



The Pelican Sound Architectural Review Committee Guidelines and Procedures

Exhibit “E” of the
Pelican Sound Declarations

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The Pelican Sound Architectural Review Committee

The Architectural Review Committee (ARC) is a committee of volunteer homeowners, **required and** authorized by Florida Statute 720.3035, the Declaration of Covenants, Conditions, Restrictions and Easements for Pelican Sound Golf and River Club (Article XIII) and the Bylaws of Pelican Sound Golf and River Club to establish and enforce guidelines and procedures which will ensure that long term architectural changes and landscape design remain consistent with the development theme of Pelican Sound.

The chairperson of the ARC is appointed annually by the President of the Board of Directors. The Committee Evaluation Panel (CEP) and the chairperson annually recommends a minimum of two, but no more than six members in good standing for BOD approval. ~~ARC agendas and meeting notices are posted in the Clubhouse.~~

ARC Jurisdiction and Authority

The Declaration of Covenants, Conditions, Restrictions and Easements for Pelican Sound Golf and River Club and the Bylaws of Pelican Sound Golf and River Club establish that the ARC shall have exclusive jurisdiction over the following:

- a) All exterior alterations, improvements or modifications to any homeowner's property
- b) Any interior installations which are visible from the golf course, common property or other homeowners' lots
- c) **Any hard surface flooring, second floor and above in multi-family homes**
- d) All homeowner construction, clearing, excavating, grading or other site work
- e) Any installation or removal of landscaping, including flowers, plants, trees or shrubs. The Covenants and Bylaws further establish that the ARC with the approval of the NVRs has the sole and full authority to prepare and amend the Guidelines and Procedures as well as establish reasonable fees including post- application fees, to be charged for the review and processing of applications.
- f) Notwithstanding the previous ~~four~~ **five** provisions, the Board of Directors retains the authority to issue limited moratoria of up to six months in order to study the implications of an ARC decision where it has far reaching impact on the Pelican Sound Community.
- g) **In order to protect the integrity of the original development plan and preserve the values of all living units, except for the initial construction by the Developer any of the living units (both single family and multi-family), no additional building or structure, that is not structurally attached to the original living unit shall be allowed or constructed.**

ARC Objectives

In order to maintain architectural consistency and compatibility within Pelican Sound, the ARC has established the following objectives:

- a) To promote residents' awareness and understanding of the Architectural Guidelines and Procedures
- b) To maintain and enhance the property values and aesthetics within Pelican Sound
- c) To assist residents in the preparation of the ARC application
- d) To maintain appropriate ARC Guidelines and Procedures

ARC Guidelines and Procedures

These guidelines and procedures have been prepared by the ARC, approved by the PS BOD, and ratified by the Neighborhood Voting Representatives (NVRs) to provide direction to all residents and property owners for any landscaping, exterior structural changes, or interior installations as outlined in this document.

All residents and property owners are subject to these guidelines. It is their responsibility to familiarize themselves with and abide by them. The submission of an Architectural Review Application form and the written approval of the Pelican Sound ARC is required prior to the initiation of any architectural or landscape work. If exterior architectural or landscape changes have been made without ARC approval, a homeowner still is obligated to file an ARC application. Failure to do so will result in a notice of violation and subsequent sanctions.

Exceptions to the above statements are the following which DO NOT require ARC approval:

- a) Exterior repairs, replacement or maintenance that are *exactly* the same as current features
- b) Any interior changes that are not visible from common property, a neighbor's lot or the golf course with the exception of flooring. See Table of Contents: Floors.

It is the ARC's responsibility to review each application for compliance with the established guidelines. It should be noted that any architectural or landscaping condition or material not specifically defined herein shall, nevertheless, become a matter for the consideration and determination of the ARC. The ARC shall have the authority to secure the services of specialists, consultants or experts in the event support is required from professional engineers, attorneys or others in the performance of its duties.

Amendments to the Guidelines and Procedures

The ARC Guidelines and Procedures may be amended from time to time to provide clarification, or to reflect changing conditions, regulations, laws or technology. The ARC will conduct an annual review of the documents to evaluate potential amendments. These reviews are to be completed by the end of January of each calendar year. The ARC Guidelines and Procedures are not intended to be all inclusive or exclusive but rather to serve as a benchmark.

ARC Guidelines and the Neighborhood Associations' Guidelines

Individual Neighborhood Association documents may include additional rules or guidelines which may be more restrictive, but not less restrictive, than ARC Guidelines. Neighborhood rules will be enforced by the neighborhood BOD/ARC or their property manager. Each homeowner should review Neighborhood Association documents for their specific requirements.

The Role of Pelican Sound Club Administration

The Pelican Sound Club Administration is responsible for the routine implementation of the guidelines and procedures. These duties consist of the following:

- a) Approval of any applications for pre-approved items
- b) Correspondence in regard to approved or unapproved applications
- c) Inspections
- d) Violation notices
- e) Record keeping

Inspections

The ARC and/or the Pelican Sound Club Administration have the right to enter upon any property to inspect for compliance.

- a) Club Administration/ARC will conduct on-going quarterly inspections.
- b) Inspections may be made at other times if a violation has been noted or a complaint has been filed.
- c) The NVRs and Property Managers will be notified of the dates and times of inspections.

Record Keeping

Club Administration will maintain an up-to-date set of comprehensive records that will include, but not be limited to the following:

- a) A log by neighborhood of all non-compliance
- b) A log by neighborhood of all applications and their status
- c) A file of original copies of all ARC applications
- d) A summary of ARC applications processed by year and by neighborhood
- e) A Change of History Log to identify changes to the ARC Guidelines and Procedures

The ARC Application Procedure

Application forms (Exhibit A) are available on the Pelican Sound website and at the Pelican Sound Club Administration office located in the Golf Club. When filing an application, please keep in mind that Pelican Sound was designed as a planned community. Therefore, the latitude for exterior changes is limited. The detailed procedure for submitting an application (Exhibit B) can be obtained at the Club Administration office or on the Pelican Sound website at www.pelicansoundgrc.com.

The basic steps are as follows:

- a) The homeowner or NVR/Property Manager submits a completed application and fee (if applicable) to the Pelican Sound Club Administration office.
- ~~b) The NVR submits a completed application and fee (if applicable) for exterior (common property) changes around the multiple family buildings.~~
- c) The application is filed in the Club Administration office and then forwarded to the Architectural Review Committee and the NVR and Property Manager of the neighborhood in which the work is to be done.
- ~~d) The application is submitted to the Neighborhood Association for review and recommendation. The application is forwarded to the ARC for approval.~~
- ~~e) Completed and approved paperwork is returned to Club Administration office for filing.~~
- f) Once the ARC has met and reviewed the applications, copies of the completed paperwork are forwarded to the homeowner, and the Neighborhood Association NVR and the Property Manager.

The ARC must review each application. ~~Individual members of the ARC may not approve or reject applications from their own neighborhoods either before submission to the ARC or during the ARC~~

~~application review process.~~ **An individual member of the ARC must abstain from any decision involving their own property.** The ARC can waive the submittal and approval process in the case of emergency repairs.

An approved application from the Pelican Sound ARC does not waive the following:

- a) The need for any applicable local, county or state code requirements;
- b) The need for any applicable technical or engineering specifications or governmental requirements.

Contractors and Permits

- a) Prior to the commencement of any work, it is the homeowner's responsibility to obtain all necessary permits and to meet **the Village of Estero Lee County** Building Codes. To insure compliance, the homeowner may wish to assign this responsibility to the contractor. A homeowner who has questions about permitting and codes should contact ~~Lee County~~ **the Village of Estero** at (239-332-2737/221-5036).
- b) Any contractor, subcontractor, agent, employee or invitee who fails to comply with the ARC Guidelines and Procedures may be excluded from the Pelican Sound property without liability to any Club employee, the Board or any ARC member. Prior to exclusion, the above shall have the right to the Appeal Process outlined in this document.
- c) ~~It is strongly recommended that any~~ **All** contractors **must** be licensed and able to provide proof of insurance. The use of an unlicensed, uninsured contractor could result in a homeowner being held liable for any injuries, unpaid sub-contractors, or damages to the homeowner's, the Club's or a neighbors' property.

Changes Made Without an Application

- a) Club Administration will send a letter to all homeowners informing them of a forty-five (45) day grace period during which they must file an ARC application for unapproved property changes.
- b) Residents who don't submit timely applications will be considered in violation and subject to the violation procedure.

Violations

Any alteration or work done without prior ARC written approval or not in accordance with ARC Guidelines and Procedures shall be considered a violation. Any violations of ARC Guidelines and Procedures will be handled as follows:

- a) When an ARC application is rejected and the homeowner begins or has already begun the work, Club Administration will contact the homeowner by phone or email asking how and when the violation will be corrected. Failure of the homeowner to respond within ten (10) days to this request will require that a letter of non-compliance be sent. (See item b)
- b) The Neighborhood Association, the homeowner, and the neighborhood property manager will receive a non-compliance letter (Exhibit D) from Pelican Sound Club Administration which will request that the violation be corrected within forty-five (45) days after receipt of the letter. If the homeowner wishes to appeal the violation notice or extend the timeline for completion, the appeal or timeline requests must be submitted in writing within the forty-five (45) day time frame. (See appeals below.)
- c) If the violation is not corrected by the end of the forty-five (45) day period, Pelican Sound Club Administration will notify the Architectural Review Committee.

The ARC will review the violation and make a recommendation to the Pelican Sound Board of Directors. The Board will decide what action will be taken based on the ARC recommendation and in accordance with the process described in 'Enforcement' below. If the violation requires investigation, the Board of Directors will

refer the matter to the Investigative Committee and will decide what action needs to be taken based upon the Investigative Committee's recommendations. The homeowner, the Neighborhood Association and the neighborhood Property Management Company will be notified that the complaint has been filed.

Outstanding Violations

- a) Any application for the sale, rental or lease of a home will be denied if the resident has any outstanding violations. Club privileges will not transfer until the violation is corrected.
- b) When Club Administration receives notification that a home is to be sold, the property will be inspected to ensure there are no outstanding violations.

Violations Created by WCI or Previous Owners

- a) Homeowners found in violation will be allowed *forty-five* (45) days to submit an ARC application.
- b) The ARC will review and resolve this violation on an individual basis. No precedent will be established.
- c) As a condition of approval, the homeowner may be required to make future modifications that will bring the violation into compliance.

Modifications That Are Not Visible

- a) Modifications and alterations that are not visible from the abutting street, ~~or~~ road, **parking lot**, the golf course, adjacent property or common property will generally not be considered violations so long as the modifications or alterations do not materially adversely affect the health, safety, welfare, wellbeing and the general aesthetics of the surrounding community in the ARC's sole and unbridled discretion.

Enforcement

Upon the written request of Pelican Sound Club Administration, the homeowner will, at his cost and expense and within the allotted time frame, be required to correct the non-conformance to the satisfaction of Pelican Sound Club Administration and ARC. This correction must include the restoration of the property to substantially the same condition as existed prior to the non-conforming work or to comply with current ARC requirements as documented in these Guidelines and Procedures. Should the homeowner fail to comply, the Club shall have the right to enter upon the property, remove the violation, and restore the property as stated above. All costs, including interest, administrative fees, an administrative surcharge equal to ten percent (10%) of the total costs, fines and loss of Club amenities may be assessed by the Board against the homeowner and/or Neighborhood Association.

The Board of Directors has the authority on the behalf of the Club to enforce ARC decisions in a court of law. The BOD has the right to lien lots for actionable violations of these Guidelines and Procedures and the decisions of the ARC. Liens shall include, but not be limited to, remedial action taken by the Club as well as costs and prevailing party recovery of all court costs, expenses, and reasonable attorney's fees incurred by the Club in prosecuting its claim. The Club shall indemnify and hold harmless each member of the ARC from all costs, expenses, and liabilities, including attorney's fees, incurred by virtue of any service by a member of the ARC.

Appeals Procedure

If a homeowner wishes to appeal an ARC decision or an ARC Violation Notice, the following steps should be taken:

- a) A written request for an appeal of an ARC decision or violation notice must be received by the ARC *no later than forty-five* (45) days from the date the decision was made or Club Administration's

violation notice was issued. The homeowner must also send a copy of the request to the Neighborhood Association. The appeal will be heard at the next scheduled ARC meeting (see Exhibit E).

- b) If a homeowner wishes to appeal **the reasonableness of any fine or suspension of membership privileges that a sanction imposed by the BOD proposed to impose as part of its enforcement of an ARC decision**, a written appeal must be submitted to the Appeals Committee, **and the normal appeal procedure set out in the Club's bylaws shall apply. Except for the foregoing, the Appeals Committee shall have no authority to review any other aspect of the Board's enforcement of the ARC decision or the ARC decision itself, provided ARC has complied with the Club documents and that due process was followed.** ~~a standing committee appointed by the president and reporting directly to the Board of Directors. The only responsibility of the Appeals Committee is to determine that due process was followed and to insure compliance with Club documents. The Appeals Committee has no authority to challenge ARC judgments or decisions. This is not a Board issue since the ARC is an independent body.~~

VariANCES

The ARC can authorize variances from any of these Guidelines and Procedures when they are required by such circumstances as aesthetics, the environment, hardship, topography or natural obstructions.

The Pelican Sound Architectural Review Committee Guidelines

PRE-APPROVED ITEMS

To insure expediency, the following items are pre-approved; **however**, an ARC application is required to demonstrate adherence to community standards.

- a) Screen doors (p10)
- b) Radon mitigation (p18)
- c) Solar energy collectors (p12)
- d) Flooring on upper floors (12)
- e) Gutters and downspouts (p13)
- f) Hurricane shutters (p13)
- g) Screen enclosures **doors** (p11)
- h) Lanai and pool cage rescreening (p14)

Air Conditioning Units

- a) Window air conditioning units are prohibited on any home except during long term power outages.
- b) Air conditioners and associated equipment are to be concealed as well as possible. (Additional information –page 13)**

Ancillary Equipment

The following are not allowed on homeowners' lots:

- a) Patios, trash or compost containers, water storage tanks, storage units and similar equipment, other than pool, spa and filter equipment.
- b) Portable storage units (i.e. PODS and Dumpsters) must be removed after 7 days. The time restriction may be extended upon request to the Club Administration office.
- c) Tents, utility sheds, trailers, ~~outbuildings~~ **storage buildings** or any other **such** structures.
- d) Overhead utility lines of any kind with the exception of temporary lines for emergency purposes.
- ~~e) Clotheslines and similar equipment.~~
- f) Clothing, household fabrics or beach towels may not be hung, dried or aired on walkways, or railings of multi-family homes.

- g) Any exterior sound emitting devices, speakers, sound players, insect or animal repellents, chimes or similar equipment which creates a nuisance.

Artificial Vegetation, Decorative Objects and Sculptures in Yards and Entrance Areas, visible from the street, access streets, common areas and golf course:

Due to space restraints and disparity between private and common property, guidelines for different neighborhoods will vary.

The following items are prohibited:

Birdbaths, fishponds, artificial vegetation, mirrors, flower pots/planters in the shape of animals.

Entrance door wreaths of artificial materials are allowed and do not require an ARC Application.

Single Family Homes

The following require ARC approval:

- a) Fountains, bird feeders, butterfly houses, bird houses, driftwood, rock gardens, decorative ironwork, plaques, weathervanes, lattices and trellises. Birdhouses and bird feeders are restricted to the rear of the property.
- b) A single decorative object or garden sculpture is permitted in the planting beds close to the home. ARC approval is required and the ARC has sole discretion whether items are consistent in size, color, and design with the landscaping and architecture of Pelican Sound.

The following in the front entry do not require ARC approval:

- a) Decorative items (sculptures, benches, chairs, decorative pots, decorative ironwork, and plaques) may be displayed in the front entry. Items are to be consistent in size, color, and design with the landscaping and architecture of Pelican Sound.

Multi-Family Homes: Turnberry, Hammock Greens, Island Sound II

- a) No more than two small decorative items may be displayed in the alcove near the front door. These items must not be visible from the street or parking areas.

Coach Homes

- a) No more than two small decorative items may be displayed among the plantings in the “courtyard” area beyond the entrances of units 201, 202, 102 and 203. These items must not be easily viewed from the street.
- b) Items may not be hung on exterior walls where visible from the street, golf course or common areas. Lanais are exempt from this restriction.

Carriage Homes

- a) No more than two small decorative items may be displayed among the plantings in the “courtyard” area beyond the entrances of units 201 and 202. These items must not be easily viewed from the street.
- b) Items may not be hung on exterior walls where visible from the street, golf course or common areas. Lanais are exempt from this restriction.

The following are allowed and do not require ARC approval, but may need Neighborhood Association approval:

- a) Standard flower pots/planters.

All must be kept in good repair. Lattices and trellises must be painted black, bronze, or to blend with the exterior of the building. Any of the above not in use (i.e., trellises, flower pots/ planters, etc.) are to be removed.

Window boxes are not allowed and pots/planters may not be placed on exterior windowsills.

Doors

Door Colors

- a) Any change from the original exterior door or garage door color requires ARC approval.
- b) A color chip or color brochure, as well as the current color scheme and color numbers, must accompany each application.
- c) On multi-family homes, all exterior doors must be painted consistent colors, according to ARC standards.
- d) On single-family homes, all doors must match color schemes on file in the Club Administration Office. Every house has a designated door color.

Garage Doors

- a) Screen enclosures on garage doors require ARC approval.
- b) Doors are to be kept closed. Doors may remain open while owners are present and working (woodworking, painting etc.) inside.
- c) Doors may not be removed or altered.

Glass or Etched Doors

- a) Any glass or etched glass doors require ARC approval.

Screen Doors at Front Entry

The following standard screen front entry doors have been pre-approved; PS ARC application is required before work may begin.

Turnberry I, Turnberry II, Hammock Greens I, II, III and IV; Island Sound II

- a) Phantom Screen retractable model
- b) ODL Entry Point retractable model
- c) Unique Technology Industries Inc., West Wind model
- d) Lowe's Suntech Gateway model
- e) Anderson HD 3000
- f) Anderson HD 2500
- g) Larson Tradewinds full view model

Carriage, Coach, Single-Family Homes

- a) Phantom Screen retractable model
- b) ODL Entry Point retractable model
- c) Unique Technology Industries Inc. West Wind model
- d) Lowe's Suntech Gateway model
- e) Suntech Heritage Sun model
- f) Anderson HD 3000
- g) Anderson HD 2500

- h) The doors may be of either 14 x 18 or 20 x 20 mesh. They must be white, off-white, bronze or painted to match the color of the door frame. Details of the pre-approved screen doors can be viewed in the Club Administration office.
- i) Screen doors with decorative motifs (i.e. animals, trees, plants, fish, golfers) may not be installed after February 1, 2015.)

Screen Enclosure **Doors** at the front entrance areas of coach homes

The following standard screen doors for coach home screen enclosures have been pre-approved. A PS ARC application is required before work may begin.

- a) Unique Technology Industries Inc., Bayview model
- b) Suntech Doors (Lowes), Seaview model
- c) Transoms on screen enclosures must be plain
- d) The screen door and other screening should be of 14 X 18 mesh or 20 X 20 mesh.
- e) The framing must be bronze.

Screen Enclosure **Doors** at the front entrance areas of single-family homes

The following standard screen doors for single family homes screen enclosures have been pre-approved; PS ARC application is required before work may begin.

- a) Unique Technology Industries, Inc., Boca model
- b) Unique Technology Industries Inc., Longboat model
- c) Lowe's Suntech Stingray model with plain mesh sides or with one plain horizontal or one plain vertical support.
- d) Suntech, Heritage Sun model
- e) Transoms on screen enclosures may be plain or have a sunburst design.
- f) As of February 1, 2015, the screen door on new enclosures must be of the same height as the front entry exterior door and of 14 x 18 or 20 x 20 mesh.
- g) As of February 1, 2015, the framing on new enclosures must be bronze.

Driveways and Parking

- a) Driveways must be well maintained and shall not be allowed to become unacceptable in appearance.

Pavers, Painted and Coated Driveways

- a) Clear coating (sealing) does not require ARC approval.
- b) Due to maintenance problems, driveways which have not been previously painted may not be painted after February 1, 2014. Previously painted driveways must be maintained. Chips of neutral paint choices are available in the Club Administration office. In the event that painted or coated driveways become a maintenance problem, the homeowner will be required to replace the driveway with pavers or resurface the driveway to bring it back to an acceptable state or color.
- c) Painting, installing pavers, or replacing concrete driveways requires ARC Approval. The pavers are to be neutral in color. A paver sample is to be included with ARC application.

Parking

- a) Residential parking may not be expanded.

Energy Conservation Equipment

- a) Solar energy collectors are preapproved, but an ARC application is required.

- b) All applications for solar energy collectors must include a site plan plus elevations of the house which show the integration of the collector with the roof. Details must show how the collector edges will meet the roof and how the piping will be concealed. Any free standing collector is to be located on the rear or side of the home and concealed from the golf course, common property or other homeowners' lots to the maximum extent possible.
- c) Solar energy collector panels, attendant hardware or other energy conservation equipment are to be constructed and installed as an integral and harmonious part of the architectural design of a structure. Solar collectors can create an unharmonious visual impact on a structure due to their size.
- d) Large roof collectors are to appear to be flush with the roof.
- e) Small roof collectors may be laid on top of a roof and finished to look like a skylight. Roof mounted solar collectors are to be oriented to the south or within 45 degrees east or west of due south.
- f) Collectors must be constructed of plastic/polyurethane with the metal trim painted black or bronze.
- g) Piping must be concealed to the extent possible and/or painted to match the house color.

Fences, Animal Pens, and Dog Runs

- a) Dog runs, animal pens or fences are prohibited.
- b) Permanent fences around the pool area require ARC approval.

Floors, Multi-Family Homes:

- a) Interior and lanai wood or tile flooring installed above the first floor after April 16, 2015, requires an approved sound absorbing system to minimize noise transfer. The following procedure must be followed: the baseboard must be removed; a perimeter insulation barrier must be attached to the wall OR an acoustical caulk must be spread along the junctions of the wall and the concrete floor; an underlayment of an approved sound absorbing material must be laid down followed by the tile or wood flooring; then the baseboard reinstalled.

Fuel Storage

Outdoor Cooking Equipment and Fuel Storage

Multi-Family Homes – Use of Cooking Equipment

- a) The use of any gas grill, charcoal grill, hibachi or any device used for cooking, heating, or other purpose is prohibited on all lanais and overhangs. (NFPA 1, Chapter 10, Section 10.10.6.1 - 2018)
- b) The use of electric grills is permitted on lanais provided the cooking surface does not exceed 200 square inches.
- c) Any type of grill, hibachi or cooking device, when used, must be 10feet or more from any structure. (NFPA 1, Chapter 10, Section 10.10.6.1 - 2018)
- d) Electric portable, tabletop grills, not to exceed 200 square inches or cooking surface shall be permitted.
- e) ~~The Estero Fire and Rescue Code prohibits the storage of gasoline, propane or other fuels in the garage or in the storage unit of multi family homes.~~
- f) ~~Lanais on the first floor of multi family homes may be used for fuel storage provided the lanai is not enclosed and does not have hurricane shutters.~~
- g) ~~All propane and charcoal grilling must be done 10 feet from the building.~~

Propane Storage

- a) ~~Per unit propane storage in condominiums, coach homes and carriage homes~~ ~~multi-family dwellings~~ is limited to individual cylinders with a maximum water capacity of 2.7lb (1.2kg), and an aggregates number of cylinders not to exceed a maximum water capacity of 5.4lb (2.4kg). (NFPA 1, Chapter 69.5.3.5 - 2018)
- b) ~~Approved cylinders must be disconnected from cooking devices when stored inside a garage.~~

Single Family Homes

- a) Up to 10 gallons of fuel may be stored for emergency purposes and/or operation of lawn equipment.
- b) Up to 2 small (17 20 pound) UL Listed propane bottles for outdoor grills may be stored by the homeowner. Storage is permitted on the lanai outside the enclosed area.
- c) Above ground and underground permanent fuel tanks are prohibited on any homeowner's lot.
- d) Lanais enclosed with shutters may not be used to store fuel of any type.
- e) Any type of grill, hibachi or cooking device, when used, must be 10 feet or more from any structure.

The Club

- a) The Club shall be allowed to store fuel for equipment operation and community grills.

Generators

- a) Portable power generators require ARC approval. They are to be used only during emergency power outages.
- b) Permanent power generator installations are prohibited.
- c) For safety reasons, no generator may be operated in any enclosed area.

Gutters and downspouts

- a) Gutters and downspouts are preapproved but an ARC application is required before work may begin. Color must blend with the building

Hazardous Materials Stored by the Club

- a) Hazardous materials shall only be stored, if necessary, for the Club's maintenance of the property or for Club operations.
- b) Hazardous materials must be stored and accounted for in accordance with governmental requirements.

Heating, Ventilation, and Air-Conditioning (HVAC)

When replacement HVAC lines are needed, the following must be observed:

- a) The neighborhood property manager must be informed as to the proposed configuration. If it differs from the guidelines below, ARC must be contacted for approval.
- b) All lines must be buried their entire length if at all possible and mulch or bark replaced over the lines. If chases (covers) are needed in multiple storied buildings, they must be aluminum or vinyl, then primed and painted the color(s) of the building they travel. Dependent upon the association, the priming and painting of the metal chase may be the responsibility of the homeowner.
- c) On the first floor of buildings which require the HVAC line to enter the garage, it must enter at the lowest feasible level. If the entry point to the garage is above ground level, an aluminum chase painted the color of the building must be installed to conceal the line and the area planted to conceal the chase as much as possible.
- d) All plantings must be replaced if damaged in the installation process.
- e) Any excess foaming agent must be removed and any residue painted the color of the building.

House Colors

- a) Any changes to exterior colors require ARC approval.
- b) A color chip or color brochure, as well as the current color scheme and color numbers, must accompany each application.
- c) No single family adjacent houses are permitted to have the same color schemes.
- d) Lanai walls in multi-family homes must be painted the same color as the building exterior.

- e) Color schemes for single-family homes are available, by neighborhood, in the Club Administration office.
- f) All lattice work around electrical panel enclosures in multi-family homes must be painted or color impregnated to match or blend with the color of the building. They must not be white.

Hurricane Shutters

- a) Hurricane shutters for windows, doors and lanais are preapproved but require an ARC approval application.
- b) Lanai shutters must be placed on the interior (inside of screen enclosure) of lanais in multi-family homes.
- c) Rolling shutters, accordion shutters, storm panels, or hurricane fabric curtains are allowed.
- d) Hurricane shutters are to be clear (polycarbonate), white, off-white or blend with the color of the building.
- e) Shutter supports are to match the shutter color.
- f) Bahaman hurricane shutters are prohibited.

Plywood and galvanized hurricane shutters are allowed under the following conditions:

- a) They may be installed no earlier than five days prior to a hurricane.
- b) They are to be removed no more than five days after the storm has passed.

Lanais and Pool Cages

Lanais

- a) Enclosing a lanai requires ARC approval.
- b) Lanai enclosures may be of glass, Plexiglas, or acrylic. They must meet **current Florida Building Code**, Lee County **Building Code** hurricane specifications, local building codes and be properly permitted. **Plexiglas and acrylic enclosures are not code compliant; therefore interior glass sliders cannot be removed if either of these products are installed.**
- c) Fire code: ~~Any multi-family unit, with a fire sprinkler system, must extend the sprinkler to the lanai when the lanai is enclosed with permanently installed sliders. require automatic sprinkler systems in enclosed lanais in condominium buildings of three or more stories.~~

The following require an ARC application:

- a) Any lanai screen, curtain, blind, shutter, awning, hurricane fabric curtains, sunscreen, canopy or other sun-blocking device that is visible from the golf course, common property or other homeowners' lots; an ARC approved covering must be white, off-white, brown or a color that blends with or complements the exterior of the building
- b) Anything permanently-attached to the wall of a lanai or anything that changes the color of the wall (such as a mural) that is visible from the golf course, common property or other homeowners' lots.

The following do not require ARC approval, but may need Neighborhood Association approval:

- a) Sculptures, artificial vegetation, decorative objects (natural or man-made), flower pots/planters in the shape of animals, etc.
- b) Removal of any of these objects may be required if they can be seen from the golf course, common property, or other homeowners' lots.

Pool Cages

- a) Pool cages must be either 14 x 18 or 20 x 20 mesh.
- b) Any items or objects within a pool cage or lanai that are determined to be objectionable or in poor taste are prohibited and the ARC will require their removal.
- c) Golf ball proof screens require ARC approval

Landscape

Proper tree/**palm** care and landscape management are important to the health, longevity, sustainability and beauty of Pelican Sound and the greenspace contained therein. Failure to maintain **Trees/Palms** and landscaping is a violation of the ARC Guidelines and Procedures. **As our trees/palms and landscape mature, alterations may be required to update the original landscape footprint, address their health and vitality, and deal with conflicts from tree/palm canopies and roots. Contained in the following Guidelines and Procedures are the means to accomplish those alterations and maintain the trees/palms and landscape design development theme of Pelican Sound and / or the Pelican Sound Tree and Landscape Plan.**

In addition to the Procedures and Guidelines described here, supporting information can be accessed on the Pelican Sound website under Governance/Club Documents, then click on the exhibit link.

- a) Exhibit C – Tree or Palm Removal and Replacement Application Form
- b) Exhibit F – Lee County Protected Tree and Palm List
- c) Exhibit G – Lee County Exotic and Invasive Trees
- d) Exhibit H – Lee County Native Plant List
- e) Exhibit M – Tree and Palm Conflicts and Mitigation Procedures
- f) Exhibit N – Tree and Palm Trimming Guidelines
- g) Exhibit O – Pelican Sound Original Landscape Design Theme and Community Development Orders
- h) Exhibit P – ISA Certified Arborist List
- i) Exhibit Q – Florida Friendly Palm and Tree Guide

Replacement of ~~plantings~~ **landscape, other than trees / palms**, with like-sized plantings does not require ARC approval. Replacements must be of varieties commonly used in Pelican Sound and be noninvasive. The size and shape of the original bed must be maintained.

A Pelican Sound ARC **tree/palm removal and replacement** application and approval is required for all tree / palms removals and replacements in residential areas. Additionally, **following ARC approval, multi-family residential HOAs must acquire a Village of Estero “Vegetation Removal Permit” for all protected trees/palms. River Ridge CDD must be notified if a tree/palm is removed or replaced in the street ‘right of way.’ These guidelines comply with The Village of Estero Department of Community Development Regulations. Trees/palms contained within single family lots are not required to obtain a Village of Estero “Vegetation Removal Permit; however, they are required to maintain a minimum of two native trees in compliance to the Lee County Land Development Code.**

Application Process

- a) Any individual/~~association~~ **HOA** wishing to plant, remove, or ~~alter~~ **replace** a tree/**palm** shall first submit Exhibit C - ARC **Tree/Palm Removal and Replacement Application**. ~~application and a copy of the Lee County "Vegetation Removal Permit" application if such application is required to Club Administration when the permit application is sent to Lee County.~~
- b) **Complete all the required fields on the application form and submit online or in paper copy with any supporting documentation to the ARC via the Club Administration Office.**
- ~~b) The application shall specify the location and species of tree with reasonable accuracy to facilitate identification. A statement of the mason for the request should also be included.~~
- c) **When removal is approved, a replacement tree/palm may be required. If so, it will be noted in the approved application. In the event a replacement tree is required, complete the tree replacement fields.**
- ~~e) Club Administration will hold the ARC application until the permit is received.~~
- ~~d) When a response from the County is received, bring the response [permit] to Club Administration for inclusion with the ARC application. This will be given to the PSARC for review at the next meeting.~~
- d. **Following ARC approval to remove a tree that is identified as “protected,” an HOA must apply for a “Vegetation Removal Permit” through the Village of Estero and submit an approved copy to Club**

Administration. To determine if a tree is protected, refer to Exhibit O – Pelican Sound Original Landscape Design Theme and Community Development Order.

- ~~e) A "Vegetation Removal Permit Application" is available at the Lee County Division of Environmental Sciences at [239] 533-8389.~~
- e) Single family lots are not required to obtain a Village of Estero "Vegetation Removal Permit," however, they are required to maintain a minimum of two native trees in compliance to the Lee County Land Development Code.
- f) ~~When removal is approved, a replacement tree may be required.~~
- g) ~~The Lee County List of Protected Trees [Exhibit F] can be viewed in the Club Administration office or on the Pelican Sound website.~~
- h) ~~Trimming of trees in common areas must be initiated by Club Administration or the NVRs in in multifamily units in consultation with a certified arborist. Trimming is permitted to improve the health of the tree or where there is danger to persons or property. Trees may not be trimmed merely to improve views.~~
- D) ~~The standard for trimming palm trees is a 9-3 o'clock pattern. Most palms should be trimmed in this fashion. When palm fronds are touching the dwelling structure's exterior, the y may be trimmed to eliminate the contact. If the tree's appearance is marred by trimming only the fronds touching the exterior of the dwelling structure, the entire tree may be trimmed in similar fashion. Owners and associations are responsible for ensuring their landscape contractors follow these rules.~~

Tree and Palm Removal Guidelines

~~Consent~~ approval to remove a tree or palm may be considered when:

- a) A new landscape or remodeling plan is approved
- b) There is substantial evidence that a tree is structurally unstable or presents a high degree of hazard due to poor health and disease; or
- c) The tree/palm is adversely affecting the health of adjacent more desirable trees/palms or thinning is warranted due to crowding of a maturing canopy; or
- d) The tree/palm is causing substantial conflict and continuing damage and mitigation options have been utilized without success or a certified arborist states in writing that mitigation efforts are the unlikely benefit mitigation would have only a short term effect on the tree/palm conflict. (Please reference Exhibit M Tree / Palm Conflicts and Mitigation Procedures).
- ~~e) The tree is in poor or declining health or diseased.~~
- ~~e) Proposed actions are verified by a certified arborist on file with Club Administration.~~
- e) In the event that the ARC or the applicant are not in agreement with the risk or the effectiveness of conflict mitigation, or the cost to mitigate exceeds the cost to remove and replace, either can request an impartial ISA certified arborist's evaluation that contains a risk assessment and states mitigation efforts are unlikely to have a beneficial effect or only short term effect on the tree/palm conflict. The arborist would be mutually selected from the list of ISA certified arborists in Exhibit P. The cost of the evaluation would be shared equally between the club and the applicant; or
- f) All costs for dealing with tree and palm removal will be borne by the jurisdiction closest to the issue; homeowner, association, Pelican Sound community or River Ridge CDD; whichever is appropriate except as set forth in (e) above; or
- g) Tree/palm removal must be done by a properly insured tree contractor.

~~Consent~~ approval to remove a tree/palm will not be considered when:

- a) A tree/palm is shedding "excess" acorns seeds, flowers or leaves.
- b) The intent is to improve the view.
- c) A tree/palm is causing minor damage and mitigation efforts have not been applied.

Tree or Palm Replacement Guidelines

- a) A protected tree/palm approved for removal must be replaced for compliance to the Lee County Development Order. The same species is preferred; however, any tree listed in Exhibit F – Lee

County Native Tree and Palm List or Exhibit Q – Florida Friendly Palms and Trees can be selected as a replacement. The replacement must conform to the description for the classification of the tree/palm removed. Refer to Exhibit O – Pelican Sound Original Landscape Design Theme and Community Development Orders.

- b) A non-protected tree/palm approved for removal shall be replaced; however, ARC can waive a replacement. The decision to replace a non-protected tree/palm should be based on maintaining the original landscape design theme which can be referenced in Exhibit O – Pelican Sound Original Landscape Design Theme and Community Development Order. Replacement trees/palms may be native or non-native species. Exotic and invasive trees/palms are prohibited; refer to Exhibit G – Lee County Exotic and Invasive Tree List.
- c) The location of the replacement tree/palm should be in the original location(s); however, another location can be approved by ARC so that it minimizes potential conflicts, provides a healthier location for the tree/palm or it maintains the Pelican Sound landscape design theme.
- d) A replacement tree shall be at least 4” in diameter at 1 foot above the ground, have a 4 foot crown spread and be a minimum over all height of 10 feet.
- e) A replacement palm shall be 12 feet over all in height.
- f) Minimum grade quality for replacement tree and palm must be Florida Fancy or Florida #1 by the Florida Grades and Standards for nursery plants 2015.
- g) A minimum of 2” of wood mulch must be provided to the newly planted tree or palm at a minimum of 3 foot out from the tree or palm trunk.
- h) Insure the tree or palm is provided adequate irrigation water for good establishment.

Tree and Palm Trimming

- a) Tree and palm maintenance is regulated by the Lee County Land Development Code and Lee county Tree Maintenance requirements. The requirements and standards for tree trimming are described in Exhibit N – Tree and Palm Trimming Guidelines.
- b) A citation and fine can be issued by the Village of Estero to an HOA or homeowner for violations to the tree and palm trimming standards. Make sure in the contract with your tree service contractor that those standards are understood and complied with. A samples tree and palm maintenance contract is included in Exhibit N – Tree and Palm Trimming Guidelines.

Tree and Palm Loss due to Storms or Natural Disasters

- a) If, in the event of a storm or natural disaster, a tree or palm is downed or sustains significant damage that creates a hazard to buildings or safety to people, an approved ARC tree Removal and Replacement Application is waived. A vegetation removal permit with the Village of Estero for protected tree / palm (if required) may also be waived. This should be confirmed with the Village of Estero. These exceptions allow for the removal of downed and hazardous trees in the most efficient manner.
- b) Trees / palms that sustain canopy damage or the root plate has yield and are leaning and don’t pose a hazard, an approved ARC application or Village of Estero permit is waived if a ISA certified arborist verifies the non-viability of the tree/palm or its unlikely the tree/palm would survive after straightening. The Village of Estero requires that, for removal of a protected tree under these conditions, the Village inspector is notified afterward and accompanied with a photo of the tree. This should be confirmed with the Village of Estero (if required).
- c) The ARC shall be notified of all protected trees / palms lost due to storms or natural disasters.
- d) Protected trees / palms identified in the Community Development Order and / or Pelican Sound Landscape & Tree Plan are still required and may have to be replaced.

Fruit Trees

- a) The planting of fruit trees requires ARC approval.
- b) Fruit trees may be planted only in the side or back yards of a single-family home.
- c) Fruit trees must be maintained and the droppings must be picked up to avoid attracting wildlife and rodents.

- d) The ARC will require improperly maintained fruit trees to be removed at the owner's expense.

General Landscaping

Landscaping applications should include the following:

- a) A list of proposed plants, trees or shrubs and their height at maturity
- b) The scientific and common names, variety, quantity, size and spacing of all proposed plants, trees or shrubs.
- c) The existing vegetation to be removed or relocated as well as the proposed replacements.
- d) A detailed lot diagram of the proposed changes.

The following require ARC approval:

- a) Installation, removal, modification or addition of landscaping
- b) Modifications of sprinkler and irrigation systems
- c) Decorative edging or curbing of any material.

The following are prohibited:

- a) The use of hedges or shrubs to delineate a homeowner's property in order to create a "privacy fence."
- b) Outdoor gardens other than approved flower gardens
- c) Private irrigation systems that draw water from creeks, streams, rivers, lakes, ponds, wetlands or any other ground or surface water within Pelican Sound.

Flowers

- a) The removal, replacement, or relocation of flowers, with the exception of annuals, requires only Neighborhood Association approval.
- b) The planting of annuals requires neither ARC nor Neighborhood Association approval.

Landscape Design

- a) Landscape design should reflect the softening of architectural forms and ~~incorporate a naturalistic approach,~~ **the continuity of the community greenscape in which you live**, i.e., curvilinear bed lines, plant clusters and/or groupings. Formal clipped hedges should be kept to a minimum.
- b) Proper horticultural practices should be followed to reduce dependence on irrigation water.
- c) Plants to be used in landscaping should be selected with care. Plants which aggressively spread, aggressively seek water, and attract insects, rats or undesirable birds are discouraged.
- d) Artificial Turf is not allowed.
- e) Only wood chips or pine straw may be used as mulch. (See exception below.)
- f) Only in areas subject to soil or landscape material erosion, a mixture of 1 to 3 inch cream, tan and brown colored rocks may be used. An ARC application is required. (see sample of rocks in Club Administration office)

Exotic and Invasive Plants

- a) Many exotic plants are invasive and may not be used. The Lee County List of Exotic and Invasive Trees (Exhibit G) can be viewed in the Club Administration office or on the Pelican Sound website.

Native Plants

- a) Native plants are the preferred plants of Lee County.
- b) The Lee County List of Native Plants (Exhibit H) can be viewed in the Club Administration office or on the Pelican Sound website.

Landscape and Safety

- a) All property located at street intersections must be landscaped so as to permit clear visibility.

- b) No fence, wall, hedge or shrub shall be placed, or permitted to remain, where it could create a traffic or visibility problem.

Lighting

- a) ~~Yard lights~~, Post lights and similar mounted lights are not allowed on any homeowner's property.
- b) Exterior lights, including solar and low-voltage lighting, require ARC approval.
- c) Solar lighting must be a minimum of 5 feet apart and have black or bronze housing.
- d) Low voltage ground lighting may not exceed 225 lumens. Up lighting for trees may not exceed 350 lumens. Housing must be black or dark bronze. There must be a minimum of 5 feet of separation between fixtures.
- e) Only white bulbs are permitted in low voltage lighting. Low voltage lighting should be wholly or partially concealed by plantings.
- f) Lighting, other than low voltage bulbs, must be white or yellow.
- g) Lighting that has an adverse visual impact on any other property as a result of location or wattage must be corrected or removed.
- h) Replacement exterior garage light fixtures shall be in keeping with the Architectural integrity of Pelican Sound; it shall incorporate a maximum total of 9wLED, 850 lumen lamp(s).

Seasonal decorative lights do NOT need ARC Approval. See "Seasonal Decorations" for display guidelines.

Lightning Protection

- a) A device integrated with the circuit breaker box and located in the garage is the preferred system to be used and does not require ARC approval.
- b) A rod air termination system requires ARC approval.
- c) A lightning rod concept (Exhibit I) can be viewed in the Club Administration office or on the Pelican Sound website.

Mailboxes

- a) The installation, relocation or modification of any mailbox must receive ARC approval.
- b) Mailboxes and mailbox posts must be kept in good repair. Examples of unacceptable conditions include rust, deteriorated paint, leaning or crooked mailbox posts, improper height and broken mailbox doors or flags.
- c) The attachment of permanent bulletin boards to the cluster mailboxes in multi-family home neighborhoods requires ARC approval. Approved bulletin boards may not interfere with the delivery of mail.
- d) Newspaper tubes, decals, reflectors, notices, signs, posters, announcements, including Neighborhood Associations' announcements, or similar items are not allowed on any multi-family or single family mailbox or mailbox post.

Maintenance

- a) It is the responsibility of each homeowner and the Neighborhood Association to prevent any unclean, unhealthy, unsightly or unkempt condition on home exteriors, lots or common property.
- b) Trash receptacles may be placed curbside no earlier than dusk of the day before trash collection. Empty receptacles must be removed by dusk on the day of collection.
- c) No lumber, grass, shrub or tree clippings, plant waste, metals, plastic, bulk material, scrap refuse or trash shall be kept, stored or allowed to accumulate on any lot.
- d) The individual homeowner is responsible to insure the safeguarding of property and to prepare for severe weather.
- e) Roof cleaning: Individual homeowners and condominium associations must maintain clean roofs ~~by power washing them~~ as needed, but in no case will ARC require roof cleaning within three years of

the last cleaning. Owners and associations must document the last cleaning, if requested to clean their roof(s).

Nuisances

- a) No portion of the Properties shall be used, in whole or in part, for the storage of any property or thing that will cause it to appear to be in an unclean, untidy or unacceptable appearance; nor shall any substance, thing or material be kept upon any portion of the Properties that will emit foul odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort or serenity of the occupants of surrounding property.

Pools and Spas

- a) ARC approval is required for the construction of swimming pools. All swimming pools must be in ground
- b) ARC approval is required for the construction or replacement of above ground spas within the lanai of single family homes and on the first floors of multi-family homes.
- c) Criteria for approval to add a pool and/or spa include, but are not limited to, the potential construction impact on or disruption of a neighbor's property.
- d) Pools and spas are to be drained through the street gutter to the storm drains.
- e) Pool installation guidelines (Exhibit J) can be viewed in the Club Administration office or on the Pelican Sound website.

Radon Mitigation Systems

- a) Radon mitigation systems are pre-approved by Club Administration. A Pelican Sound ARC application is required before work may begin.

Real Estate Guidelines

- a) When a property is listed for sale, the agent or homeowner must notify the Club Administration office.

Open House Criteria

- a) Open Houses may be scheduled only on Saturdays and Sundays from 1:00pm. to 5:00pm
- b) Open house signs can not be displayed before noon or after 5:00pm on Saturdays and Sundays.
- c) There must be an agent or homeowner in attendance during the open house.
- d) The homeowner or agent must notify Club Administration of the dates and times the property will be holding the open house, and do so no later than 12:00 noon the proceeding Thursday.
- e) Club Administration will provide the security gate with a list of the open homes and a map of the property.
- f) Prospective buyers will receive a special entrance pass so that the roving guard can identify those persons visiting the community for the purpose of attending open houses.

Real Estate Signs

- a) Real Estate Sign Parameters (Exhibit K), the specifications of "For Sale" signs and the Guidelines for Realtors (Exhibit L) can be viewed in the Club Administration office or on the Pelican Sound website.

The following, from which there may be no deviation, are the specifications for real estate signs:

- a) Only one real estate sign per residence is permitted.
- b) The sign must be placed in the mulch area parallel to the street in front of the home or unit (as close to the building as possible) with the metal stake completely in the ground.
- c) No riders, information boxes, balloons, email addresses, company or agent logos, "pending", "under contract", "sold" or unit numbers are allowed on or attached to the sign.

- d) Signs, including their paint and lettering, must be kept in good condition.
- e) The real estate "For Sale" sign must be removed ~~as soon as the property is sold~~ at transfer of title.

Recreational and Outdoor Equipment

- a) Swing sets, playhouses, wading pools, trampolines, and similar sporting or playground equipment are not allowed outside the lanai or pool cage.
- b) When they are not in use, all barbecue grills, strollers, bicycles, tricycles, scooters, skateboards, chairs (lounge, beach and lawn), umbrellas, hammocks and similar items are to be removed from the homeowner's lot or common property and stored so as not to be visible from the golf course, common property or other homeowners' lots. EXCEPTION – stored neatly on lanais.
- c) Portable basketball goals may only be used in the front of the home. When they are not in use, they must be removed from the homeowner's lot and stored so as not to be visible from the golf course, common property or other homeowners' lots.
- d) "Not in use" means duration of two or more hours, or overnight.
- e) Hoses and hose caddies used for watering, washing vehicles or similar use must be stored in a neat and orderly fashion, out of sight when not actually in use.

Satellite Dishes, Antennas and Aerial Devices

- a) Satellite dishes must be 36" or less in diameter and require ARC approval.
- b) The ARC application must include a sketch of where and how the installation is planned.

Multi-family Homes

- a) Exterior antennas, aerials, satellite dishes or other similar equipment are prohibited on the exterior or common area of any building.
- b) An antenna, aerial, satellite dish or other similar equipment may be installed *within* the confines of a lanai or interior of a unit providing it is not visible from the golf course, common property or other homeowners' lots.

Single Family Homes

- a) Exterior antennas, aerials, satellite dishes or other similar equipment require ARC approval.

Seasonal Decorations

- a) The Club and neighborhood common areas may display outdoor seasonal decorations between Thanksgiving and January 7th.
- b) ~~Individual~~ **Single family** homeowners may have outdoor religious or seasonal decorations on their property between Thanksgiving and January 7th as determined by the ARC and the Neighborhood Association.
- c) **Multi-family homeowners may not have outdoor religious or seasonal decorations on association common area property between Thanksgiving and January 7th.**
- d) Decorations for Easter, Halloween, Thanksgiving, Valentine's Day, Memorial Day, Independence Day and other recognized holidays may be displayed no more than two weeks before the holiday. They must be removed no more than one week after the holiday.
- e) Outdoor seasonal decorations shall not be excessive or create a nuisance as determined by the ARC and the Neighborhood Association.

Security Bars and Residential Security Signs

- a) The use of security bars, grates or grills on windows or doors is prohibited.

Residential Security Signs

- a) One exterior security sign, not to exceed 100 sq. in. (10x10) of the type supplied by security companies, may be placed in the front and rear yards of a homeowner's residence.

- b) These signs must be securely planted and must be taken down or replaced when they become worn and/or unsightly.
- c) Window decals not exceeding *sixteen* square inches (4" x 4") may be placed in a window of a home.

Septic Tanks

- a) Septic tanks are prohibited.

Signs, Billboards, Attachments, Flags and Banners

The following do not require ARC approval:

- a) Those signs that may be required by proceedings or law
- b) Signs used by the Club and their replacements
- c) Homeowners nameplate plaques on the ground proximate to owner's front door
- d) **Two signs advertising a club activity may be placed in the shrub beds near the River Club one week prior to the event. These must be removed the day after the event.**
- e) **Booster signs may be placed on the golf course during charity events.**
- f) **Support signs and remembrance signs may be placed on the ~~tennis~~ racquet court screens during a club sponsored ~~event~~ initiative.**

Miscellaneous:

- a) Nameplates, house numbers, access holes to garages and long-term hangings from coach lamps are forbidden from being placed on the outside of multifamily buildings' common walls.
- b) Banners, team symbols, alumni flags and house identifying symbols, in reasonable number and size, may be displayed only on the day of the game or event. If associations wish to add attachments to all common area homes, the NVR must submit an ARC application for them.

Appropriate display of the American, State or Military Service Flags is as follows:

- a) All proscriptions in the Federal Flag Code must be followed.
- b) In all cases the bracket must be painted the color of the building or the color of the iron railing in the condominiums.
- c) The flag shall preferably measure three (3) feet by five (5) feet, but must not exceed four and a half (4 ½) feet by six (6) feet.
- d) There must be at least eight (8) feet distance between adjacent flags.
- e) Flag poles are not permitted except at the Clubhouse.

Required location and specifications for each of the following Units must be followed:

Coach and Carriage Homes

- a) The bracket holding the Flag must be affixed to the garage of Coach and Carriage Homes, approximately five (5) feet above the ground and the flag pole should extend out from the building at a forty – five (45) degree angle.

Condominiums:

Ground Floor

- a) The bracket must be affixed to the stanchion proximate to the owners unit and the flag pole must extend out from the building at a forty – five (45) degree angle.

Upper Units

- a) The bracket must be affixed to the iron railing, proximate to the owners unit and the flag pole must extend out from the guard rail at a forty – five (45) degree angle.

Single Family Homes

- a) The flag should be affixed to the garage or at the side of the front entry to maintain community consistency.

Team Logos and Flags

- a) Team logos and alumni flags may be displayed on game days only.

Sign Stipulations

- a) Pelican Sound Club Administration will remove any signs, including real estate signs, which do not meet ARC Guidelines and Procedures, are improperly placed or do not have ARC approval.
- b) No sign may be nailed, wired or otherwise attached to trees or other landscaping.
- c) No signs may be placed on, to the rear of, or on the side of any common or Club property including the golf course, lakes, Estero River, paths, common areas or pool bulletin boards.

The following signs are prohibited:

- a) Advertisements of any kind, including posters and political information
- b) Banners including, but not limited to, circulars, billboards, celebrations and announcements
- c) Flags other than the appropriate display of the American flag, service flag or State flag
- d) Garage sales, rental, lease or directional signs or banners
- e) Unapproved real estate signs
- f) Contractors, subcontractors and construction advertising signs
- g) Any items similar to the above in nature or intent

Wells and Drainage

- a) No private water system shall be constructed on any lot.
- b) Catch basins and drainage areas are for the purpose of the natural flow of the water; no obstructions or debris shall be placed in these areas.
- c) With the appropriate governmental approvals, the Club may obstruct or re-channel drainage swales, drainage flows, storm sewers or storm drains.
- d) The Club reserves a perpetual easement across the properties for the purpose of altering drainage and water flow, provided the same shall not unreasonably interfere with an owner's use of the property.

Window Coverings and Window Film

Exterior Window Coverings

- a) Exterior awnings, canopies, Bahaman and decorative shutters are prohibited.

Interior Blinds, Shutters and Curtains

- a) All windows visible from the golf course, common property or other homeowners' Lots, shall have window coverings or treatments with the exception of small accent or decorative and 2nd floor stairwell windows.
- b) Window coverings, treatments or linings must be white, off-white, bamboo, and brown or blend with or complement the exterior color of the dwelling.

Garage Windows

- a) Garage window coverings will be determined by the Neighborhood Association.

Reflective Window Coverings

- a) Reflective window coverings are prohibited on any home.

Window Film

- a) Only clear to lighter shades of gray are permitted.
- b) Non-reflective window films that transmit a minimum of 46% light are permitted.
- c) Reflective coatings are prohibited.

EXHIBITS

For clarification of some of the requirements in these guidelines, a homeowner should refer to the exhibits in the Club Administration office or on the Pelican Sound website.

Exhibit	Description
A.	Architectural Review Application Form
A1.	Welcome to the Community Letter
B.	ARC Application Procedure
C.	ARC Tree Removal or Replacement Application Procedure
D.	ARC Non-Compliance Letter
D1	ARC Awareness Notice of Potential Violation
E	ARC Appeal Procedure
F.	Lee County Protected Tree List
G.	Lee County Exotic and Invasive Trees
H.	Lee County Native Plants list
I.	Lightning Rod Standards
J.	Pool and Spa Installation Guidelines
K.	Real Estate Sign Parameters
L.	Guidelines for Realtors
M.	Tree Requirements and Protection
M	Trees and Palm Conflicts and Mitigation Procedures
N.	Tree / Palm Pruning Trimming Guidelines
O.	Pelican Sound Original Landscape Design Theme and Community Development Order
P.	ISA Certified Arborist List
Q.	Florida Friendly Palm and Tree Guide
R.	Roof Replacement

CHANGE HISTORY LOG

REVISION	DATE	REVISION DESCRIPTION
00	1/26/05	Neighborhood Voting Representatives approval of the revised ARC Guidelines & Procedures Document by the 2004-2005 Architectural Review Committee. Chairman, Larry Pointelin with Bob Clemons, Rusty Demeules, Kay Ebetino and Valerie Warren
	2/10/05	ARC Guidelines & Procedures Document adopted by Board of Directors
	2/23/05	ARC Guidelines & Procedures Document filed with Lee County
01	02/01/06	ARC Guidelines & Procedures Document revision
	03/22/06	Neighborhood Voting Representatives approval of the revised ARC Guidelines & Procedures Document
	03/28/06	ARC Guidelines & Procedures Documents filed with Lee County
	08/02/06	Final Editing
02	04/18/07	Neighborhood Voting Representatives approval of the revised ARC Guidelines & Procedures Document
	04/19/07	ARC Guidelines & Procedures Document adopted by Board of Directors
03	1/20/09	Neighborhood Voting Representatives approval of the revised ARC Guidelines & Procedures Document
	03/26/09	ARC Guidelines & Procedures Document adopted by Board of Directors
04	3/15/12	ARC Guidelines and Procedures approved by Board of Directors
	3/27/12	ARC Guidelines and Procedures ratified by the Neighborhood Voting Reps.
05	12/13/12	ARC Guidelines and Procedures approved by the Board of Directors
	01/29/13	ARC Guidelines and Procedures ratified by the Neighborhood Voting Reps.
06	1/23/14	ARC Guidelines and Procedures approved by the Board of Directors
07	3/17/15	ARC Guidelines and Procedures presented to the Board of Directors
08	021219	Revised ARC Guidelines and Procedures approved by the BoD
	040919	ARC Guidelines and Procedures proposed to the NVRs