



**Architectural Policies and  
Design Review Guidelines**

TABLE OF CONTENTS

<u>ARTICLE SECTION</u>	<u>PAGE</u>
<b>OVERVIEW .....</b>	<b>13</b>
<b>I. THE DEL WEBB OAK CREEK REVIEW PROCESS.....</b>	<b>13</b>
A. Purpose of Design Guidelines.....	13
B. Governmental Permits .....	13
C. Preparer.....	14
D. Applicability of Architectural Review.....	14
E. Review Structure.....	14
1. Declarant.....	14
2. Architectural Review Committee (ARC) .....	14
F. Review Fees.....	15
G. ARC Appeal Process .....	15
<b>II. DESIGN REVIEW PROCEDURES.....</b>	<b>15</b>
A. Plans to be Reviewed.....	16
1. Site Plan .....	16
2. Landscaping Plan.....	16
3. Other .....	16
B. Review Criteria .....	16
C. Recommendations .....	16
D. Variances.....	16
E. Review Period .....	16
1. Approved.....	16
2. Approved with Conditions .....	16
3. Disapproved.....	16
F. Enforcement Fines .....	16-17
G. Lee County Approval.....	17
H. Implementation of Approved Plans.....	17
I. Time to Complete .....	17
J. Changes After Approval.....	17
K. Enforcement .....	17
L. Inspections .....	17

<b>III. ARCHITECTURAL AND IMPROVEMENT DESIGN STANDARDS.....</b>	<b>18</b>
A. Architectural Standards .....	18
B. Architectural Standards - Specifics .....	18
1. Air Conditioning Equipment .....	18
2. Awnings and Overhangs .....	18
3. Bahamian Shutter – Awning Guidelines .....	18
4. Basketball Hoop Guidelines .....	19
5. Birdbaths, Birdhouses and Birdfeeders.....	19
6. Clotheslines .....	19
7. Decks .....	19
8. Decorative Wall Art.....	19
9. Dog Houses and Runs.....	20
10. Driveways .....	20
11. Exterior Colors .....	20
12. Exterior Lighting .....	20
13. Exterior Wall Treatments.....	20
14. Fences .....	20-21
15. Flagpoles .....	21
16. Fruit Trees .....	22
17. Furniture .....	22
18. Garage .....	22
19. Gazebos and Greenhouses .....	22
20. Generators .....	22
21. Grills .....	22
22. Holiday Decorations .....	22
23. Hot Tubs/Spas/Jacuzzis .....	22-23
24. Hurricanes .....	23
25. Mailboxes .....	23
26. Mini-Split AC.....	23
27. Outdoor Equipment .....	23
28. Paint.....	23
29. Propane Tanks.....	24
30. Recreational Equipment .....	24
31. Roofing .....	24
32. Roof Accessories and Equipment.....	24
33. Satellite Dishes.....	24
34. Screen Doors .....	24
35. Screen Enclosures, Outdoor Kitchens, Pools, Patios and Extended Lanais .....	24-25
36. Sheds .....	25
37. Shutters .....	25
38. Signs .....	25
39. Solar Panels .....	26
40. Statues .....	26
41. Storm Doors .....	26
42. Swimming Pools.....	26
43. Trash Containers .....	26
44. Vegetable Gardens.....	27
45. Windows, Doors and Trim.....	27

**IV. LANDSCAPING AND SITE STANDARDS..... 27**

A. Landscaping .....27

    Wetlands.....27

    Plant Diseases or Noxious Insects.....27

    Soil Removal.....28

    1. Approved & Prohibited Landscape Materials.....28

    2. Lawn Ornamentation, Wind Chimes and Flowerpots .....28

    3. Irrigation.....29

    4. Drainage .....29

    5. Annual Flowers .....29

**V. NON-LIABILITY FOR APPROVAL OF PLANS..... 29**

**VI. CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES..... 29**

**TABLE OF EXHIBITS**

Exhibit A. Landscape Plant Materials List..... 5-7

Exhibit B. Approved “For Sale” Sign ..... 8

Exhibit C. Roof Cleaning Guidelines..... 9-11

Exhibit D. Garage Screen Door ..... 11-12

**EXHIBIT "A"**

Del Webb Oak Creek HOA

**Landscape Plant Materials List**

Plants listed below are grouped according to the desired overall design objectives established for Del Webb Oak Creek Homeowners Association. Plants listed in Item 3 below are not permitted.

Designs will be reviewed and approved by the Design Review Committee based upon the use of acceptable horticultural practices.

1. Approved and Recommended

A. Palms

Common Name

Alexander Palm  
Cabbage Palm  
Christmas Palm Fish  
Tail Palm Pygmy  
Date Palm Majesty  
Palm Queen Palm  
Foxtail Palm

B. Canopy Trees

Shady Lady Black Olive  
Southern Laurel Oak  
Southern Live Oak Cassia

C. Small/Flowering Trees

Gardenia (Standard) Pitch  
Apple  
Guava Strawberry  
Hibiscus (Standard)  
Tree Ligustrum  
Purple Golden Dewdrop Jatropha  
(Standard) Bottlebrush Tree

\*\*Does not count towards the minimum required hardwood canopy trees

#### D. Shrubs and Ground Covers

Clusia	Asiatic Jasmine
Dwarf Firebush	Bottlebrush
Gardenia Bush	Bougainvillea
Hibiscus	Nora Grant Ixora
Ilex Shilling	Wax jasmine
Podocarpus	Bird of Paradise
Star Jasmine	Fakahatchee Grass
Sweet Viburnum	Flax Lily
Thryallis	Hawaiian Red Ti
Red Club Bottlebrush	Juniper
Red Tip Cocoplum	Croton Mamey
Mexican Bluebell	Pink Muhly Grass
Variegated Ginger	

## 2. Other Native and Optional Vegetation

#### A. Canopy Trees

Bald Cypress	Red Maple
Fiddlewood	Satin Leaf
Hackberry	Pigeon Plum
Mahogany	Golden Shower Tree
Mastic	Slash Pine
Scrub Hickory	Royal Palm**
Wild Tamarind	Dahoon Holly
Willow Busic	East Palatka Holly
Wingleaf Soapberry	Florida Elm
Black Ironwood	Magnolia Grandiflora
Simpson Stopper (Tree)	

#### B. Shrubs and Ground Covers

Black Ironwood shrub	Wild Coffee
Crabwood	Florida Pivet
Golden Dewdrop	Jamaica Caper
Myrsine	Paurotis Palm
Walters Viburnum	Wax Myrtle
Yellow Elder	Firebush
Leather Fern	Saw Palmetto
Silver Saw Palmetto	White Indigo Berry

3. Vegetation not Permitted.

Lee County List of Invasive Exotic Plants:

Earleaf Acacia  
Australian Pine (Casuarinas spp.)  
Melaleuca species  
Downy Rosemyrtle  
Brazilian Pepper, Florida Holly  
Catclaw mimose (mimosa pigra)  
Japanese Climbing fern  
Women's Tongue  
Weeping Fig  
Rosewood  
Wedelia

Carrotwood  
Air Potato  
Punk Tree, Cajeput Tree, Paperbark Tree  
Lather Leaf  
Climbing fern  
Java Plum  
Murray Red Gum  
Old World Climbing Fern  
Rose Apple  
Tropical Soda Apple

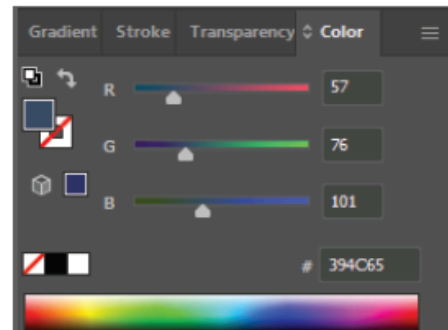
**EXHIBIT “B”**

Del Webb Oak Creek HOA

**Permitted For Sale Signs in Del Webb Oak Creek**



RGB Color



Material: Max Metal.

Post: 6ft White metal w/ decorative post toppers. Installed 2ft into ground

Information on sign:  
Del webb logo, Real estate company, Agent name and number.

**EXHIBIT “C”**  
Del Webb Oak Creek HOA

**Roof Cleaning Guidelines**

Clean Roofs



**EXHIBIT “C” (continued)**

Del Webb Oak Creek HOA

**Roof Cleaning Guidelines (continued)**

Roofs that will need to be cleaned after the rainy season.



**EXHIBIT “C” (continued)**  
Del Webb Oak Creek HOA

**Roof Cleaning Guidelines (continued)**

Roofs that need to be **cleaned immediately**.

Del Webb Oak Creek HOA would send the homeowner a violation letter.



**Exhibit “D”**  
Del Webb Oak Creek HOA

**Garage Screen Door - Examples**

**Folding – Permitted**



**Manual / Roll Up - Permitted**



**Electric - Permitted**



**NOT PERMITTED – Sliding / Magnetic / Hanging**



## **OVERVIEW**

### **Del Webb Oak Creek Overview**

Del Webb Oak Creek is a residential community offering a variety of residential home sites with future access to the Amenity Center. All residents will have access to the state-of-the-art activity campus featuring 2 Bocce Ball courts, 8 pickleball courts, food truck drive-up, fire pit lounge and a 15,000 Sq. Ft. Grand Clubhouse housing a community room, event hall, card and activity rooms, catering kitchen, State-of-the-Art fitness center and exercise studio. A resort pool along with an extensive pool deck, lap lanes and heated spa are also available. Del Webb Oak Creek offers a variety of home styles.

### **Del Webb Oak Creek Design Review Process Overview**

The same focus on quality, attention to detail, environmental concern, and pride that went into the development of other successful Del Webb projects will continue in Del Webb Oak Creek. The purpose of the Design Review process is to establish high development standards that are consistent throughout the community. This in turn supports the long-term quality and lasting values of the community.

### **General Design Standards**

Del Webb is dedicated to the success and quality in the development of Del Webb Oak Creek. This dedication will be reflected throughout Del Webb Oak Creek in many ways, including the uniqueness and quality of the architectural and landscape style, which will be carried throughout Del Webb Oak Creek, including the amenity center, streetscapes and the community. The established architectural theme reflected in each building, home or amenity feature. The landscape theme focuses on the use of native plants and the creation of a natural setting that complements the architecture and views.

## **I. THE DEL WEBB OAK CREEK DESIGN REVIEW PROCESS**

- A. **Purpose of Design Guidelines:** The Design Guidelines for Del Webb Oak Creek ("Design Guidelines") provide an overall framework and comprehensive set of standards and procedures for the development of the community in an orderly and cohesive manner. These standards have been developed to assist in the planning, constructing, landscaping, and modifying of residences within Del Webb Oak Creek. The standards may set forth criteria for design, style, materials, colors and location of site improvements, landscaping, signage, and lighting. In addition, the Design Guidelines establish a process for review of all proposed construction and modifications to residences to ensure that all sites within Del Webb Oak Creek are developed with the consistency and quality that attracted you to this development.
- B. **Governmental Permits:** To the extent that Lee County ordinances or any local government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Design Guidelines or the Declaration of Covenants, Conditions, and Restrictions for Del Webb Oak Creek (the "Declaration"), the local government standards shall prevail. To the extent that any local government standard is less restrictive, the Declaration and the Design Guidelines (in that order) shall prevail.

C. Preparer: These initial Design Guidelines have been prepared by Pulte/Del Webb (the "Declarant") and adopted by the Declarant pursuant to the Declaration. The Design Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and in Article I of these Design Guidelines.

D. Applicability of Architectural Review: These Design Guidelines govern all residential construction within the property, which is or may be subject to the Declaration in accordance with Article V of the Declaration. Unless otherwise specifically stated in Article V of the Declaration or these Design Guidelines, all plans and materials for new construction or exterior modifications of improvements on a residence, except for Declarant, must be approved before any construction activity begins.

Owners are responsible for ensuring compliance with all standards and procedures within these Design Guidelines. Owners are also governed by the requirements and restrictions set forth in the Declaration, any applicable Supplemental Declaration, Amendment or Addendum, and any other applicable architectural and landscape guidelines. Owners should review and become familiar with the Use Restrictions applicable to Del Webb Oak Creek enacted under Article IX of the Declaration, which addresses restricted and prohibited conduct and activities within the community.

E. Review Structure: Architectural control and design review for Del Webb Oak Creek is handled by either: (i) the Declarant or its designee; or (ii) An Architectural Review Committee ("ARC"). The Association will establish an ARC or its designee once the Declarant turns over the right as described below. The term "ARC", as used in these design guidelines, shall refer to the appropriate reviewing entity.

1. Declarant. The Declarant has exclusive jurisdiction over all matters relating to architecture and landscaping, as set forth in Article V of the Declaration, so long as the Declarant owns any portion of the Properties, unless the Declarant terminates such rights earlier by written instrument executed by Declarant and recorded in the Public Records (the "Declarant Review Period"). During the Declarant Review Period, the Declarant shall review plans and specifications for and shall have jurisdiction over all construction and landscaping on any Unit, shall be the conclusive interpreter of these Design Guidelines, shall monitor the effectiveness of these Design Guidelines, and may, but shall not be obligated to, promulgate additional design standards and review procedures as it deems appropriate.

The Declarant may from time to time, but shall not be obligated to, delegate in writing all or a portion of its rights under this Section to (i) a Design Review Staff appointed by the Declarant or (ii) the ARC appointed by the Board of Directors, or (iii) a committee comprised of architects, engineers, or other persons who may or may not be Members of the Association. In the event of such a delegation, the designee's jurisdiction shall be limited to such matters as are specifically delegated by the Declarant. In addition, any such delegation shall be subject to: (i) the right of Declarant to revoke such delegation at any time and reassume jurisdiction over the matters previously delegated; and (ii) the right of Declarant to veto any decision, which Declarant determines, in its sole discretion, to be inappropriate or inadvisable for any reason.

2. Architectural Review Committee (ARC). The ARC shall have jurisdiction to review and approve all construction modifications, etc., on any portion of Del Webb Oak Creek. Such construction may also be subject to review in accordance with any Del Webb Oak Creek Supplemental Declaration. The ARC has jurisdiction over all matters relating to architecture and landscaping of the Properties as set forth in Article V of the Declaration. The Declarant will appoint members of the ARC and the committee will consist of at least three (3), but not more than five (5), persons. There shall be no surrender of this right prior to the initial construction of the last Unit to be constructed within Del Webb Oak Creek except in a written instrument in recordable form executed by the Del Webb Oak Creek Developer.

A Del Webb Oak Creek Owner who wishes to construct improvements or modifications to existing improvements shall secure architectural approval from his or her Community Association in connection with the ARC application.

F. Review Fees: Presently, as long as the Owner (hereafter collectively referred to as "Applicant") submits a Design Review Application that does not require any type of concrete work or ground excavation, the ARC shall not charge a fee. If the Applicant submits a Construction Application (i.e., the after-market installation of a pool, spa, patio, extended patio, screened enclosure, etc.) the Applicant must provide a One Thousand Dollar (\$1,000.00) damage deposit at the time of submission of the Application. The Applicant/Owner and Contractor are required to read and sign the After-Market Construction Addendum and submit the signed Addendum with the Application. If the signed Addendum is not received from both the Applicant and the Contractor, the application will be denied. The Contractor is required to provide a Five Thousand Dollar (\$5,000.00) damage deposit. If a Construction Application is filed after the commencement of the work, the Applicant will be subject to a One Hundred Dollar (\$100.00) fine per day from date of work commencement to date of ARC approval. This fine is payable to the Del Webb Oak Creek Community Association. The damage deposits will be refunded under the following conditions:

- The work must be completed in compliance with all applicable rules and regulations.
- There must be no damage to community property caused by the construction.
- The inspections confirm the work meets all ARC guidelines.
- The refund of the deposits will be processed within **30 days** following the completion of the project and final inspection, provided there are no violations or damages that would require the deposits to be withheld.

For fence installations, a separate damage deposit of Two Hundred Fifty Dollars (\$250.00) is required. In addition, the Owner must have a wet check completed by the Community Landscaper after the installation. Any required repairs or corrections identified during the wet check or after installation shall be completed at the Owner's expense.

G. ARC Appeal Process: During the Declarant Review Period, any homeowner whose architectural modification request is denied or conditionally approved may submit a written appeal within fifteen (15) calendar days of the ARC decision. Appeals must be submitted to the Association Manager and include the original application, ARC response, and a statement of appeal. The Developer or its designated review panel will evaluate the appeal and issue a final written decision within thirty (30) days. No construction may begin until a final written approval is received. All decisions rendered during the Declarant Review Period are final and binding.

## II. DESIGN REVIEW PROCEDURES

The Owner is responsible for the submittal of all site plans, architectural and landscape plans for the alteration or modification to an existing building. The ARC is appointed by the Declarant and is responsible for the review and approval of all plans submitted for construction and design approval. The Committee meets on a regular basis and requires that all plans be submitted at least seven days prior to the meeting. The process for submitting and gaining approval is outlined below.

**Step 1** – Each Applicant shall submit a completed application along with the necessary dimensional site plan, floor plan and elevations, and/or schematic landscape plans as they pertain to the application. Exterior finishes and color schemes, if available, may be discussed. Requirements for plans are further explained in Step 2 B below. Applicants may request an initial meeting with a representative of the ARC to address any questions about the Del Webb Oak Creek Design Guidelines.

The Association will have 60 days to review the request.

**Step 2 – Construction applications.** Review of final construction drawings is required for Approval. The same information is required; however, greater detail is required and all information regarding materials, exterior finishes, color schemes, lighting, and landscaping shall be provided. The Contractor's license and insurance are required with the application. A signed After-Market Construction addendum must be signed by both the Applicant and the Construction Company's representative. The One Thousand Dollar (\$1,000.00) damage deposit must be submitted with the application. The Five Thousand Dollar (\$5,000.00) damage deposit must be received with the application from the Contractor before work may commence.

One set of the plans must be submitted for approval by the ARC. A letter from the ARC will be sent to the Applicant when all the submittal criteria has been satisfied stating the plans are approved, approved with conditions or exceptions, or denied.

A. Plans to be Reviewed: The ARC requires one set of any of the following plans for a modification, in addition to the submission of a Construction Application.

1. Site Plan. Include the required setbacks, easements and horizontal dimensions that locate the residence/building on the lot/parcel.
2. Landscaping Plan. Showing location, size, species, quantity, and quality of all plant material, paving materials, light poles, and provide typical details for protection of existing vegetation, use of plants, and other landscaping details. Master Plans to be shown at 1" = 20'.
3. Other. Such other information, data, and drawings as may be reasonably requested, including, without limitation, irrigation systems showing 100% coverage, drainage, lighting, satellite dish placement, storm shutters, screening, fences, lawn ornaments and other features.

B. Review Criteria: While the Design Guidelines are intended to provide a framework for construction and modifications, the Design Guidelines are not all-inclusive. In its review process, the ARC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things. ARC decisions may be based on purely aesthetic considerations.

C. Recommendations: The Declarant, prior to the expiration or termination of the Declarant Review Period and the ARC, after the expiration or termination of the Declarant Review Period, shall have the authority from time to time to adopt and revise lists of recommended landscape plant materials such as the ones attached.

D. Variances: Variances may be granted in some circumstances including, but not limited to, topography, natural obstructions, hardship, or environmental considerations. All variance requests must be submitted in writing. The Applicant must state the reason for the request and propose mitigation of the variance. The ARC shall have the power to grant a variance from strict compliance in such circumstances, so long as the variance does not result in a material violation of the Declaration. Prior to turnover, no variance shall be effective unless in writing and signed by a representative of the Declarant.

E. Review Period: A written response shall be made to each Construction, Architectural or Landscape Application and plan submittal deemed complete within 60 days of submission of all materials required by the ARC. The 60-day review period will begin only upon receipt of a complete application package, including all necessary documents, plans, and forms as determined by the ARC. The ARC's decision shall be rendered in one of the following forms:

1. "Approved" - The Construction, Architectural or Landscape Application as submitted is stamped approved.
2. "Approved with Conditions" - The Construction, Architectural or Landscape Application is approved as submitted, but the ARC's conditions for curing objectionable features or segments are noted. The Applicant must correct the plan's objectionable features or segments, and the Applicant may be required to submit in writing, agreement with conditions to receive approval prior to commencing the construction or alteration. Further conditions to the Application may apply and must be complied with as stated in the Approval with Conditions.
3. "Disapproved" - The Construction, Architectural or Landscape Application as submitted is rejected in total. The ARC may provide comments but is not required to do so.

The Del Webb Oak Creek Community Association will convey the findings of the ARC to the Owner.

F. **Enforcement – Fines**: In accordance with Section 11.3 of the Declaration and Florida Statute §720.305, the Association may issue a fine for any work commenced without prior ARC approval or completed in violation of approved plans. Prior to issuing an assessment, the homeowner will receive written notice of the violation and be given no less than 14 days to correct the issue or request a hearing. The homeowner has the right to have a hearing before a **Compliance Review Committee** consisting of at least three impartial residents who are not Board members or related

to Board members. If the Committee upholds the violation, a fine of up to **\$100 per day** may be imposed for each day the violation continues, with a maximum total of **\$1,000**, unless a higher amount is authorized by the governing documents. Assessments under \$1,000 **may not become a lien** against the property. If the Committee does not approve the assessment by majority vote, it will not be imposed. The Association may also pursue additional remedies, including specific assessments or legal action, if the violation is not corrected. Once the violation is resolved, the Board reserves the right to reduce or waive the fine at its discretion. This policy is intended to promote compliance in a fair and consistent manner while maintaining the integrity of the community's design standards.

- G. Lee County Approval: The review and approval of plans and specifications shall not be a substitute for compliance with the permitting and approval requirements of Lee County or other governmental authorities. It is the responsibility of the Owner to obtain all necessary permits and approvals.
- H. Implementation of Approved Plans: All work must conform to approved plans. If the Declarant determines it, that work completed or in progress on any lot/parcel dwelling, does not comply with these Design Guidelines or any approval issued by the ARC, the ARC, directly or through the Board, notify the Owner in writing of such noncompliance. The ARC shall specify in reasonable detail the particular reasons of noncompliance, and shall require the Owner to remedy the same. If the Owner fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such noncompliance shall be deemed to be in violation of the Declaration and these Design Guidelines.
- I. Time to Complete. Once the ARC has approved the request, work must commence within 60 days and be completed within one year of its commencement. The Applicant may request an extension of such maximum time period not less than three days prior to the expiration of the maximum time period, which the ARC may approve or disapprove, in its sole discretion.

If work does not commence within 60 days after approval, the approval shall be deemed withdrawn and the applicant must resubmit the Application for approval. If the work is not completed within the period set forth in the Approval, or within any extension approved by the ARC, the Approval shall be deemed withdrawn, and the incomplete construction shall be deemed to be in violation of the Declaration and these Design Guidelines.

- J. Changes After Approval: All proposed changes to plans, including changes that affect the exterior of any building, colors, windows, grading, paving, utilities, or landscaping made after the approval of plans must be submitted to and approved in writing by the ARC prior to implementation. Close cooperation and coordination between the Applicant and the ARC will ensure that changes are approved in a timely manner.

If Lee County or any other authority having jurisdiction requires that changes be made to final construction plans previously approved by the ARC, the Applicant must notify the ARC of such changes and receive approval from the ARC prior to implementing such changes.

- K. Enforcement: In the event of any violation of these Design Guidelines, the Declarant or the Board may take any action set forth in the Declaration and By-Laws of Del Webb Oak Creek, including the levy of a specific assessment. The Declarant or the Board may remove or remedy the violation and/or seek injunctive relief requiring the removal or the remedying of the violation. In addition, the Declarant or the Board shall be entitled to recover all costs incurred in enforcing compliance and/or impose a fine against the Unit upon which such violation exists.
- L. Inspections - Upon completion of any approved work, it is the homeowner's responsibility to contact the Association to request a final inspection. If the project involved any digging or ground disturbance that could potentially impact irrigation systems, the homeowner must also contact the Association's contracted irrigation vendor to perform a wet check on both their property and the adjacent neighboring properties. Any costs incurred for this inspection are the sole responsibility of the homeowner. Additionally, a written confirmation from the irrigation company verifying the inspection and findings must be submitted to management. **Please note, these steps must be completed in full for the construction deposit to be eligible for refund.**

### III. ARCHITECTURAL AND IMPROVEMENT DESIGN STANDARDS

The following specific site criteria shall apply to all proposed or existing residential construction within Del Webb Oak Creek unless the ARC grants a variance.

- A. Architectural Standards: The exteriors of all buildings are designed to be compatible with the natural site features and landscaping of the residence/building and to be in harmony with their surroundings. The landforms, the natural contours, local climate, vegetation, and the views dictate the building location, the building form, and the architectural style. The ARC may disapprove plans if in its judgment the massing, architectural style, roofline, exterior materials, colors or other features of the building do not meet these standards.

Equal attention to detail and architectural definition is given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials, roof character, and window treatment.

Set back requirements from property lines are established in the PUD Zoning and are subject to public utility easements, drainage easements, landscape easements depicted on the Master Plan, and rights-of-way.

#### B. Architectural Standards - Specifics

- **Air Conditioning Equipment.** ARC approval is required for the installation of air conditioning equipment or evaporative coolers. No window air conditioning units shall be allowed. No wall units may be installed without prior approval. All air conditioning compressor units must remain in the originally installed location and must be screened from all streets by evergreen hedge or other visual barriers as approved in writing by the Developer, during the Construction and Sales Period, and thereafter by the Association. No compressor or other component of a central air conditioning system (or similar system, such as a heat pump) shall be located on any Lot so as to be visible from the public street on which the Lot fronts, and, to the extent reasonably possible, all such external equipment shall be so located on any Lot so as to minimize the negative impact thereof on any adjoining Lot, in the terms of noise and appearance.
- **Awnings and Overhangs.** Retractable type awnings made of canvas with aluminum frame may be permitted on the rear of the home only. They must be secured to the home and capable of withstanding storm events according to Building Code standards. See the definition of “storm event” under “Hurricane and Storm Shutters”. The frame shall be bronze or with neutral colors that complement the home. Awnings of any type are not permitted on the front of a home or over side windows. The awning and overhang color must be the same as or generally recognized as complementary to the exterior of the residence.
- **Bahamian Shutter – Awnings Guidelines**  
Association will allow Bahamian Shutter to be installed as an Awning with proper ARC Approval and the following provisions:
  - Shutter must not be larger than the top half of window.
  - Bahamian Shutter must be professionally installed.
  - Must be fabricated from a High-Quality Aluminum.
  - Shutter must be secured or removed during the event of a storm.
  - Shutter must match home trim or front door.
  - Front Windows and rear windows only.
  - Shutters are not allowed to be installed on any side windows or above garages doors.

**This is an example of an acceptable Bahama Shutter installation.**



**This is an example that would be unacceptable.**



- **Basketball Hoop Guidelines/Requirements:**

It must be portable and placed in garage when not in use. May not remain on the driveways overnight or when not in use.

Portable basketball hoops shall be kept in good repair and may only be used on a homeowner's property and not in any common areas.

Care and courtesy of your neighboring property shall always be taken into consideration when using equipment.

- **Birdbaths, Birdhouses, and Bird feeders.** ARC approval is not required for single-family dwellings for rear yard installation of any birdbath that is three feet tall (36 inches) or less, including any pedestal. No bird bath or bird feeder shall be permitted in the front or along the side of any Lot. Birdbaths/bird feeders are permitted in a landscape bed in the back of the Lot, so long as they are placed in a location that is unobtrusive, and not readily visible from the street or common areas. They must be adequately screened by landscaping, if necessary, or by other visual barriers that may be approved in writing by the Developer, the Association, or the Architectural Review Committee, if applicable. Birdbath structures can be no taller than three (3') feet and must be neutral in color. No bright or fluorescent colors are permitted. Any bird baths/bird feeders must be maintained by the Owners in a clean condition and must also be maintained in appearance consistent with the standards of the Association.

- **Clotheslines.** Outside clotheslines are permitted with approval.

- **Decks.** See "Screen Enclosures, Patios/Lanais."

- **Decorative Wall Art:** Must be placed in the entryway only and not over the garage doors. It must be kept in a clean and well-maintained condition. Displays of an aggressive or offensive nature are not permitted. Homeowners are responsible for any damage caused to the home due to the attachment. A new application is required when replacing it.

- **Dog Houses, and Dog Runs.** Doghouses and dog runs are strictly prohibited.
- **Driveways.** Stains or surface coatings are not permitted unless such stains are clear. Owners may not change the actual driveway surface from what the builder installed. Extensions will be permitted on a case by case basis.
- **Exterior Colors.** Color selections for all exterior material shall be in warm, earth tones. Owners must submit for approval color samples of all exterior surfaces to the ARC for review and approval prior to changing colors, including specifications and samples for window and metal finishes, roof material, trim, and exterior surfaces and accents.
- **Exterior Lighting:** All exterior lighting must comply with the governing documents and current ARC guidelines. ARC approval is required for any exterior lighting installation unless it is for seasonal or holiday decorative purposes. However, ARC approval is required for exterior lighting and must be installed in accordance with the following guidelines: lighting must be directed toward the landscape beds or landscape material and be of low wattage (limited to 2,000 lumens) to minimize glare to neighbors and other homeowners. Fixtures must be dark in color, and all lighting must be low voltage (12 volts) due to its safety advantages. Exterior lighting must be conservative in design, reasonably small in size, and using white or daylight-toned bulbs only, colored lighting is prohibited except during temporary holiday periods. Carriage (garage) lights must follow the same standards.  
Landscape lighting must be positioned to highlight landscape beds, trees, or tasteful architectural features and must not shine toward neighboring homes, including across lakes. Uplighting should be white, low voltage, and limited to 25 watts or equivalent, and may be used sparingly to accent limited features such as bay windows. Spotlights must not face neighboring homes and should operate on motion sensors or timers, turning off no later than 10:00 PM. All wiring must be buried at least 10 inches underground, and lights should be installed at least two feet inside mulch beds to avoid landscaping damage. The HOA and its landscapers are not responsible for any damage to lighting or associated wiring. No lighting may be installed on fences or exterior structures, except for approved holiday decorations. Permanently installed, color-changing lighting systems (such as Jellyfish Lighting) must be submitted to the ARC for review and approval. Any other deviations from these guidelines require written ARC approval.
- **Exterior Wall Treatments.**
  - Exterior Wall Treatments: The following are acceptable exterior wall treatments for vertical surfaces:
    - Painted stucco in natural earth tones.
    - Stone in warm earth tone colors, on front of the home, no higher than 4' may extend to the top on garage face wall only.
    - Anodized or paint finishes are required on all metal surfaces including windows, flashing, drips, and caps.
    - Vinyl, wood, or metal siding is prohibited.
- **Fences and Walls.** Walls of any kind are prohibited.

**Fence Guidelines:** These guidelines are subject to change based on lot specific conditions and every fence must have ARC approval.

- All fences must be black or bronze in color, made of aluminum, and cannot exceed 48" in height.
- All fence enclosures must include a 60" gate to allow for mowing equipment to gain access.
- Fence sections should be installed with a 4" vertical separation between the bottom of the fence and the ground to allow for appropriate turf maintenance. A horizontal separation of no more than 4" is required between individual fence pickets.
- All fences must have a mulch bed extending out 6" on each side of the bottom of the fence.
- Decorative fences are not permitted.
- Visibility on Corners: No fences shall be placed or permitted on a corner Lot where such obstruction would create a visibility issue.
- No fence shall be constructed on any Lot without prior written approval of the Reviewing Body. The fence shall be uniform and there shall be no mixing of fence types within one Lot.

- Wood, vinyl fences in any color, and chain link (or chicken wire or similar) fencing is not permitted.
- Puppy picket fencing is permitted. Puppy pickets are preferred by the Association for owners who have little dogs.
- All fencing shall only be in line with the building envelope and cannot exceed past the rear yard setback requirement (depends on the lot size and location).
- Access Gates shall be the same material, style and height as their requested fence and a minimum of sixty inches (60") in width. Access may not be impeded by HVAC units or other equipment. All access gates must always remain unlocked and should be located in the rear of the property.
- Any fencing installed on a lot adjacent to a pond must be installed at the top of lake bank or rear yard setback and/or property line as determined by the Reviewing Body to ensure consistency around each lake.
- Owner is responsible for any damage or drainage issues on their lot and that of any neighboring home(s) as a result of the fence installation.
- Fencing is not permitted to be installed on easement areas.
- If landscaping is being relocated, trees must not be positioned in a manner that obstructs or interferes with existing views.

#### **Set back requirements:**

- Depth: A 5-foot setback or any easement at the rear of the lot must be maintained. For properties with additional easements, such as lake lots, structures can extend up to the easement but not beyond it.
- Width: A fence may extend to the side property line provided that it does not encroach into a drainage easement. Fencing is not allowed within any drainage easement.
- Homes with a drainage easement on one side may only extend the fence to the side lot line on the opposite side, where no easement exists.
- If a fence extends to the side lot line, an adjacent neighbor may connect their fence upon request.
- All fencing must be installed within the envelope of the home or extended to side lot line; they may not be placed in between.
- A screen enclosure and a fence are permitted at the same time on any lot, however, the enclosure must stay in line with the envelope of the home.
- No fence will be approved in an easement area at the rear or side of any lot.
- Any exceptions or variance to these guidelines will be made on a case-by-case basis.

For single family homes, "Invisible fencing" type devices may, with the prior approval of the Architectural Reviewer, be installed within individual Lots, provided such installation shall be located within the rear portion of the Lot only, with no portion extending any further forward than the front portion of the residential dwelling structure located upon such Lot. Training flags must be removed at the end of the training period for the pet.

- **Flagpoles.** Per the Florida State Statutes, any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 ½' by 6', which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, a POW-MIA flag or first responder that honors the service of law enforcement officers, firefighters, paramedics and emergency medical technicians, correctional officers, 911 operators, nurses, persons participating in urban search and rescue and federal law enforcement.

Flagpoles and mounting brackets must be white, black, or gray/silver. The flagpole should be installed at an angle to minimize the risk of accidents and to help ensure the flag does not touch the ground.

No ARC approval is required for any homeowner who displays an American flag from a white pole and white mounting placed on either side of the garage door as long as it is installed at a height and an angle for safety reasons.

Sport flags may be displayed on event day only. No other flags are permitted.

- **Fruit Trees:** Fruit trees are permitted to be installed, cultivated, and maintained within lots, unless prohibited by general law or local ordinance, provided that (a) such fruit trees are located within the home or inside a screened-in lanai, and (b) neither such fruit trees, nor their installation, cultivation, or maintenance (i) creates any noise, smoke, or odors, (ii) results in any infestation of rodents, pests, birds, or insects in or around such fruit trees, or (iii) otherwise adversely affects access to or use and enjoyment of any other lot, home, or common area as determined in the sole and exclusive judgment of the Board of the Association. As with all landscaping, planting of fruit trees must be approved by the ARC, which can adopt guidelines limiting or restricting the location, size, type, and number of fruit trees that can be maintained on a lot based upon the considerations set forth in subsection (b) above.
- **Furniture.** No unsightly condition shall be maintained on any patio, porch or lanai, and only furniture and equipment consistent with the normal and reasonable use of such area shall be permitted to remain there during seasons when the same are reasonably in use. Furniture located outside of a dwelling shall be of high quality and consist of typical lanai, porch and/or patio furniture. Furniture may be wood, metal or plastic. The use of couches, car seats or other non-traditional outdoor furniture or equipment shall be prohibited.
- **Garage.** No garage shall be erected which is separate from the Unit. No garage shall be permanently enclosed, and no portion of a garage originally intended for parking of an automobile shall be converted into a living space or storage area. No individual air conditioning units which are visible from outside the Unit shall be permitted in a garage unless prior approval is obtained. All garage doors shall remain closed when not in use.
- **Gazebos and Greenhouses.** Gazebos, greenhouses or pergolas are not permitted.
- **Generators.** Auxiliary power generators must be installed in the side yard so as to not be visible from the road. Generators should also be appropriately screened from view of street and neighboring homes by means of landscaping. They shall be located so as to cause minimal disturbance to residents of adjacent Units. The location should provide maximum ventilation and not interfere with ventilation of adjacent Units. Only natural piped in gas or propane is allowed, subject to local ordinances. Generators are to be operated only during utility power outages. Generators cannot run after 10:00 pm or before 8:00 am. Portable generators may be stored in garages, but operation and storage must follow all local ordinances. For portable generators, fuel may not be stored in the residence except under emergency conditions and must be used or disposed of within 5 days after emergency conditions have ended.
- **Grills.** Propane, natural gas, electric or charcoal grills are allowed on rear patio/lanai subject to the limitations of all applicable ordinances and neighborhood documents. Grills must be stored in garage or on rear patio/lanai when not in use.
- **Holiday Decorations.**

Holiday Decorations are allowed and may consist of lights and other decorations appropriate to the holiday being celebrated. Holiday decorations may be installed within two (2) weeks before a holiday and must be removed within one (1) week after a holiday.

Christmas decorations may be installed at any time after Thanksgiving and must be removed within two (2) weeks after New Year's Day.

Owners may not place holiday decorations on the General Common Elements.

Neither the Association nor its maintenance vendors are responsible for any damage to decorations placed in maintained landscaped areas.

- **Hot Tubs/Spas/Jacuzzis** may be permitted with ARC approval. The installation of hot tubs/spas/Jacuzzis shall not create an unreasonable level of noise for adjacent property owners. Any Owner intending to construct a hot tub must submit to the Architectural Reviewer a detailed description and proposed layout showing size, location, materials, shape, landscaping, fencing, screening, and the type of construction. Hot tubs/spas/Jacuzzis must be installed in the patio/lanai area. The Architectural Reviewer shall have absolute discretion to approve or disapprove any proposal and may attach any conditions, which it deems appropriate. Any approved hot tubs must be maintained by the Owners in a safe and clean

condition and must also be maintained in appearance consistent with the standards of the Association. Hot tubs, if permitted in writing by the ARC, shall be screened from view from any street lying by an evergreen hedge or other visual landscape barrier as approved in writing by the Association and in compliance with all laws and governmental regulations and ordinances pertaining thereto.

#### Spa Specifications

Size of tub cannot exceed 8' x 8' x 36" to top of lid.

The tub must conform to local building codes and ordinances.

All mechanical equipment necessary for the operation of any hot tub, spa or Jacuzzi must be screened from the street and neighboring Units by a fence, wall, or landscaping, such screening to be in accordance with these Design Guidelines and approved by the ARC. Owners may be required to install safety features such as locks or covers for these items when such are not in use. A screen or fence plan and a plat of the property shall accompany applications for hot tubs, Jacuzzis and spas with the improvements indicated thereon.

- **Hurricanes.** Each Unit Owner who plans to be absent from his Unit during the hurricane season must prepare his Unit prior to his departure by:

Removing all furniture, potted plants and other movable objects from his porch, patio/lanai, and landscaping beds if any; and designating a responsible individual satisfactory to the Association (other than the Association) to care for his Unit should the Unit suffer hurricane damage.

All Owners must designate a responsible individual satisfactory to the Association to install hurricane storm protection not more than 48 hours before a named storm and must remove hurricane storm protection not more than 48 hours after a storm event.

- **Mailboxes.** The builder will install clustered mailboxes. Postmaster will provide keys and are distributed at closing. Homeowners that lose their key or damage the lock will be responsible for the costs of replacing the lock.
- **Mini-Split AC:** It may not be placed in a location that could cause a noise disturbance to neighboring homes. Additionally, it must be screened from view from both the street and neighboring properties using mature landscaping that provides coverage at the time of installation. Any visible pipes or wire covers must be painted to match the home for a cohesive appearance.
- **Outdoor Equipment.** Swimming pool equipment and other such outdoor equipment must be placed in sight-screened areas or fenced-in areas. They must be screened from view from both the street and neighboring properties using the afore mentioned or by mature landscaping that provides coverage at the time of installation.
- **Paint: Exterior Colors.** No exterior colors on any structure, nor the colors of driveways and walkways shall be permitted that, in the sole judgement of the Architectural Reviewer, would be inharmonious or incongruous with the remainder of Del Webb Oak Creek. Any future color changes, as described above, desired by Owners must be first approved in writing by the Architectural Reviewer. The restrictions set forth in Section 9.8 shall not apply to the Developer or Builders.

Owners may repaint in accordance with the originally approved color scheme of their dwelling. Written approval is required for all changes in exterior painting. Review criteria may include, but shall not be limited to, the sheen of paint, the home's architecture, any existing stone or brick accents, roof color, and neighboring properties' colors. The main colors for all exterior building surfaces must complement the architectural theme of the house.

Rain gutters: Color shall blend with existing color schemes of the dwelling.

Lanai floor: if paver stones, colors for the extension must match the existing lanai.

If painting decking, color must be in compliance with existing approved color schemes.

- **Propane Tanks.** Propane tanks may be permitted with ARC approval. Propane tanks must be installed within setbacks and in accordance with all Lee County and local codes and screened from view.
- **Recreational Equipment.** Recreational equipment such as trampolines is prohibited.
- **Roofing.** The owner is responsible for maintaining all roofing materials and keeping the roof clean of mold and/or mildew. Roofing material may not be changed in any way.
- **Roof Accessories and Equipment.** ARC approval is required for all rooftop equipment and accessories. All rooftop equipment must match roofing colors or be of a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing, vents, gutters and downspouts must be painted to match the surface they are located on. Attachment straps must be painted to match the structure.
- **Satellite Dishes.** Notwithstanding the above, all Units are required to be pre-wired for telecommunications in accordance with the standards established by the Declarant. Antennas are prohibited, except that (a) antennas or satellite dishes designed to receive direct broadcast satellite services which are one (1) meter or less in diameter (b) antennas or satellite dishes designed to receive video programming services via multi-point distribution services which are one (1) meter or less in diameter; or (c) antennas or satellite dishes designed to receive television broadcast signals, ("Reception Device") shall be permitted, provided that the Reception Device is located so as not to be visible from outside the Unit or is located on the side or rear yard of the Parcel. The Architectural Reviewer may require that a Reception Device be painted or screened by landscaping in order to blend into the Unit and removed from view from the street and other Units.

No outside antennas, antenna poles, antenna masts are permitted. No satellite television reception devices larger than one (1) meter in diameter, electronic devices, antenna towers or citizen band (CB) or amateur band (ham) antennas shall be permitted except as approved in writing by the Association. For single family homes, Satellite television reception devices no larger than one (1) meter in diameter are permitted without such approval if the devices are affixed to a post in a landscaped bed in the rear and or sides of a residence and landscaped Owners shall locate the satellite television reception devices, so they are not visible from the street fronting the building.

- **Screen Doors.** ARC approval is required for the addition of a front screen door. The material and the color should be generally accepted as complementary to that of existing doors on the house (**bronze, or white**). The ARC must approve any exterior security treatments for doors and windows; however, no "burglar bars," steel or wrought iron bars, or similar fixtures shall be installed on the exterior of any windows or doors of any dwelling. To add a retractable screen door at the front entrance the doorframe shall match the existing paint color on the exterior of the building. The owner shall contract with a licensed and insured contractor and secure required permits prior to installation. No decorative grating designs depicting any flora, fauna or human figures are permitted.

**NOTE:** This section refers to screen doors only.

- **Screen Enclosures, Outdoor Kitchens, Pools, Patios and Extended Lanais.** ARC approval is required for the construction of open or extended patios, screened patios, enclosed lanais, outdoor kitchens, and extended lanais. If an Owner wishes to install sliding glass doors inside of a screened lanai, glass windows must be inside of the screen. Doors may be installed on a patio or lanai if Owner contracts with a licensed and insured contractor, and they secure the required permits prior to installation. No decorative grating designs depicting any flora, fauna or human figures are permitted. Tile flooring may be applied over the current concrete slab on a screened lanai.

Open or extended patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property owners. The patio pavers must match the originally installed paver color of the residence.

Enclosed patios and lanais shall be constructed of materials that are similar to or generally accepted as complementary to those of the residence. The screen framework should be bronze aluminum and screen material must be charcoal color. The Architectural Review Committee must approve plans prior to construction.

Composite (Elite) roofs are not permitted.

A properly licensed and insured contractor is required as well as securing the necessary permits before work begins. The owner is responsible for any drainage problems that develop and must submit a landscape plan for approval before construction begins.

Patios shall be located in the rear of the dwelling, extend no more than the rear yard setbacks of the dwelling or shall be enclosed on two sides by dwelling structures. Patios may be laid with brick pavers, **concrete or other suitable material**. Matching walkways, that wrap around to a garage entry may be permissible with written approval from the ARC.

A signed After-Market Construction Addendum along with the site plan depicting the installation and all setbacks, licenses, insurance of the contractor, all deposits and any other documentation which is necessary to demonstrate the finished product to the Architectural Reviewer, must be received with the Application to receive approval.

Installation of patios, pools, extended lanais and screened enclosures voids the land warranty. The owner is responsible for returning the property to the original grade for proper drainage and water runoff and will be responsible for all drainage issues going forward.

Front entry screening or front porch screening - The screen framework should be bronze or white aluminum which ever best compliments the home and screen material must be charcoal color. The Architectural Reviewers reserves the right to determine if a particular frame color should be used. The screen door must be simple and not have any decorative designs depicting any flora, fauna or human figures. Kickplates are not permitted when screening the front entry. They are only permitted in the rear lanai area.

- **Sheds** are not permitted.
- **Shutters:** Roll down shutter and frame shall match or complement the color of the wall that the unit is adhered to. The hood section shall match the exterior wall color or the window banding/trim.

No hurricane or storm shutters other than those provided with the Unit shall be installed without written approval from the Architectural Review Committee (ARC). The Del Webb Oak Creek Board of Directors reserves the right to adopt specifications for hurricane shutters, included but not limited to color, style, and any other relevant factor. While the ARC may provide aesthetic guidance, these guidelines shall not prohibit or impair the installation, function, or timely deployment of hurricane protection in accordance with Florida Statute §720.304.

Special attention will be given to shutters installed on front elevations or other highly visible areas of a home. In such cases, the ARC may recommend the use of landscaping to soften the visual impact, subject to case-by-case review.

For hurricane shutter systems requiring a center bar, the bar must not be permanently installed and must be removed promptly after the storm event has passed and there is no longer an imminent threat.

Shutters or storm panels that are not powder-coated white or the color of the home may only be installed 48 hours prior to a named storm forecasted to affect the area and must be removed within 48 hours after the storm has passed. Powder-coated shutters or storm panels in white or matching the home color may remain in place during the official hurricane season (June 1 through November 30). Rear lanai hurricane shutters or shades that cover sliding glass doors or protect the roofed portion of the lanai may be lowered at any time for security purposes while the homeowner is away.

- **Signs.** No Unit Owner other than the Developer may post or display any signs anywhere on the Property. The only exception being that owners are permitted to display on their property only, one (1) "For Sale" sign using the approved sign design in Exhibit "C". **The sign should be placed within a plant bed in front of the home.** No sign or advertisement of any kind, including, without limitation, those of realtors, contractors, and subcontractors, shall be erected within Del Webb Oak Creek. The Del Webb Oak Creek Homeowners Association Board of Directors or the Del Webb Oak Creek Developer shall have the right to erect signs, as they, in their discretion, deem appropriate. Under no circumstances will signs, flags, banners or similar items advertising or providing directional information with respect to activities being conducted outside Del Webb Oak Creek be permitted within Del Webb Oak Creek without the express written consent of the Board of Directors of the Community Association or unless they are installed by the Del Webb Oak Creek Developer. No sign will be nailed or otherwise attached to trees. Exhibit C shows a "For Sale" sign that has been approved by the Board of Directors.

- **Solar Panels.** ARC approval is required for the installation of solar energy equipment. Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the Unit and not visible from the street. Additional landscape buffering may be required in order to soften the appearance of solar panels. Solar panels shall be located on the rear roof of a home whenever possible, with a southern exposure preferred for optimal performance. All pipes for the solar panels must be painted monochromatic to match the house color it is adhered to. Solar panels may not be attached to the front of the home unless no other placement is available that would allow for reasonable energy production.
- **Statues.** ARC approval is required for any installation of any statue. Two (2), or one (1) single and one (1) set of statues, sculpture, object of art or any other similar object ("Objects of Art") shall be permitted in the front or along the side of any Lot. Objects of Art are permitted at the back of the Lot so long as they are placed in a location at the back of the Lot that is unobtrusive, and not readily visible from the street or common areas. Statues can be no taller than Fifty-Four (54") inches and must be earth tone in color. No bright or fluorescent-colored statues are permitted. The total number of items in a rear yard is limited to six (6). Approved items must be placed more than 6 inches from the end of the sod line, cannot be placed on any lawn, and are placed solely at the risk of the homeowner regarding damage from any maintenance provider contracted by the HOA to provide service. All statues must be brought inside of the home prior to owner departing for the hurricane season or upon issuance of tropical storm and/or hurricane warnings.
- **Storm Doors.** Full light without ornamentation permitted. Color must match trim color on dwelling. Owners may not install, on either the interior or the exterior of the storm door, any bars or other similar visible security protection devices. If the owner wants to replace the standard front door with a decorative door design requests shall be submitted for approval and decisions will be made on an individual basis.
- **Swimming Pools.** ARC approval is required for the construction or installation of pools. Pools shall be located in the rear yard within rear yard setbacks. It must be an integral part of the residence. Landscaping shall be provided around the pool cage and must be an integral part of the overall landscape plan. If landscaping is being relocated, trees must not be positioned in a manner that obstructs or interferes with existing views. All mechanical equipment necessary for the operation of any pool must be located in the side yard and must be screened from the street and neighboring residences/buildings by landscaping, such screening is to be in accordance with these Design Guidelines and approved by the ARC.

Above-ground pools are prohibited.

The owner is responsible for correcting any irrigation issues and removal of existing landscape materials. The owner must comply with access requirements and gain appropriate approval if egress is needed by means other than owner's property. Plans must be submitted for review of any pool to be constructed. The owner must contract with a licensed and an insured contractor is required. Proof of all applicable permits, licenses and insurance must be provided to ARC before work begins. The screen framework shall be bronze aluminum.

Screen material shall be charcoal and match existing design of other screens. All damaged landscape, sidewalks and common areas shall be restored by the owner.

A refundable construction deposit of \$1,000 made payable to the Del Webb Oak Creek Homeowners Association is required from the Owner with ARC application submission. A signed After- Market Construction Addendum, signed by the Owner and the Contractor is required with the application, and the Contractor must provide a construction deposit, letter of deposit or bond in the amount of \$5,000. Deposit, letter of deposit or bond from Contractor will be refunded once Manager has confirmed all irrigation, landscaping, common area and grading has been restored. Deposit, letter of deposit or bond will be transferable to another Del Webb Oak Creek pool project with Architectural approval.

- **Trash Containers.** Each Unit Owner shall regularly pick up all garbage, trash, refuse or rubbish outside his Unit, and no Unit Owner or resident shall place or dump any garbage, trash, refuse or other materials on any portion of Del Webb Oak Creek. All garbage, trash refuse, or rubbish must be placed in appropriate trash cans. All containers or garbage facilities may not exceed 44 gallons and must have a locking lid. **All containers or garbage facilities shall be stored inside the garage.** No noxious or offensive odors shall be permitted. This community will have curbside garbage pickup provided by Lee County, Florida. **Unit Owners may leave garbage containers outside for pickup no sooner than 5 a.m. the morning of the day of garbage pickup and shall retrieve garbage containers no later than the evening of the day of garbage**

**pickup.**

The burning or incineration of rubbish, trash, construction materials or other waste outside of any residential dwelling is strictly prohibited.

- **Vegetable Gardens:** Homeowners may install vegetable gardens with prior ARC approval, provided they are located within the home or inside a screened-in lanai. Vegetable gardens and fruit trees must be maintained to appropriate aesthetic and upkeep standards. The ARC reserves the right to impose reasonable conditions related to placement, screening, and maintenance to ensure consistency with community standards and to prevent potential nuisances to neighboring properties.
- **Windows, Doors, and Trim.** All draperies, curtains, shades, or other window coverings installed in a Unit, and which are visible from the exterior of the Unit, shall compliment the color of the home. No bright and or florescent colors permitted.

Window tinting with solar guard SS-175, SS-165 OSW, SS-165 Llumar N-1020 and 3M NV-25 have been approved. In addition, other tinting with a maximum of 66% of solar energy rejected and minimum of 24% visible light transmittance has been approved. Highly reflective, dark or mirror-like tinting will not be approved. Tinting must be consistently applied on any one side of a home.

Windows should be clear glass or a tinted glass of **bronze**, gray, green, or smoke colors. Aluminum window frames or screen enclosures shall be bronze. The screen enclosure screen fabric shall be charcoal. Window and door screens shall be the same color as originally installed on the units. Newspapers, sheets, or any temporary covering is not permitted as coverings for windows.

- **LANDSCAPING AND SITE STANDARDS**

Landscaping is an essential element of design at Del Webb Oak Creek. Preservation of existing vegetation in addition to the introduction of plants native to the Lee County area must be considered in establishing the landscape design.

**Landscaping:** Landscape plans shall be submitted prior to an alteration of existing landscaping plans except in the case of the Declarant. Owners or their assigns shall maintain all landscaping enhancements.

Del Webb Oak Creek shall be equipped with dual water lines, one of which shall be designated to utilize non-potable water. All underground irrigation systems shall be connected to the non- potable water line and all spigots on the exterior portion of a structure shall be connected to the potable water line. Hose hangers have been permitted if screened by landscaping materials and/or placed as unobtrusively as possible.

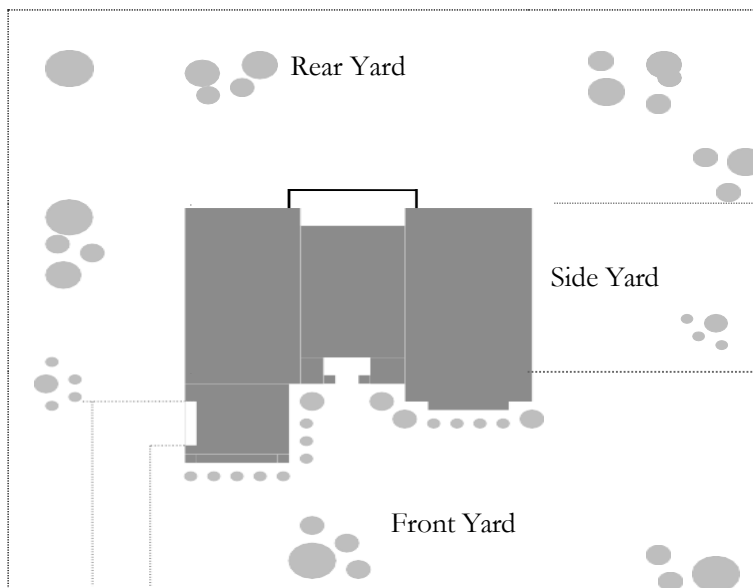
No modifications shall be made to the landscaping without prior approval of the Association.

The stockpiling and storage of building and landscape materials and/or equipment shall not be permitted on any Lot, except such materials and/or equipment as may be used within a reasonable length of time. In no event shall the storage of landscape or building materials extend for a period of more than fifteen (15) days. Sod and/or irrigation damage resulting from such storage shall be the Homeowners' responsibility to correct.

**Wetlands.** Any person or entity other than Developer or its authorized representatives shall modify no wetlands in any manner unless all governmental units or agencies having jurisdiction over such wetlands within the Property have issued a permit for such modification.

**Plant Diseases or Noxious Insects.** No plants, seeds or other things or conditions harboring or breeding infectious plant diseases or noxious insects shall be introduced or maintained upon any part of a Lot.

**Soil Removal.** Soil removal from Lots shall not be permitted, except as required for construction purposes and as permitted by Developer. In addition, all construction shall be subject to the requirements of the Florida Soil Erosion and Sedimentation Control Act, as amended, and all other applicable statutes, ordinances, rules and regulations of all governmental agencies having jurisdiction over such activities.



The Homeowner must submit typical landscaping plans to the ARC. Plans must include the location of plants to be installed with the number and type of plant. Plants chosen must reflect the plant pallet already installed within Del Webb Oak Creek. If landscaping is being relocated, **trees must not be positioned in a manner that obstructs or interferes with existing views.**

**Approved and Prohibited Landscape Materials:** A list of approved and prohibited landscape materials that may be used within the development is attached as Exhibit "B" which may be updated and revised from time to time. Applicants intending to use material not included on such list must receive ARC approval before using such material.

No stone, gravel, or paving materials shall be used as, or substituted for, lawns unless approved by the ARC. Egg rock may be used along entry walks, at down spout locations and around lanais. At no time should egg rock, gravel or stone meet sod.

**Lawn Ornamentation, Wind Chimes and Flowerpots:** The use of ornaments in any yard is not allowed. Wind chimes installed outside the home require ARC approval. Those placed within a fully enclosed lanai for decorative purposes do not require approval. In all cases, wind chimes must not create a nuisance to neighboring properties. Flowerpots require ARC approval. Plastic flowerpots are not permitted. The color of the pots should be warm earth tones and compliment the house color. Owners are responsible for the maintenance and replacement of material planted in the flowerpots as needed. Flowerpots must be kept clean and in good condition. Quantity of flowerpots per house is limited to 4: i.e., decorative items on display per home is limited to 4 decorative items per home. In the event of a tropical storm or hurricane watch and/or warning, the flowerpots and all decorative items must be brought inside of the house or garage.

**Irrigation:** Landscaped portions of residences/buildings shall be 100% irrigated with underground irrigation water. All lots/parcels shall be equipped with dual water lines, one of which shall be designated to utilize non-potable water for irrigation. Installation of individual water supply or irrigation supply **from non-potable sources** is prohibited.

**Drainage:** Drainage must conform to the master drainage system for Del Webb Oak Creek and all Lee County requirements. All drainage and grading must be indicated on the Site Plan. There shall be no interference with the established drainage pattern over any property except as approved in writing by the ARC. Landscape plans shall conform to the established drainage pattern shall cause water to drain away from the foundation of structures. Water should flow fully over walkways, sidewalks, or driveways into the street.

**Annual Flowers:** With association permission, annual flowers may be planted in flowerbeds, but Owner must maintain and replace as needed, even after leaving for the season.

## **NON-LIABILITY FOR APPROVAL OF PLANS**

Article V. 5.1 of the Declaration contains a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an Owner. **PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE DECLARANT OR THE ARCHITECTURAL REVIEW COMMITTEE TO EXPLAIN IT TO YOU.**

## **CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES**

**These Design Guidelines may be amended as follows:**

During the Declarant Review Period, Declarant may, in its sole discretion, amend these Design Guidelines. Amendments shall be prospective only and shall not require modifications to existing structures or improvements unless the Owner requests modification to existing structures or improvement.

After the Declarant Review Period, these Design Guidelines may be amended upon majority approval of the ARC and the consent of the Board.

Amendment shall be distributed and/or posted in a prominent place within the Properties.

All amendments shall become effective upon adoption by the Declarant, so long as Declarant has the authority to amend these Design Guidelines or, if the Declarant no longer has such authority, upon adoption by the ARC and consent of the Board.

In no way shall any amendment to these Design Guidelines change, alter or modify any provision of the Declaration or any Supplemental Declaration.

Changes to guidelines:

**4/25/24 – Fence and Walls / Landscaping and Site Standards**

**12/19/24 – Exterior Wall Treatments / Statues /Screen Enclosures, Outdoor Kitchens, Pools, Patios, and Extended Lanais.**

**9/2/2025 – Deposit Refund Conditions/ARC appeal Process/Review Period Policy/Enforcement and Fines/Inspection Requirements/Clotheslines/Decorative Wall Art/Exterior Lighting/Garage Wall Art/Fence Guidelines/Flagpoles/Fruit Trees/Mini-Split A/C Units/Front Entry Screening/Hurricane Shutters/Solar Equipment/Vegetable Gardens/Wind chimes.**

**4/20/2026 - Fence Installation Deposit & Wet Check Requirement.**