance with Section 4 Privacy Screening and Fencing.

12. IRRIGATION (Declaration 6.14)

To help insure a thriving lawn and plant materials, an automatic underground irrigation system is installed. To insure continuous expanse of healthy landscaping and irrigation, coverage is required from the back of the curb at the street to the property line or adjacent conservation easements. Irrigation systems are tied into the community water reuse system.

Areas of native vegetation shall not be irrigated because doing so will encourage undesirable weed growth. Irrigation heads must be placed to prevent spraying onto walks, driveways, and the walls of your home. No irrigation heads may be placed within two (2) feet of the walls of your Home. Your system must be designed with an automatic time clock so that watering may be completed per the established schedule by the CDD. This feature is especially critical when local governments require watering restrictions during seasons of inadequate rainfall. Hose reels should be hidden from view when not in use.

13. LANDSCAPING BARRIERS/EDGING (Declaration Article 8)

Landscape barriers must allow for proper drainage from the landscaping beds so that water does not build up close to the Home. The barriers must be green or brown to match either the grass or the mulch. Homeowners are not authorized to install barriers that are black, blue, yellow, purple, etc., or any other colors that do not have an earth tone. Landscape curbing, such as rubber or formed concrete curbing, if used as barriers around landscaping beds, must be tan, brown or beige in color and not higher than 3". Wood edging or curbing is prohibited.

14. LANDSCAPING BOULDERS (Declaration Article 8)

Size is limited to 3' (length) x 2' (width) x 1' (height) or smaller subject to an approved landscape plan. Courtyard and Carriage homes may have up to 2 boulders, Villa's up to 3, Classics up to 5, Estates and Grand Estates up to 7.

15. **LANDSCAPE AND IRRIGATION DESIGN**

Landscaping is an essential element of your Home. The ACC suggests that your design be completed by a registered landscape architect who will provide expertise for citing your Home and the proposed site improvements. All proposed landscapes must meet the minimum county requirement.

16. **LAWN MAINTENANCE (Declaration Article 8)**

Lawn areas of your Lot are to be sodded with approved St. Augustine species. Floratam sod is a recommended species due to its chinch bug resistance, though other hybrids of St. Augustine may be approved by the ACC. Empire Zoysia is also an approved grass and may be used only if it does not infringe upon neighboring properties.

Lawns need to be edged regularly to maintain a clean, crisp look. All areas which are not sodded, paved, or left in natural vegetation, must be covered with three inches of mulch to maintain soil moisture and to keep weeds out of planted beds. Pine bark, eucalyptus or cyprus are approved mulches, only earth tone colors are allowed. Red Lava Rock is also approved for planting beds. White rock/shell beds are prohibited.

17. **Lightning Protection Systems**

Lightning protection is not a do-it-yourself project. **Owner Installed Systems WILL NOT BE ALLOWED.** An improperly installed lightning protection system can be more dangerous than no system at all. Industry studies have proven that improperly installed systems, lacking proper terminations, non-compliant conductor sizing, improper earth grounding and lack of adequate exposed surface bonding can actually force the lightning strike to seek a path to ground through the structure when the proper drain path is incomplete, improperly bonded, or not adequately sized with catastrophic consequences. **Detailed Plans MUST be designed, prepared and sealed by a Florida Registered Professional Engineer.** Plans should include all necessary details as illustrated in the above diagram and as recommended by Underwriters Laboratories (UL), Institute of Electrical and Electronic Engineers (IEEE) and Lightning Protection Institute (LPI).

Lightning protection system installation is a specialty discipline. To ensure that a lightning protection system is installed in accordance with national safety standards – it is important to hire an experienced lightning protection contractor that is listed with Underwriters Laboratories. It is an absolute ACC Submission requirement to make sure your installer is a Lightning Protection Institute (LPI) CERTIFIED expert and

experienced in lightning protection (this is definitely not a DIY project). **(It is required that your ACC Application include the installing contractors UL-listing number and evidence of LPI credentials.)** Documentation of the installer's credentials MUST accompany your ACC application. An improperly installed system can result in devastating losses. Lightning protection systems should only be installed by trained, experienced lightning protection specialists – roofers, general contractors and electricians are typically not qualified to install lightning protection systems.

18. PLANS (Declaration Article 8)

Landscape plans must be completed at a scale no smaller than 1" = 20" and show all natural areas, proposed planting beds, sodded lawn, and all tree locations. The plans must also include a plant list with common and botanical names, plant sizes, and material spacing. Your landscape architect can best advise you of plant materials that are appropriate to the soils and drainage conditions of your Lot. Tree and shrub masses should be designed to moderate the climate of the living environments within and surrounding your Home. Breezes may be directed or buffered by the materials and trees planted to provide shade in the heat of the day. Shrub masses should be located so that your neighbor's views of the water or golf course are not inhibited (view is defined as a straight line projection of the side walls of the home to the rear of property). Natural areas may be enhanced with the addition of understory materials to create islands of landscaping in your yard. Native plant species must be preserved in these areas and various setbacks from these buffers to any site construction must be observed as regulated by pertinent government agencies.

19. POOLS & POOL/LANAI ENCLOSURES (Declaration 6.24)

Pools and decks shall not encroach upon utility easements located on your Lot. Above-ground pools and pools constructed of vinyl or other synthetic materials are prohibited. Spas may be constructed of concrete, wood or synthetic materials. All decking around pool and spa areas must be finished concrete, aggregate, elastomeric concrete finish, stamped concrete, tile, brick or concrete pavers. Pools and spas must be equipped with a sanitation system that utilizes saline (salt) chlorination. Stand alone spas may use bromine chlorination.

Pool and Lanai roof enclosures (that extend beyond the roof of the House) are required and should be with MANSARD roof shape to compliment the architecture of your Home and may not exceed the height of the Home. Swimming pool screen enclosures must be built within the side yard setbacks and may not be closer than 5' from the rear of the Lot unless the easement is greater than 5'. All aluminum enclosures must be painted a dark bronze color, the screen must have a charcoal color, and no mill finish aluminum is permitted. Super gutters must be bronze. All fasteners and cables must be stainless steel or Pro-Tec or equivalent.

20. PRIVACY SCREENING AND FENCING (Declaration 6.30)

“Landscape materials shall be used as necessary to provide screening and privacy within your yard. . . Service yard areas are used for the storage of trashcans, location of A/C compressors, pump equipment, pool equipment, satellite dishes, etc., each of which must be screened by a 4-foot high dense hedgerow, as much as possible. A list of permitted plant material which may be used in the hedgerows is included in these guidelines. Fences, gates or walls may not be constructed on any Lot, with the exception of an invisible electric fence.”

21. PROHIBITED TREE/PLANT MATERIAL (Declaration Article 8)

The following specific plants are prohibited in the Venetian community. They are prohibited because of their invasive tendencies, their ability to destroy native plant systems and other undesirable features. Any prohibited tree should be reported to the VG&RC POA Property Manager immediately and approval will be granted to remove any prohibited trees/plants ASAP.

Norfolk Pine and all pine tree variations

***Human-edible Fruit Trees**

*Fruit and vegetable plants are only permitted within the lanai enclosures

- | | |
|--------------------------|---------------------------|
| Ear Leaf Acacia | Downey Rose Myrtle |
| Elephant Ear Tree | Senegal Date Palm |
| Australian Pine | Bamboo |
| Brazilian Pepper | Punk Tree |

Royal Palms and Washingtonian Palms will NOT be approved to be installed.

22. RECOMMENDED LANDSCAPE MATERIALS (Declaration Article 8)

The use of native plant materials is encouraged because of their inherent adaptability to the area and low maintenance requirements. The following is a list of recommended plant materials that may be used for the landscaping of your Home at Venetian. Each of the plants is followed by notations indicating whether the plant is a native plant or a xeriscape plant. Several of the plants share all of these characteristics.

- “N” - Indicates native Florida plants
- “X” - Indicates xeriscape plants; plants which survive on natural rainfall with little supplemental irrigation.

| <u>COMMON NAME</u> | <u>BOTANICAL NAME</u> | <u>ADAPTABILITY</u> |
|----------------------|-----------------------|---------------------|
| <u>TREES:</u> | | |
| American Holly | Ilex opaca | N, X |
| Bottle Brush | Callistemon rigidus | X |
| Crape Myrtle | Lagerstroemia indica | X |
| Geiger Tree | Cordia sebestena | X |
| Golden Shower | Cassia fistula | X |

| | | |
|----------------------|----------------------------|------|
| Japanese Blueberry | Elaeocarpus decipiens | X |
| Jatropha | Jatropha integerrima | N |
| Laurel Oak | Quercus laurifolia | N |
| Ligustrum | Ligustrum japonicum | X |
| Live Oak | Quercus virginiana | N |
| Loblolly Bay | Gordonia lasianthus | N |
| Little Gem Magnolia | | N, X |
| Nellie Stevens Holly | Ilex x 'Nellie R. Stevens' | N |
| Southern Magnolia | Magnolia grandiflora | N, X |
| Sweetbay Magnolia | Magnolia virginiana | N |
| Trumpet Tree | Tabebuia sp. | X |
| Wax Myrtle | Myrica cerifera | N, X |
| Weeping Bottle Brush | Callistemon viminalis | X |
| White Geiger | Cordia boissieri | X |
| Oleander Standards | Nerium oleander "STD" | X |

APPROVED HARDWOOD TREE REPLACEMENT

| | | |
|---------------------------|----------------------------|------|
| American Elm | Ulmus Americana | |
| American Holly | Ilex opaca | N, X |
| Green / Silver Buttonwood | Conocarpus Erectus | |
| East Palatka Holly | Ilex Xappenuata and cvs | |
| Little Gem Magnolia | | N, X |
| Nellie Stevens Holly | Ilex x 'Nellie R. Stevens' | N |
| Red Maple | Acer Rubrum | |
| Shady Lady | Bucida Buceras | |
| Southern Magnolia | Magnolia grandiflora | N, X |
| Southern Red Cedar | Juniperus Silicicola | |
| Sweetbay Magnolia | Magnolia virginiana | N |
| Yaupon Holly | Ilex vomiteria | N, X |

PALMS:

| | | |
|-------------------------|----------------------------|------|
| Areca Palm | Chrysalidocarpus lutescens | X |
| Cabbage Palm | Sabal palmetto | N, X |
| Canary Island Date Palm | Phoenix canariensis | X |
| Needle Palm | Rhapidophyllum hystrix | N, X |
| Paurotis Palm | Acoelorrhaphe wrightii | N, X |
| Pindo Palm | Butia capitata | X |
| Pygmy Date Palm | Phoenix roebelenii | X |
| Washington Fan Palm | Washingtonia robusta | X |
| Foxtail Palm | Wodyetia bifurcate | X |
| Chinese Fan Palm | Livistonia chinensis | |
| Queen Palm | Syagrus romanzoffiana | |

| | | |
|---------------------|--------------------|---|
| Bismarck Palm | Bismarckia nobilis | X |
| Sylvester Date Palm | Phoenix Sylvestris | X |

SHRUBS AND MEDIUM SIZED PLANTS:

| | | |
|------------------------|---------------------------------------|--------|
| African Bush Daisy | Gamolepis chrysanthemoides | X |
| Anise | Illicium floridanum | N, X |
| Azalea | Rhododendron species | |
| Bougainvillea | Bougainvillea sp. | X |
| Burford Holly | Ilex cornuta "Burfordii" | X |
| Buttonwood | Conocarpus erecta | N, X |
| Croton | Codiaeum variegatum | X |
| Dwarf Firebush | Hamelia Patens 'Compacta' | N |
| Dwarf Indian Hawthorne | Raphiolepis indica | X |
| Firecracker plant | Russelia equisetiformis | X |
| Hibiscus | Hibiscus rosa-sinensis | N |
| Indian Hawthorn | Raphiolepis indica | X |
| Juniper | Juniperos chinensis | X |
| King's Mantle | Thunbergia erecta | X |
| Lion's Ear | Leonotis leonurus | X |
| Loropetalum | Loropetalum chinese var rubrum 'Ruby' | X |
| Oleander | Nerium oleander | X |
| Orange Jessamine | Murraya paniculata | X |
| Pampas Grass | Cortaderia selloana | X |
| Pittosporum | Pittosporum tobira | X |
| Podocarpus | Podocarpus & macrophyllus | X |
| Porterweed | Stachytarpheta jamaicensis | Varies |
| Plumbago | Plumbago auriculata | X |
| Princess Flower | Tibouchina urvilleana | X |
| Rain of Gold Thryallis | Galphimia glauca | X |
| Rosemary | Rosmarinus officinalis | X |
| Ruddy Rose | Ruspolia hypocrateriformis | Varies |
| Sadankwa Viburnum | Viburnum suspensum | |
| Texas Sage | Leucophyllum frutescens | X |
| Turk's Cap Hibiscus | Malvaviscus penduliflorus | N |
| Walter's Viburnum | Viburnum obovatum | N |

VINES, GRASSES AND GROUND COVERS:

| | | |
|----------------|----------------------|--------|
| African Iris | Dietes vegeta | Varies |
| Algerian Ivy | Redera canariesis | X |
| Amaryllis Lily | Amaryllis sp. | X |
| Blanket Flower | Gaillardia pulchella | N |
| Bromeliad | varies | Varies |

| | | |
|----------------------|----------------------------------|----------|
| Cardboard Plant | Zamia furfuracea | X |
| Coontie | Zamia pumila | N, X |
| Creeping Fig | Ficus pumila | X |
| Crown of Thorns | Euphorbia milii | X |
| Daylily | Hemerocallis sp. | X |
| Dwarf Oyster Plant | Tradescantia spathacea 'Dwarf' | Invasive |
| English Ivy | Hedera helix | |
| Fuchsia Skullcap | Scutellaria suffrutescens | |
| Gaura | Gaura lindheimeri | |
| Liriope | Liriope muscari | X |
| Milkwood | Asclepias curassavica | Varies |
| Modo Grass | Ophipogon japonicus | X |
| Parson's Juniper | Juniperus chinensis "Parsonii" | X |
| Periwinkle | Vinca major | X |
| Pentas | Penta sp. | X |
| Salvia | Salvia sp. | N, X |
| Shore Juniper | Juniperus conferta | X |
| St. Augustine Grass | Stenotaphrum secundatu | X |
| Tampa Vervain | Glandularia tampensis | N |
| Trailing Lantana | Lantana montevidensis | X |
| Variegated Flax Lily | Dianelia tasmanica 'Variegata' | Varies |
| Zoysia Grass | Emerald cultivar Zoysia japonica | |

23. **REPAINTING (Declaration 8.1)**

If a Homeowner intends to repaint the Home in its original colors, an application must be submitted to the ACC. The application must include the color sheet or formulas provided by Sherwin Williams, Scott Paint or other evidence that shows the original colors of the home when it was built and painted by the Declarant. Satin finish is the required standard.

If a Homeowner wishes to change the color of a Home, the Homeowner must use another original and complete color scheme created by the Declarant that is used on an existing Home as approved by the ACC. The entire exterior must match the proposed color scheme. The Homeowner may not choose the color scheme of a Home immediately to the right or immediately to the left of his Home, nor that of the Home directly across the street. "Before" photos must be submitted as part of the process.

Any change in the colors of your doors, window trim, or home during repaint is subject to ACC approval. Color swatches and/or paint formulas are to be submitted with the ACC request for approval, as well as the address of the Home of which the color scheme is being duplicated.

The home/roof/driveway/sidewalk and curb must be clean prior to painting. Testing and

confirming colors is the responsibility of the homeowner/contractor.

24. SOLAR PANELS (Declaration 6.11)

Applications to install solar panels on a Home must include the following items: Pipes on the roof and going down the wall of the Home must be painted to match the color of the roof and wall, respectively

A drawing and plat showing the orientation of the Home on the Lot and North duly noted must be submitted with the application, illustrating where the solar panels will be installed. Samples of construction materials may be required prior to approval.

For Homes that are still under warranty with the Declarant, Homeowners are notified that installing solar panels may void the roof warranty.

25. TREES & TREE REMOVAL (Declaration 6.35)

Existing trees that occur on the Lots within the “Venetian” (VG&RC) should be retained to the greatest extent possible. Trees add value to the Lots and create a sense of permanence and maturity. No trees shall be removed except for diseased or dead trees and trees needing to be removed to promote the growth of other landscaping or for safety reasons. Removing any existing tree(s) must be approved by the ACC and such removal may be conditioned upon replacement of the removed trees.

The Venetian front yard street-scape currently includes Oak trees, Magnolia, Holly (as well as other approved hardwoods), Foxtail Palms and/or Sabal Palms, making trees key elements of the landscape throughout the community. As a result, the VG&RC POA organization wants to maintain the quality and quantity of mature trees on the property, in particular, the street-scape or street view. The desired tree count is to include at least one hardwood tree (8’ minimum overall height, 10’ is recommended) and at least two palm trees (8’ minimum Clear Trunk, 10’ is recommended) on each single lot in the Venetian. If NO mature street-scape trees are installed on the property, the VG&RC POA organization may request such trees to be installed on one’s property.

Homeowners in the Venetian have a responsibility to meet “City” (City of Venice) and “County” (Sarasota County) tree ordinance regulations. If a building permit or a landscaping permit is required by the City of Venice or Sarasota County, the homeowner is responsible for obtaining the necessary permits. Approval **MUST** be granted by Sarasota County to remove hardwood trees and/or sabal / cabbage palms within seven (7) years from the initial Certificate of Occupancy (CO). CO dates can be found by visiting the Sarasota County Property Appraiser’s website and is required for each ACC application involving a tree removal request. If proof of a Tree Permit approval from Sarasota County is not provided to the ACC for trees that fall in this category or an official statement from the County saying that a Permit is not required,

the ACC cannot provide approval for the removal of these trees and will, therefore, deny the application.

The landscape plans submitted for your Lot must show existing trees and indicate whether the trees will be preserved, relocated or removed. If requesting removal, the landscape plans must show which appropriate replacement tree will be installed and indicate the location of each tree.

If any palm tree is removed from one's property, it must be replaced with a permissible approved Florida Grade 1 replacement palm tree and meet the criteria listed in items A & B.

If any hardwood tree is removed from one's property, it must be replaced with a permissible approved Florida Grade 1 replacement hardwood tree and meet the criteria listed in item C.

Any tree removal/replacement requires that utilities be marked out by calling 811 prior to the work being performed as this is a stipulation of all ACC approvals.

A. Removal of Washingtonian Palms and other Mature Palm Trees. Palm trees may be removed from a Lot with ACC approval. If a Homeowner removes one or two mature palm trees (meaning that it is a tree with greater than 6' clear trunk) the Homeowner must replace the removed palm(s) with at least one approved palm tree. If a Homeowner would like to remove three or more mature palm trees, the Homeowner must replace the removed palm(s) with a quantity of trees at least equal to the number removed, less one. Replacement trees for mature Washingtonian Palms or for other Mature Palm trees are to have no less than 8 Feet Clear Trunk, 10 Feet is recommended clear trunk unless approved otherwise by the ACC. The following are recommended replacements for mature palm trees: Foxtail Palm, Queen Palm, Sabal Palm, Cabbage Palm, Sylvester Date Palm, Bismarck Palm, etc. Other palms are allowed to be installed with ACC approval. Please see the list of permissible replacements for palm trees as provided in section 23. Please see section 25 for clarification on the size requirement.

B. Removal of Small Palm Trees such as: Areca Palm, Paurotis Palm, Pygmy Date Palm, Chinese Fan Palm and any other palm under 10' in height. If a Homeowner removes one small palm tree, it must be replaced with an approved palm tree of at least the same height. Please see the list of permissible replacements for small palm trees as provided in section 21. Please also see section 25 for clarification on size requirement.

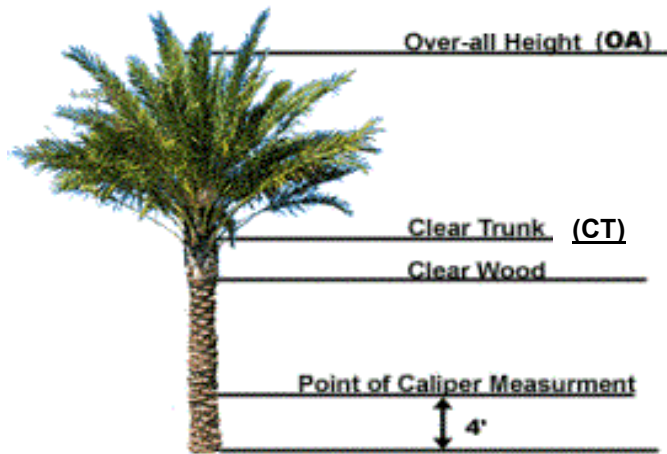
C. Removal of Oak Trees and other Mature Hardwood trees. A mature hardwood tree (i.e. hardwood tree over 6' in overall height) may be removed from a Lot with ACC approval. If removed, the hardwood tree must be replaced with one of the approved listed hardwood trees (see section 21). All replacement trees must be a

minimum of no less than 8 Feet in overall height, 10 Feet is recommended, at least three-inch caliper, and a minimum of Florida Grade 1 quality. One (1) hardwood tree of some variety should remain on each property at all times in line with Tree Permits issued according to City and County tree ordinance and regulations.

26. Clarification on Clear Trunk (CT) vs. Overall Height (OA)

ACC Rules dictate the height requirements of replacement trees to provide a consistent and mature look to the plantings in our development, and to ensure the survivability of the transplanted tree. In most cases, any replacement tree must have an **Overall Height (OA)** requirement of no less than 8 Feet, 10 Feet is recommended. For Foxtail Palm Trees and Cabbage or Sabal Palm Trees, the minimum requirement is no less than 8 Feet, 10' Feet **Clear Trunk (CT)** is recommended.

This diagram illustrates how the ACC interprets these measurements:



Clear Trunk is measured from grade to where the lowest frond connects to the trunk