



**ARCHITECTURAL REVIEW COMMITTEE (ARC)**  
**REQUEST FOR MODIFICATION**

Homeowner(s) Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Lot #: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

*Please Select Project Type*

**Landscape Installations / Changes**

- Provide a marked-up plot plan or drawing/sketch showing the location and quantity of proposed plant material (trees, shrubs, flowers) being added or altered on the lot. Identify the plant species.
- Include the dimensions of any new landscape beds on the plot plan or drawing/sketch (if no new beds or extensions, indicate “within existing beds”).

**Fence**

- Provide a copy of your plot plan/lot survey showing the planned location of the fence and gate(s). Include dimensions, measurements, and setbacks.
- See *Fence Guidelines (Design Review Guidelines)*

**Exterior Paint Changes**

- Provide a color picture of your home, as well as a color picture of the home to the left and right.
- Provide color samples, manufacturer, color name, code or number.
- Identify your paint color designations for: House Body, Fascia/Trim, Front Door/Shutters, and Garage Door.
  - A 2ft x 2ft paint sample must be painted on the side of house for inspection by ARC.

**Driveway / Walkway / Patio Extension**

- Provide a marked-up plot plan or drawing/sketch showing proposed extended areas.
- Include dimensions of extended areas
  - Driveway/walkway pavers must match the originally installed paver color, style, and installation pattern that were installed by the builder.

[ ] **Swimming Pool**

- Provide a pool construction plan (plan that is provided to the county for permit) that identifies pool setbacks to structures, and property lines.
- Show location and dimensions of the entire pool area (pool deck/pool cage) – include screen enclosure elevation drawings, if applicable. **All aluminum framing, doors and hardware must be bronze in color. Screen material must be charcoal and match existing design of other screens.**
- Show location of mechanical pool equipment.
- Show lot survey depicting all enhancements including the access route for building the pool.
- If installing an open-air swimming pool, see *Fence Guidelines (Design Review Guidelines, Section III, Subsection C, Fences)*
- Provide a landscape plan showing the location, species, and quantity of all plant material. Landscaping shall be provided around the pool cage (or fence, if installing an open-air pool/spa) and mechanical equipment.

[ ] **Front / Rear Screen Enclosures**

- Provide screen enclosure elevation drawings with dimensions.
- **All aluminum framing, doors and hardware must be bronze in color. Screen material must be charcoal and match existing design of other screens.**

[ ] **Solar Panels / Solar Pool Heater**

- Provide a diagram showing the location of the panels on the roof.
- All piping/conduit must be painted monochromatic to match the surface color it's adhered to.
- *See Design Review Guidelines, Section III, Subsection C, Solar Panels*

[ ] **Other Improvements:** \_\_\_\_\_

**ALL APPLICANTS:** Provide a detailed description of your modification below.

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**Construction Access Point:** \_\_\_\_\_

**The time cycle allowed by the covenants for your request to be processed does NOT begin until the ARC request is considered complete.**

**All applications MUST include (please initial next to each item, verifying the information is included. Indicate those that are not applicable):**

- 1- \_\_\_\_\_ Submit your site plan/plot plan (lot survey) with location of the proposed modifications. **Identify construction access points.** This will help the Committee to accurately determine the location of the proposed improvement, and its relationship to the property lines and setbacks.
- 2- \_\_\_\_\_ Submit samples and/or color photos of all materials to be used. This will help the Committee to accurately determine the exterior appearance, and its conformance to the Design Guidelines.

3- \_\_\_\_\_ Landscape Plans (if applicable): Provide a marked-up plot plan or drawing/sketch showing locations of new beds/plantings – List plant species and quantity.

A copy of the Contractor's license, and Certificate of Insurance (liability and workers compensation). These must be current, not expired.

**Certificate Holder should be:**  
**DEL WEBB OAK CREEK HOA**  
**c/o Access Management**

5- \_\_\_\_\_ If your modification requires any type of concrete work or ground excavation/digging (i.e., the installation of a pool, spa, patio, extended patio/driveway/walkway, screened enclosure, fencing, major landscaping, etc.), the Applicant/Owner and Contractor must read and sign the **After-Market Construction Addendum** and submit the signed addendum with this application.

6- \_\_\_\_\_ If #5 applies to your modification, please submit Construction Damage Deposits (Checks Only)  
-**\$500.00** from Owner  
-**\$500.00** from Contractor (**\$1,000.00** from Contractor if installing a pool/spa)

Make checks payable to: DEL WEBB OAK CREEK HOMEOWNERS ASSOCIATION, INC.

**Please email, mail, or deliver this application – along with items 1-7 in one envelope – to Access Management.**

**Del Webb Oak Creek HOA**  
**[oakcreek@accessdifference.com](mailto:oakcreek@accessdifference.com)**  
**17536 Winding Oak Ln.**  
**North Fort Myers, Fl. 33917**

**HOMEOWNER STATEMENT OF RESPONSIBILITY**

1. If the project causes damage to, or encroachment upon any adjacent property, public property, or common area, I/we will be responsible for any necessary repairs and the removal of any encroachments.
2. I/We will assume all liability for any damage incurred because of this modification as well as any additional maintenance costs that may be required by any and all governmental agencies for this modification.
3. I/WE have read and understand the **CONSTRUCTION STANDARDS** for the DEL WEBB OAK CREEK Homeowners Association, Inc.
4. I/We understand that once the project is approved by the Architectural Review Committee (ARC), changes may not be made unless prior written approval is received.
5. I/We understand this project shall begin within 45 days of receiving written approval and shall be completed within 120 days after commencement.

The undersigned acknowledges that they have read and understand this application. They also understand that no work on this request shall commence until written approval by the ARC is received. **A One Hundred Dollar (\$100.00) per day fine will be charged to the Homeowner for each day work has commenced prior to receiving ARC approval.**

Homeowner Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

Homeowner Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

## DEL WEBB OAK CREEK HOMEOWNERS' ASSOCIATION, INC.

### **CONSTRUCTION STANDARDS**

All exterior construction activity in the Manatee Cove Homeowners Association, Inc. must comply with the Covenants and Restrictions of the Manatee Cove Homeowners Association, Inc. The following summary is provided for convenience. It is recommended that you review the entire Design Guidelines.

#### **PRECONSTRUCTION**

After the Lot Owner has received ARC plan approval, the following requirements must be satisfied before site preparation, materials delivery and construction may commence:

**Signs:** No sign or advertisement of any kind, including, without limitation, those of realtors, contractors, and subcontractors, shall be erected within Del Webb Oak Creek without the prior written consent of the Board of Directors.

**Deposits:** Owner/Applicant is required to make a deposit of \$500 with submittal of plans for approval and shall indemnify the Association for damages to Association or neighboring lot property during construction. The Contractor is required to make a separate deposit of \$500 (\$1,000 for pool/spa) as its bond in the event of damages caused by construction activity. Owner or Contractor liability may exceed these deposits. The deposit balance is refundable when the Association Manager confirms that all roadways, lake banks, sidewalks and landscaping are restored to the original state.

**Permit:** ARC approval **does not** preclude any requirement for building permits from the Lee County Building Department or other agencies. Your ARC Request for Modification must meet all applicable codes and permitting.

**Utilities:** Location of all underground utilities should be obtained from the respective utility companies.

**Sprinkler/Irrigation:** The owner is responsible for contacting the Association's current landscaping company for any modifications to the irrigation system before the construction may begin, and after completion to restore irrigation to their lot. Owner is responsible for all costs associated with the modification and restoration of irrigation for the unit.

#### **DURING CONSTRUCTION**

**Inspection:** The ARC or the ARC's agent may inspect construction in progress to ensure compliance with approved plans, and, if appropriate, report permit or code violations to the Lee County Building Inspector.

**Burning:** Fires are not permitted.

**Trash Disposal:** Owners and Contractors are responsible for control and removal of trash generated by construction activities. Care should be taken to prevent spillage in transit. The location of trash dumpsters must be approved by the ARC or the ARC's agent prior to placement within Del Webb Oak Creek Homeowners Association, Inc. At the end of each workday, materials are to be stored neatly and trash placed in the dumpster. The sidewalk, curb, and street in front of the construction site shall be kept free of dirt and debris. Contractors are responsible for repair of curb or sidewalk damage caused by trucks or other equipment.

**Neighbors' Rights:** All construction materials must be kept within the Owner's property lines. Use of adjoining properties for access or storage without written permission from the owner is **prohibited**.

**Damage:** Any damage to the Del Webb Oak Creek Homeowners Association, Inc. property shall be charged to the General Contractor or Owner. Damage includes, but is not limited to, injury to property from mechanical equipment, vehicles, petroleum products and general or subcontractor employees.

It is the homeowner's responsibility to return the grade to the original condition as reflected on the survey. In order to properly accomplish this, it is the homeowner's responsibility to retain a surveyor to verify the grade after the install is complete. If the area is not returned to the original grade reflected on the survey, you may be liable for costs the HOA incurs to re-grade the area.

|                       |                       |                        |
|-----------------------|-----------------------|------------------------|
| <b>Working Hours:</b> | Monday through Friday | 7:00 a.m. to 6:00 p.m. |
|                       | Saturday              | 8:00 a.m. to 4:00 p.m. |
|                       | Sunday & Holidays     | <b>No work</b>         |

**Speed Limit:** 25 miles per hour (All contractors must use the gate access on Del Webb Oak Creek Blvd.)

### **FINAL INSPECTION**

- ARC inspection and final approval are required before deposits may be returned.
- The Owner/Applicant is responsible for notifying the Association's Property Manager that the site is ready for inspection.
- ALL construction must be completed before inspection.
  - All trash refuse or debris must be removed before inspection.
  - All unused or excess building and landscaping materials must be removed before inspection.
  - Any building and landscaping equipment must be removed before inspection.
  - If the Board of Directors approved a contractor sign on your Lot, it must be removed before inspection.
- Unauthorized changes from approved plans noted by the inspector must be corrected before a second inspection and final approval can be obtained.
- Additional inspections will be charged at \$50 per visit until all discrepancies are corrected.

**DEL WEBB OAK CREEK HOMEOWNERS'**

**ASSOCIATION, INC. AFTER-MARKET**

**CONSTRUCTION ADDENDUM**

This form must be signed by both the Owner and Contractor, and submitted with the Request for Modification application, along with all deposits before work may commence.

The undersigned acknowledges that they have read and agree to abide by all conditions of Approval below and in any other documentation giving Approval. Also, be it understood that **until an ARC APPROVAL LETTER is received, no work may commence. A One Hundred Dollar (\$100) per day fine will be charged to the Homeowner for each day work has commenced prior to receiving ARC approval or the conditions of this addendum are not fully met.**

1. Contractor is required to notify the Association two days prior to work commencing to confirm all Association requirements are understood and will be met.
2. The Contractor is required to keep the work site free of trash and debris and to keep the front of the home and street clean and free of trash, nails, and all debris daily. Materials delivered (such as pavers, concrete blocks, etc.) may NOT be placed on sodded or landscaped areas and must be removed immediately when their use is no longer needed.
3. This application must meet all applicable building and Lee County codes and permitting requirements.
4. All pavers on the subject lot that may need to be removed or reset during or after the construction of the pool/spa are the sole responsibility of the homeowner.
5. Any irrigation that is damaged during construction, restoration is the sole responsibility of the homeowner. A licensed and insured Irrigation Company **MUST** be used for any irrigation modification.
6. Any pool equipment installed must have hedge material installed around the equipment to make it less visible for neighbors. Bushes must be thirty inches (30") high and eighteen inches (18") on center at installation and maintained at 42" high thereafter. Pool heaters may not exceed 48 inches in height from top of pad. Landscaping shall be provided around the pool cage or fence (for open-air pools). Pool equipment location must not interfere with the peaceful use of the lanai area or any other areas (such as windows) of the adjacent home.
7. It is the responsibility of the Homeowner to restore the entire lot, including the lake bank to a proper grade and slope for storm water run-off after completion; similarly, the Homeowner is responsible for any restorations on neighboring lots for proper grade, water runoff, landscaping, and sod. The Association will not be responsible for water intrusion nor drainage issues resulting from an aftermarket pool, screened enclosure, driveway extension or patio installation. Land warranty is voided with these installs; Homeowner is responsible for all drainage, flooding and grading issues going forward. Association approved landscaper must be used to restore.
8. Silt fencing must be installed around the perimeter of the construction site to protect neighboring units and the environment, lake banks and water retention ponds, and must be maintained in proper working condition throughout construction.

9. The homeowner must restore all sod and landscaping to its original condition and a detailed landscaping plan must be submitted along with the Architectural Change Form to show the new location and type of plants to be installed on the lot.
10. A Five Hundred Dollar (\$500.00) deposit for common area damage is required from any Owner doing any type of concrete work or ground excavation, installing, or constructing an after-market pool, spa, patio, extended patio/driveway/walkway, screened enclosure, etc. Deposit is refundable when Association Manager confirms that all roadways, lake banks, sidewalks and landscaping are restored to the original state.
11. A Five Hundred Dollar (\$500.00) deposit, deposit letter or bond made out to the Del Webb Oak Creek Homeowners Association Inc. is required from any Contractor performing any type of concrete work or ground excavation, installing, or constructing an after-market patio, extended patio/driveway/walkway, screened enclosure, fence, etc. A One Thousand Dollar (\$1,000.00) deposit, deposit letter or bond made out to the Del Webb Oak Creek Homeowners Association Inc. is required from any Contractor installing or constructing an after-market pool/spa. The deposit balance is refundable when Association Manager confirms that all roadways, lake banks, sidewalks, and landscaping are restored to the original state and all conditions of Approval have been met.
12. Any contractor who engages in any of the following activities, damaging Association property by dumping construction materials onto any portion of the Del Webb Oak Creek property, not cleaning up every day during the construction period, using unapproved access points, discharging any building materials directly into the lakes or the storm drains in the Del Webb Oak Creek community or conducting themselves in a less than professional manner will be fined \$1,000.00 per incident, which will be taken from the deposit amount held by the Association.
13. Homeowner is responsible for contacting SSOCOF (Sunshine State One Call of Florida). Dial 811 or 1-800-432-4770, "Call before you Dig-it's the Law", to identify any utility lines or fiber optics in the path of excavation. Emergency Services to the community may be impaired or interrupted if lines are cut or damaged. Please allow 3-5 business days for response.
14. For projects that require access through neighboring properties, the Homeowner is responsible for providing written permission from neighboring Owner stating access through Owner's property is permitted. This permission must be submitted with the Application and prior to approval.
15. Contractors who consistently violate the conditions of approval will be **banned** from doing further work in the Del Webb Oak Creek community.

If, for any reason, landscaping, bank grade, roadways or walkways are not fully restored, the security deposit will be used for any costs incurred and any additional costs outside of the \$1,000.00 will be assessed against the Unit owner.

I, THE UNDERSIGNED INDIVIDUAL(S), HAVE READ AND FULLY AGREE TO THE TERMS AND CONDITIONS OUTLINED IN THIS AGREEMENT AND AGREE TO FORFEIT ALL, OR A PORTION OF MY DEPOSIT, IF ALL ASPECTS OF THIS AGREEMENT ARE NOT MET DURING THE CONSTRUCTION OF IMPROVEMENTS MADE TO THE HOME/LOT LOCATED AT: \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor(s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**For Property Management Company Use Only**

**ARC Meeting Date:** \_\_\_\_\_

**Final Inspection Date:** \_\_\_\_\_

**Inspected by:** \_\_\_\_\_

The above request for modification to Lot # \_\_\_\_\_ has been:

- DISAPPROVED
- APPROVED
- APPROVED WITH THE FOLLOWING CHANGES:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_  
Signature

**Construction Deposits:**

Amount: \$ \_\_\_\_\_ Date: \_\_\_\_\_ Check #: \_\_\_\_\_

Name on Check: \_\_\_\_\_

Amount: \$ \_\_\_\_\_ Date: \_\_\_\_\_ Check #: \_\_\_\_\_

Name on Check: \_\_\_\_\_