

Berkshire Lakes Master Association, Inc.
495 Belville Boulevard
Naples, FL 34104
(239) 353-7633

Rules and Regulations

Revised and Approved by

Berkshire Lakes Master Association Board of Directors

November 15, 2017

Reviewed and updated May 21, 2019

Reviewed and updated October 3, 2019

This document contains a selection of the more common Rules and Regulations which are contained within the Governing Documents of the Berkshire Lakes Master Association. These are items selected from the documents which most frequently invoke unwitting violations. They are provided in this advisory form to assist and alert you in order to avoid a violation.

You are strongly advised to acquaint yourself with the documents and specifically Article 7 which spells out the Restrictions. The Berkshire Lakes Master Association strictly enforces these regulations in the process of keeping our community environment at a pristine level.

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Article 7 Architectural Review Board (ARB)

Berkshire Lakes is a deed restricted community and its members (residents) are subject to its covenants, registered with and approved by the state of Florida. Article 7, section 7.1 of the Berkshire Lakes Covenants states "No building, structure or other improvement shall be erected or altered, nor shall any grading, landscaping, excavation, change of exterior color or other work which in any way alters the exterior appearance of any residential unit or other property be performed without the prior written approval of the Architectural Review Board."

- Alteration request forms are available at the Master Association office or can be down loaded from the Berkshire Lakes Website. <http://berkshirlakes.org>
- The ARB meets twice monthly, the 2nd and 4th Wednesdays.
- The ARB meeting agenda is posted on the Master Association's clubhouse bulletin board and on the website.
- The meeting is open to all interested residents.
- The alteration request form specifies the required additional document required for submission.
- Failure to obtain ARB written prior approval can result in having the alteration removed.

Article 7.3 Roofing (ARB Specifications)

- Clay, cement tile, wood shingles or shakes and approved grade "timberline" shingles are the acceptable roof materials. Metal roofs (26 gauge minimum) will be considered within the standards (shingle or tile appearance) set forth by the ARB.
- All single family homes must use minimum Timberline 30 shingles or equal (30 year / 70 mph warranty).
- All single family homes located in unit 1, Berkshire Lakes, commonly known as Brentwood (which includes the following streets, Henley Drive, Paddington Ct, Brighton Ct, Wentworth Ct., Wimbledon Ln and 226,242,290, 306, 322 and 386 Belville Blvd.) must use cement tile, metal (26 gauge minimum, with a barrel or clay tile appearance) or No. 1 grade H/S, R/S wood shake / shingles.

Article 8.1 Quiet Enjoyment

Members shall not suffer, permit or maintain in or on their residential unit's conditions or activities which interfere with peaceful and quiet occupancy by the owners or tenants of their residential units.

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Article 8.2 Parking

The Berkshire Lakes Master Association Board of Directors strive to maintain the pristine nature of our community through legally tested Deed Restrictions which all members agree to comply with as a part of the closing process during purchase of their property. These restrictions are spelled out fully in the Association's Governing Documents in Article 8.2 covers restrictions pertaining to the parking of differing types of vehicles in full. To acquaint you with the general policy and to alert you to the more common vehicular compliance issues, we provide here a general interpretation of the major areas of these policies

Pick-up trucks, including those with multiple passenger capability, must be garaged and shall not be parked on any residential driveway, within an assigned parking space or on the street right-of-way within the Master Associations Property Boundary except for contractor vehicles while drivers are actively conducting business on the property.

- No vehicle designed for commercial purposes or bearing exterior advertising, lettering, or other signs shall park on a residential driveway, within an assigned parking space or on the street right-of-way within the Master Association Property Boundary.
- No vehicle of any type shall be kept or parked on Master Association property at any time except in the marked paved places at various facilities around the property.
- No vehicle of any type can be parked on a non solid surface, i/e/ grass or sand lot.
- No vehicle of any type shall be parked on any public street right-of-way between the hours of midnight and 7:00 AM

Article 8.4 – Trash

- Garbage containers, recycle bins, lawn trimmings and trash stored for pick-up shall comply with Collier County Ordinance 9147. Containers must be set out after 6:00 PM the day before pick-up and removed the same day of pick-up.
- Garbage containers, recycle bins and yard waste containers when not placed for collection shall be screened from view from the road and neighbor.

Article 8.5 – Pets

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot or upon any residential unit, except for cats, dogs or other household pets provided they are not kept, bred or maintained for any commercial purpose or become a nuisance to the neighborhood.

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- No person owning or in custody of an animal shall allow it to infringe or stray upon another's lot or property without the consent of the owner of such lot or residential unit.
- All animals shall be on a leash when outside the owner's residential unit.
- Owners are responsible to ensure that no fecal matter is left behind by such animal.
- The construction of any aviary or lanai on the outside of any residential unit, inclusive of exterior porches, is prohibited.

Article 8.9 - Water Property Rights

- No docks, bulkheads moorings, pilings or boat shelters of any kind shall be erected on or over any lakes within the property except such as shall be constructed as part of the Association's property.
- No boats shall be used upon any portion of the property that is designed for water retention unless the Association specifically approves said usage.
- Fishing is allowed from your lake lot or the Master Association's fishing pier. The association has stocked the lakes with sterilized Carp, intended to keep our lakes clean. If caught please return Carp to the lake.
- Owners of lakeside residential units that experience demonstrable property erosion may at the owner's expense and subject to ARB approval may install the ARB approved methodology to correct the eroded area.

Article 8.10 - Restrictions on use of residential units

- To be used exclusively as a residential unit.
- No more than two (2) unrelated individuals may use a residential unit as a residence.
- Individuals related by marriage, consanguinity or adoption may occupy a residential unit in compliance with Collier County codes, laws and ordinances as same may be amended from time to time.
- The number of occupants shall not exceed the maximum number recognized by Collier County Ordinance 2010-02 (6)
- Rental of rooms is prohibited
- Use as a rental unit
 - Short term rentals a minimum of one month, no more than three (3) rentals per year.
- Renters must register with the Master Association office.

Article 8.11- Maintenance of Property

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- “Each owner, lessee and occupant shall maintain at all times in good condition and repair all interior and exterior portions including but not limited to roofs, mailboxes and improvements made thereon including lawns, landscaping and garden areas”.
 - Good condition refers to the cleanliness of the building and roof as well as its mechanical condition.
- “All areas within a residential unit or multi-family property, not covered by structures, walkways or paved parking facilities shall be maintained as lawn or a landscaped area to the abutting street or lake.
- Lawns shall be irrigated with an underground irrigation system and cut to a height of four (4) inches and replaced as necessary”.
- Properties found not to be maintained in good condition, the owner shall receive written notice of violation requesting correction within a specified period of time. Failure to correct the violation after the notification can result in a fine.

Article 8.17– Signage

- The owner may place one For Sale sign in the front yard of the residential unit.
- The sign must be no more than 2 square feet (1 X 2 or 2 X 1)
- Security monitoring company’s sign are permitted.
- Garage sale signs require a no fee county permit.
- Signs relating to construction activities are permitted on the residential unit and must be removed on or before the 7th day following the final inspection by the Collier County Building Department for said construction activity.
- No other signs are permitted.

Article 8.25 Mailbox Post and Fixture 10/3/2019

- To ensure uniformity within the community, the Association, through the ARB, has planned for custom designed mailboxes, posts and post light fixtures.
- Mailbox post and post light fixtures are available at cost from the Master Association office.
- Should the mailbox need replacement the exact replacement box is available from a hardware store or hardware supply firm. Photo of mailbox can be found in the appendix.
- Mailbox post and post light for Neighborhood associations and condominiums may be permitted to be grouped in structures approved by the US postal authorities and the ARB.
- Unit 1, also known as “Brentwood” is the only area that does not require a post light fixture. All single family homes in Unit 1, known as Brentwood includes the following streets, Henley Drive, Paddington Ct, Brighton Ct, Wentworth Ct., Wimbledon Ln and 226,242,290, 306, 322 and 386 Belville Blvd
- All mailbox and post shall be painted black.
- Postal regulations require the house number must be represented in numbers that are at least one inch tall and must be positioned on the front or flag side of the mailbox.

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Flags / Flagpoles (ARB) Florida Statutes 720.304

Any home owner 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 feet by 6 feet which represents the United States Army, Navy, Air Force, Marine Corps, Coast Guard or a POW-MIA flag. Such additional flag must be equal to in size or smaller than the United States flag.

Any home owner may erect a free standing flagpole no more than 20 feet on any part of the homeowner's real property.

The flagpole cannot obstruct sightlines at intersections and cannot be erected within or upon an easement.

The flagpole and display are subject to all building codes, zoning setbacks, and other applicable government regulations, including lighting ordinances.

In lieu of a flag pole the home owner can elected to install a wall mounted flagpole assembly.

Any flag pole / wall mounted flagpole assembly installed prior to this date are grandfathered.

Article 11 Leasing of Single Family Home

The Berkshire Lakes Master Association's authority for lease approval is listed in its governing documents, Covenants, Article XI, section 11.

The lessee must be a natural person not an LLC or business.

- The lease period is for one (1) month minimum, three (3) times a year or for twelve (12) months and must be renewed prior to the expiration of the current lease. Continuation of the current lease is dependent on the tenant's observance and adherence to the BLMA covenants. If approved the lease application fee is waived.
- The property owner / rental agent submits to the BLMA office the completed form, "Notice of Rental Occupancy" 20 days prior to commencement of the lease.
- There is a lease application fee and a background check fee per person. These fees are not refundable in the event the lease application is disapproved.

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- Any infractions as listed in the BLMA covenants Article XI section 11.1 provides the appropriate rationale for immediate disapproval of the lease.
- The property owner is responsible to pay all fees associated with the background check in addition to the rental application fee.
- There is to be no subleasing of rooms.
- The annual assessment is to be paid by the property owner.
- Once the requested information has been provided the Board of Directors has Ten (10) days in which to approve or disapprove the proposed lease. If the Board fails to approve nor disapprove the proposed lease within the established time period it will be regarded as an approval and a letter of approval will be sent to the property owner.

Master Association Clubhouse:

The clubhouse is located at 495 Belville Boulevard.

- Houses the Master Association's office, which is open from 9:00 AM to 2:00 PM Monday through Friday. Telephone (239) 353-7633, Facsimile (239) 353-3770.
- Meeting place for the Master Association's monthly board meetings, the multi-family association's board meetings and town hall meetings.
- Used daily by the various clubs and organizations
 - All clubs must be registered with and approved by the Master Association Board. Contact the Master Association office for criteria and use policy details.
- Voting precinct (#431) for Berkshire Lakes' residents.
- Available to residents for private parties, contact the Master Association office for rental details, available facilities and dates.
- Lending library facility for residents' use.

Swimming Pool:

The Berkshire Lakes Master Association Clubhouse facilities include a private swimming pool for the benefit and use by BLMA members. The use of this pool is governed by the following policies:

Use of the pool is restricted to members, their guests and renters who are registered at the Master Association office.

Members, guests and renters may use the pool subject to the following policy:

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- Pool access requires a key which is available from the Master Association's office, for a refundable \$10 deposit.
- Owners of units available for seasonal rental are responsible to provide their respective tenants with the key for pool and tennis court access.
- BLMA reserves the right to request identification of pool users at any time.
- BLMA reserves the right to restrict pool access.
- There is no Life Guard assigned to the pool; Individuals using the pool do so at their own risk.
- Please observe all posted pool rules.
- Pool hours are 8:00 AM to dusk as per Collier County ordinance.
- Night swimming is not permitted as per Collier County permit.
- All guests must be accompanied by a member.
- Infants and toddlers not potty-trained must wear clean swim diapers.

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Appendix

Exact mailbox replacement, including placement of house numbers

