

BERKSHIRE LAKES
ARCHITECTURAL
REVIEW BOARD
STANDARDS

April 2025

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Effective 2026”

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Berkshire Lakes BLMA, Inc.
Architectural Review Board Standards

0 Purpose, Intent, And Uniformity

These Architectural Review Board (“ARB”) Standards are adopted to preserve public safety, aesthetic integrity, uniform appearance, and property values throughout the Berkshire Lakes community. These Standards are intended to be applied reasonably and consistently. Where subjective judgment is required, decisions shall be guided by community-wide uniformity, visibility, and functional impact rather than individual preference.

No prior approval, inaction, or lack of enforcement shall constitute a waiver of the Association’s right to enforce these Standards prospectively.

1 ARB Authorization

The Architectural Review Board (“ARB”) is established under the direction of the Berkshire Lakes BLMA, Inc. (“BLMA”). Article 7 of the Fourth Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Berkshire Lakes outlines the make-

~~up~~composition, scope, and responsibilities of the ARB. The ARB ~~shall have the right is~~ authorized to ~~require the submission of site, elevation, landscape, irrigation, establish architectural standards and/ to review and approve or construction plans~~ disapprove proposed exterior alterations in accordance with the governing documents.

- 1.1 ARB approval is ~~necessary~~required prior to commencement of any work ~~on~~affecting the exterior of any Residential Unit. Failure to obtain such approval may result in, ~~among other things, undoing the work at~~ enforcement action by the Association pursuant to the Residential Unit Owner's expense ~~governing documents and applicable law, including but not limited to the levying of fines, suspension of use rights, or other remedies authorized under the governing documents and Florida law.~~
- 1.2 As part of the ARB Alteration Request application process, ~~one (1) complete set of plans (shall be submitted. The ARB may, in its discretion, require up to three (3) complete sets of plans),~~ Plans may include drawings, diagrams, photographs, and specifications prepared by the Residential Unit Owner, ~~an~~ architect, landscape architect, engineer, or other person ~~found to be deemed~~ qualified by the ARB ~~shall be submitted for approval by written application on such forms as may be provided or required by the ARB.~~ When submitting a landscape plan, ~~either whether~~ new or revised, the plan must ~~include~~ identify the location of any street lamp located on or ~~near~~adjacent to the Residential Unit.
- 1.3 Complete plans must be submitted to the ARB ~~before~~prior to applying to ~~Collier County~~ for any ~~permit(s).~~ Collier County permits.
- 1.4 Plans incident to ~~said~~the proposed work ~~shall, in the sole discretion of the ARB, must~~ be reasonably complete and accurately depict the improvements ~~being contemplated~~ so as to allow meaningful review by the ARB. All changes involving design, color ~~or~~, materials, or scope must be resubmitted for approval prior to commencing work. All work shall ~~comply with~~ conform strictly to ARB approvals.
- 1.5 It ~~shall be~~is the Residential Unit Owner's obligation ~~of the Residential Unit Owner~~ to obtain all required Collier County permits.
- 1.6 It is the Residential Unit Owner's responsibility ~~to ascertain if and where any and of the Residential Unit Owner to identify the location of~~ all easements ~~are located on his or her affecting the property and be aware of to comply with~~ all restrictions ~~within those applicable to such~~ easements.
- 1.7 ~~The ARB has the right to approve or disapprove any request on an individual basis. Building lot size, location, and orientation can be the determining factors in the approval process for plantings, fences and hedges. The standards established by the ARB may be altered or amended from time to time as the ARB determines, subject to BLMA Board approval.~~
- 1.8 ~~Any request for an proposed addition or alteration to an Residential Unit Owner's property that is not listed specifically addressed within this document needs to these Standards must~~ be submitted to the ARB. ~~The ARB will for review. Such requests may also require approval by the request and it will need BLMA Board approval of Directors.~~
- 1.98 ARB approval does not override applicable governmental regulations. ~~ARB approval and~~ does not ~~override decisions made by~~ supersede the HOA requirements of the governing documents ~~in regard relating~~ to drainage, grading, or ~~clearing of~~ easements.

2 ARB Alteration Request Process

• Step 1:

- Step 1: Residential Unit Owner completes an ARB Alteration Request form.
- Step 2: ~~Form~~The request is received, ~~checked and reviewed~~ for completeness, including resident ~~supplied~~provided projected start and completion dates.

- Step 3: A sequential project number is assigned and ~~information~~the request is logged in the ARB Alteration Request tracking ~~log~~ system.
- Step 4: At the next regularly scheduled ARB meeting, the request ~~shall be~~is evaluated and if there are no objections, If approved, the ~~resident~~Residential Unit Owner will receive an approval and be permitted ~~written~~ authorization to implement the request. If the request is proceed. If not approved, the Residential Unit Owner cannot move forward with the project. ~~may not proceed. The Residential Unit Owners can~~Owner may resubmit paperwork with any clarifications or changes to seek approval. revised materials for further consideration.
- Step 5: ~~After~~Upon issuance of any required Collier County ~~approves~~permits, the Residential Unit Owner ~~may commence work.~~must submit a copy of the approved permit(s) to the BLMA office prior to commencement of any work. ARB approval shall not be considered valid for purposes of commencing work until all required governmental permits have been issued and provided to the Association. **Work may not begin until this requirement is satisfied.**
- Step 6: Upon ~~issuance of a~~ final inspection approval by Collier County, ~~the~~ Residential Unit Owner shall notify the BLMA office ~~that the project has been completed~~ and return the permit (~~yellow card~~) documentation.
- Step 7: The property shall be inspected by a BLMA representative ~~of BLMA, to ensure the completed project complies~~to confirm compliance with the ~~initial~~approved request.
- Step 8: ~~After the~~Following inspection, the ~~resident~~Residential Unit Owner shall receive a written notice of approval or ~~disapproval~~non-compliance from BLMA. Failure of the ARB to act within a stated review period shall not constitute approval unless expressly required by law or the governing documents.

3 Definitions

The following definitions apply to the Berkshire Lakes Architectural Review Board Standards:

- 3.1 **Deck:** Flooring surrounding an in-ground pool or spa, or floor of a patio, lanai, or porch. It must be constructed of pavers or concrete.
- 3.2 **Fence:** A barrier intended to prevent escape or intrusion or to mark a boundary. It typically consists of posts and slats. No wood, chain-link or wire fences are allowed.
- ~~3.3 **Hedge:** A boundary formed by closely growing bushes or shrubs of the same species.~~
- 3.3 **Hedge:** A row, grouping, mass, or combination of plants that is installed, maintained, or allowed to grow in a manner that functions as a visual screen, boundary, or privacy barrier, regardless of species, spacing, or planting configuration.
- 3.4 **Lanai:** A roofed porch.
- 3.5 **Porch:** A covered area adjoining an entry.
- 3.6 **Screening Materials:** Concrete, decorative concrete, PVC, or plantings.
- 3.7 **Structure:** Anything constructed or erected with a fixed location on the ground. Among other things, these may include buildings, walls, fences, and swing sets.
- 3.8 **Wall:** A thick masonry structure.
- 3.9 **Thicket:** An area of dense or uncontrolled growth of trees, bushes, and/or underbrush.

4 Contractor/Residential Unit Responsibilities

- 4.1 Unless the Residential Unit Owner and its contractor receives specific written permission from the ARB, the Residential Unit Owner and its contractor and all other persons involved in the

construction of a residential improvement shall perform their work without entering upon property owned by any Residential Unit Owner or entity other than the person or entity that owns the property upon which the residential improvement is being constructed.

- 4.2 Contractors or any other person providing labor services and materials shall cause any vehicle or equipment, materials, or debris to be placed upon property owned by a Residential Unit Owner or entity other than the person or entity that owns the property upon which the residential improvement is being constructed.
- 4.3 Residential Unit Owners of the property upon which the residential improvement is being constructed shall be responsible for any violations of this standard and if any damage is caused to adjacent or nearby property, or if any debris is placed upon adjacent or nearby property in violation of this standard, the Residential Unit Owner of the property upon which the residential improvement is being constructed shall be liable for all actual and consequential damages occasioned thereby. In all cases, all construction debris must be removed from the construction site no later than 5 working days after any Certificate of Occupancy or Certificate of Completion is issued by Collier County.
- 4.4 Dig Safe (call 811 or online at www.sunshine811.com) must be contacted to mark all underground utilities prior to any work being performed. It is the Residential Unit Owner's responsibility to protect and maintain all utilities. Any damages must be repaired immediately by the Residential Unit Owner and his/her contractor.
- 4.5 BLMA ~~shall have the right to may~~ require ~~any~~ construction to cease, ~~if such construction where the Association determines that work~~ is not in compliance with ~~the ARB~~ approval ~~given by the ARB, subject to notice requirements under the governing documents and applicable law~~. Neither the BLMA nor the ARB shall be liable for any damages related to ceasing such construction.

5 Drainage and Grading

- 5.1 Drainage and grading shall meet all requirements of the proper government agencies
- 5.2 The contractor shall grade in accordance with the overall drainage plan and other criteria as may be required by the ARB.
- 5.3 Collier County has adopted a Surface Water Drainage Plan for the Berkshire Lakes subdivision within and upon the rear 5 feet of each of the following-described single family residential lots. There exists a nonexclusive surface water drainage easement that runs in favor of BLMA and in favor of the following Residential Unit Owners of any properties within Berkshire Lakes that the plan shows as utilizing said easement for surface water drainage:

Lot	Street Address	Lot	Street Address
12	744 Belville	107	809 Belville
13	748 Belville	108	865 Belville
14	752 Belville	121	761 Belville
15	756 Belville	125	723 Lambton
20	637 Merryport	27	696 Lambton
95	849 Belville	90	261 Lambton
96	845 Belville	91	267 Lambton
99	6637 Eastbourne	158	703 Lambton
100	6641 Eastbourne	161	6621 Cutty Sark

103	6640 Eastbourne	30	656 Lambton
104	6636 Eastbourne	62	645 Lambton

- This easement shall entitle the BLMA to grade and slope the easement area so that surface waters flow over the easement area in accordance with the plan adopted by Collier County, South Florida Water Management District and, where applicable, the Department of Environmental Protection.
- The depth and slope of the easement area shall be in accordance with the plan adopted by Collier County, South Florida Water Management District and, where applicable, the Department of Environmental Protection.
- The aforementioned easement includes the right to drain surface water from other residential lots over and upon easement areas, provided that such drainage is in accordance with the plan.

6 Landscaping

Before ~~modifications in a any modification to an approved~~ landscape plan ~~are is~~ made, ~~the~~ landscape plans reflecting ~~said such~~ modifications shall be submitted ~~to the ARB~~ for approval ~~to the ARB~~. ~~This does not include annual, Annual or seasonal~~ plantings ~~are excluded from this requirement~~.

The ARB was established to preserve the beauty, quality, and value of the Berkshire Lakes community. ~~If a Residential Unit Owner chooses to~~ **Owners may implement the State's State of Florida's voluntary Florida-Friendly Landscaping™ practices, it must be provided such practices are implemented without disruption of in a manner that does not disrupt the overall consistent uniform appearance of the community or negatively impact property values.**

The ARB ~~Board~~ has evaluated ~~the standards~~ and approved ~~changes landscape standards~~ that ~~can may~~ be applied without disrupting the cohesive ~~look appearance~~ of ~~our this~~ deed-restricted community.

~~All approved landscaping must be properly maintained. If #landscaping is deemed determined by the BLMA Association, to have become unsightly or noncompliant, the owner will~~ **Residential Unit Owner shall be notified and required to correct the landscaping issue by trimming or removing it condition.**

6.1 Tree Removal

~~Removal of any~~ healthy, living tree ~~removal must have requires prior~~ ARB approval. The Residential Unit Owner is responsible ~~to contact for contacting~~ Collier County to determine ~~any applicable~~ tree ~~requirement, permitting or replacement requirements~~.

6.2 Plant Size and Encroachment

All plantings must ~~be selected and installed so they do not extend on to any encroach onto~~ neighboring ~~property properties, common areas, sidewalks, or rights-of-way~~ at maturity. ~~See to reference~~ Plant maturity ~~size of plantings sizes may be referenced at:~~
<https://gardeningolutions.ifas.ufl.edu/>

6.3 Prohibited Plant Species

~~Ficus and, Areca palms, running/ or spreading bamboo as well as, any invasive species/ County Prohibited Exotics are banned and Collier County-prohibited exotic species are not permitted.~~ The ARB reserves the right to prohibit additional plant species that, due to growth habit, density, maintenance characteristics, or visual impact, are inconsistent with the uniform appearance and

maintenance standards of the community.

6.4 Sod and Irrigation

All lots are required to be predominantly sodded and have equipped with an automatic underground irrigation system ~~installed~~. Planting beds, landscaped areas, and other ARB-approved non-sodded areas are permitted, provided the overall lot maintains a balanced appearance consistent with community standards.

6.5 Required Sod Coverage

The Residential Unit Owner shall sod and irrigate ~~the entire lot~~ required lawn areas extending:

- Up to the street valley gutter, for street-facing lots
- Up to the high-water mark for lakeside lots and
- Adjacent to all landscaped and/or natural areas which border/bordering the individual building lot

These requirements establish the minimum extent of sod coverage and do not prohibit landscaped planting beds or other ARB-approved non-sodded areas.

6.6 Lawn Standards

All grasses and ground covers ~~must adhere to~~ shall comply with Berkshire Lakes ~~existing standards for lawns (referred to as sod). It must be green in color year-round and lawn and shall be continuously maintained in a healthy, uniform and well kept condition. Maintenance shall include regular mowing, edging, fertilization, irrigation, and weed control sufficient to prevent deterioration, bare areas or overgrowth. All lawn areas shall be properly maintained by the~~ Residential Unit Owner.

6.7 Sidewalk and Roadway Sod Strip

A minimum five (5) foot strip of sod shall be provided adjacent to the house side of all sidewalks, where present, or along roadways where sidewalks are not present.

6.8 Lakefront Sod Requirement

A minimum ten (10-foot) foot strip of sod surrounding all lakes ~~must~~ shall be maintained, extending to the high-water mark of the lake.

6.9 Rock and Mulch Beds

~~Rock and mulch is to~~ materials must be contained ~~in~~ within defined planting beds. ~~No rock/ Rock or mulch strips without plants/plantings along driveways for the purpose of parking, are prohibited. All rock/mulching to the curb, sidewalk or driveway/mulch areas adjacent to curbs, sidewalks, or driveways must have/include proper edging in order to contain the rock/mulch and soil below from being washed/prevent migration of materials into the storm drains/sewers or sewer systems, which impacts them/ may adversely impact lakes.~~

6.10 Prohibition on Full-Lot Rock or Mulch

~~No rock/mulching of~~ Rock or mulch covering the entire property. Our covenants require is prohibited. All lots must include sod/ or ARB-approved artificial turf on all lots in accordance with the governing documents.

6.11 Fertilization

Fertilization of turf and plantings must ~~follow the~~ comply with all applicable Collier County fertilization ~~ordinance~~ ordinances.

6.12 Vegetable and Fruit Gardens

Vegetable and fruit gardens are not permitted in the front yard of any property. ~~A~~ Vegetable or fruit garden/gardens may be permitted in the side yard if it is yards provided they are not visible from the street.

All fruit and vegetable plantings must be properly maintained. Fallen fruit or produce shall be promptly removed and may not be allowed to accumulate on the ground in a manner that creates odors, attracts pests, or constitutes a nuisance condition.

6.13 Thickets

Thickets are not considered proper landscaping in Berkshire Lakes. All landscaping must be properly maintained and in a controlled, intentional, and orderly manner.

Landscaping Adjacent to 6.14 Common Properties Area Maintenance

6.14—Maintenance responsibility for all common properties, which includes including the entire exterior of the perimeter fence, is assigned to the BLMA.

6.15 Perimeter Fence Easement

Planting trees, hedges, and/or shrubs within the ten (10-) foot easement located on the interior side of the perimeter fence is prohibited. Doing so hampers, as such plantings interfere with BLMA's ability to maintain and repair the fence as required.

6.16 Should the Damage to Prohibited Plantings

If a Residential Unit Owner fail to abide by the above restriction installs landscaping within the restricted easement area and a repair/BLMA maintenance activity requires close or repair activities require access to the fence, BLMA is shall not be liable for damages damage to said such plantings. In such event, Any resulting damage shall be the responsibility of the Residential Unit Owner shall be liable.

6.17 Hedges and Screens

Landscaping that functions as a hedge, screen, or privacy barrier shall be governed exclusively by Section 8 (Hedges & Landscape Screening).

6.18 Prospective Application

Any replacement, expansion, or material modification of landscaping shall comply with the ARB Standards in effect at the time such work is proposed.

6.19 Excessive Planting Coverage

Landscaping shall be designed and maintained so that plantings are not overgrown or neglected. Plant material shall be arranged to preserve open lawn areas, visual relief, and consistency with surrounding properties.

The HOA may require thinning, relocation, or removal of plantings where the overall coverage, density, or placement of vegetation materially detracts from community uniformity, visibility, safety, or the orderly appearance of the Residential Unit.

7 Fences

7.1 General Prohibitions

No chain link, wire, wood, or wooden stockade fence of any kind is permitted. (See appendix)

—Fences replacing pool edges are not required to have a hedge screening the, except as expressly provided in this Section or approved by the ARB pursuant to the governing documents. (See Appendix for approved fence. All other materials.)

7.2 Landscape Buffering

Except as otherwise provided herein, all fences must have include a landscape buffer between the fence and any adjacent property. If to shield the fence from view. Where a neighboring property has an existing landscape buffer which that sufficiently shields you the fence from their view, you are not required to plant an no additional buffer. is required at the time of installation. However, if at any time in the future the such landscape buffer is removed, you are or no longer provides adequate screening, the fence owner shall be required to install a buffer landscape buffering to shield the fence from view of the adjacent property. Any landscape buffering that functions as a visual screen or privacy barrier shall comply with Section 8 (Hedges &

Landscape Screening).

~~Building lot sizes can be the determining factor in the approval process for fences to be constructed in the space between adjacent residential units. Factors considered by the ARB are the specific space in feet between the residential units, the impact on the adjacent Residential Unit Residential Unit Owner's ability to maintain his/her property, and the ability for both Residential Unit Residential Unit Owners to access their property.~~

7.3 Pool Area:Areas

Fences installed in lieu of swimming pool enclosures ~~of swimming pools,~~ must be four (4) feet in height.

The BLMA community pool is excluded from this requirement for security reasons.

Fences replacing pool cages are not required to have a hedge or landscape screening ~~the fence.~~

7.4 Perimeter (Yards Areas)

Perimeter areas of the development facing Santa Barbara Blvd., Boulevard, Radio Rd., Road, St. Clair Shores Rd., Road, Tina Ln., Lane, Interstate 75, and the Golden Gate Canal ;
~~Perimeter areas of the development may be permitted to have fences up to a nine (9-foot fence) feet in height on the section that is side facing the perimeter, subject to ARB approval.~~

7.5 Front of Homes:

No fence shall be permitted in the front yard of any residential property.

7.6 Between Homes: – Setback

Fences located between homes must be set back a minimum of five (5) feet from the property line. ~~This is to leave room allow for the planting installation and maintenance of a hedge to conceal the fence from view required landscape buffering.~~

7.7 Existing Special Conditions

The properties ~~of~~ located at 252 Lambton Drive, 256 Lambton Drive, 929 Belville Boulevard, and 7201 Appleby Drive along the bicycle/ and walking trail have historically had six (6-) foot ~~wooden~~ fences to screen ~~the back yard rear yards~~ from view.

If ~~these~~ such fences are replaced, they ~~replacement~~ fencing must be constructed of ARB- approved materials. ~~Replacement fencing can and may~~ be the original height and cover only the area in which the fence was originally constructed previously fenced, but ~~cannot~~ shall not exceed ~~the~~ the original height or footprint.

7.8 Non-Removal

Nothing herein shall be interpreted to require removal of lawfully existing fencing unless such fencing is modified or replaced.

8 Hedges & Landscape Screening

~~The~~

8.1 Front Yard Setback

All hedges installed in the front yard shall be set back a minimum of ten (10) feet from the edge of the street pavement.

The ARB may require a greater setback, or may approve a reduced setback, where necessary or appropriate based on sight lines, traffic patterns, roadway geometry, lot configuration, corner lot conditions, or other safety considerations.

8.2 Visual Impact

Front yard hedges shall be maintained so as not to obscure the front elevation of the home when viewed from the street. For the purpose of enforcement, hedge on both sides must be kept trimmed by the height within the front yard shall not exceed a point greater than fifty percent (50%) of the vertical height of any first-story front-facing window.

Hedges shall not obstruct vehicular or pedestrian sight lines or create a traffic hazard.

8.3 Side Yard and Rear Yard Hedges

Hedges located along side or rear property lines shall comply with the global height limitation set forth in Section 8.8 and all applicable shoreline easement restrictions.

The Association does not guarantee, preserve, or protect views across private property. No Residential Unit Owner, so as not to encroach on any neighbor's property. The Residential Unit shall be deemed to have a protected right to a lake view across another Residential Unit Owner's property unless expressly granted by the governing documents. Compliance with shoreline easement requirements and the hedge standards set forth in this Section shall constitute full compliance with respect to lake visibility concerns.

8.4 Maintenance & Encroachment

All hedges and vegetation screens must be regularly maintained in a neat and orderly condition. Hedges shall be installed and maintained in a manner that prevents encroachment onto neighboring properties, common areas, sidewalks, or rights-of-way. Any encroachment must be promptly corrected by the Residential Unit Owner must be able to keep the hedge trimmed. Hedges must be located and maintained so that the Residential Unit Owner can reasonably perform all required maintenance without trespassing on the neighboring onto adjacent property.

All hedges Nothing herein shall be set back a minimum require precise measurement of 3 feet spacing from the side or rear property line. The ARB may require more than lines, provided the hedge remains in compliance with the minimum 3-foot intent of these Standards. This provision does not modify any specific numeric setback requirements set forth elsewhere in these Standards.

8.5 Global Height Limitation

No hedge or vegetation screen shall exceed the height of the lowest continuous horizontal eave line of the primary structure on hedges between the lot. For two homes if it is deemed to interfere with access to the backyard area, story residences, the applicable eave line shall be the lowest roofline serving the first floor of the home.

Hedges installed on the property line prior to April 20, 2005 are exempt from the aforementioned setbacks; however, the Residential Unit Owner(s) are responsible for the maintenance. Dead or otherwise destroyed hedges cannot be replaced on the property line and desired replacements are subject to the ARB approval process.

The use of Areca Palms as a hedge between adjacent properties is prohibited as of November 2009, and cannot be replaced.

Building lot sizes are the determining factor in the approval process for hedges to be constructed in the space between adjacent houses. Factors to be considered are the specific space in feet between the homes, the impact on the adjacent property Residential Unit Owner's ability to maintain his/her property, and the ability for both Residential Unit Owners to access their property.

Pool Area:

- Fences replacing pool cages are not required to have a hedge screening the fence.

Perimeter (Yards facing Santa Barbara Blvd., Radio Rd., St. Clair Shores Rd., Tina Ln., I-75, and the Golden Gate Canal):

- Perimeter areas of the development may have up to a 9-foot hedge on the section that is facing the perimeter.

- ~~Areca Palms can be utilized to form a noise barrier; however, they must be planted 10 feet from the perimeter fence to allow maintenance access. Examples are: BLMA's use of the Areca Palm to screen the wooden fence at the rear of the Lambton Lane Park. BLMA's use of the Areca Palm along the I-75 corridor to develop a noise barrier.~~

~~Residential Unit Residential Unit Owner's use of the Areca Palm to screen fences and or create a noise barrier along the Santa Barbara Blvd. and Radio Rd. corridors, along the canal facing I-75 (Not planted within the canal easement), and those residential units backing up to the perimeter fence.~~

Front of Homes:

- ~~Hedges installed in the front yard will be set back a minimum of 10 feet from the edge of the street.~~
- ~~A hedge should not exceed 4 feet if planted in the front yard unless it is planted against the wall of the home where it can be a maximum of 6 feet in height. The ARB has the right to approve heights above these limits for properties (see section 1.7). Exceeding these height requirements must be specifically approved by the ARB.~~

Between Homes:

- ~~A hedge shall not exceed 6 feet in height between adjacent residential units. For lake front lots only, the hedge continuing to the rear property line, once past the patio area must be reduced in height to 4 feet.~~
- ~~To maintain a uniform height of a hedge, the 6 feet around all sides of the deck or patio is measured from the top of the deck or patio.~~

8.6 Prospective Application

Plant species that cannot be reasonably maintained in compliance with these standards may be prohibited for new installations only.

9 Walls

Walls must follow comply with the same height and, setback rules as, and location requirements applicable to fences, unless otherwise approved by the ARB.

~~When using walls Walls used to create small privacy gardens, they or courtyard areas must be designed to coordinate with the architectural style, materials, and overall design of the house Residential Unit.~~

10 Shoreline

~~At the time of lake remediation, most lots which abut abutting the lakes will have had sod installed at the seasonal high-water mark above a course of stone which continues down the slope into the lake itself. No riding lawn mowers are permitted to operate within five feet of the lake edge of the sod. No fertilizer should be applied within ten feet of the lake edge. **The ARB does not take applications for any changes to the shoreline. Any changes must be addressed to the BLMA.** Nothing other than sod may be planted in the 10 to 15-foot easement granted to the BLMA for shoreline maintenance and repair.~~

No riding lawn mowers are permitted to operate within five (5) feet of the lake edge of the sod. No fertilizer shall be applied within ten (10) feet of the lake edge.

Nothing other than sod may be planted within the ten (10) to fifteen (15) foot easement granted to the BLMA for shoreline maintenance and repair.

The ARB does not review or approve shoreline modifications, which remain under the

authority of the Association and applicable governmental agencies. Any shoreline-related changes must be addressed to the BLMA.

11 Mechanical Equipment

11.1 ~~A/C~~Air conditioning units and pool pump, filter pumps, filters and heating equipment, water softeners, solar equipment, and associated electrical panels ~~and controls~~ must be reasonably screened from view from road and neighbors where possible where practicable.

11.2 Mechanical equipment should be located for minimum to minimize noise to occupant impacts to occupants and neighboring Residential Unit Owners where possible.

11.3 Prohibited Equipment

Window-mounted or through-the-wall air conditioning units are prohibited. Portable air conditioning units that require exterior venting through a window or wall are also prohibited.

11.4 Mini-Split Systems

Ductless mini-split air conditioning systems may be permitted subject to prior ARB approval. Exterior components, including condensers and neighbors where possible line sets, must be located in a manner that minimizes visibility from the street and neighboring properties and must be properly screened where practicable. Line sets shall be concealed or painted to match the adjacent surface. All installations must comply with applicable building codes.

12 Accessory Structures

~~Carports and tool sheds are prohibited.~~

~~Carports, whether attached, detached, temporary, or permanent, are prohibited.~~

~~Accessory structures must comply with all current Florida Statutes and require prior approval from the Architectural Review Board (ARB).~~

~~Any permitted accessory structure must:~~

- ~~• Not be visible from the street frontage of the lot or from adjacent common areas;~~
- ~~• Comply with all applicable Collier County regulations and permitting requirements;~~
- ~~• Be constructed and anchored in compliance with all applicable Florida Building Code wind-load requirements;~~
- ~~• Be of a size, height, design, and material approved in advance by the ARB;~~
- ~~• Be architecturally compatible with the Residential Unit;~~
- ~~• Be properly maintained at all times.~~

~~Temporary, portable, fabric, or metal frame structures are prohibited.~~

~~The ARB reserves the right to deny any accessory structure that, in its reasonable discretion, is inconsistent with the uniform appearance, safety, drainage, or aesthetic standards of the community.~~

13 Swimming Pools, Spas, and Hot Tubs

13.1 A Residential Unit may include an attached or separate spa.

13.2 ~~Swimming pools and spas are to~~must be constructed below ground/ or deck level. A spa attached to ~~the~~ pool may be above grade.

13.3 Hot tubs shall be located within ~~the boundaries of any~~ screened enclosure ~~or~~. If not located within a screened lanai, hot tubs ~~shall~~must have a locking mechanism for the ~~top cover~~ or be

located within a fenced area.

No surrounding wood or metal decks— are permitted.

A landscape buffer must screen a hot tub from view. Any such screening shall comply with Section 8 (Hedges & Landscape Screening).

13.4 Pool, spa, or lanai enclosures shall be bronze or white ~~(no “raw”. Raw aluminum)~~ finishes are not permitted.

14 Lanai and/or Patio Roof

14.1 Lanais and patio roofs must be attached to the Residential Unit, or located no furthermore than two (2) feet from the Residential Unit’s roof.

14.2 Lanais and patio roofs must be professionally installed and hurricane rated.

14.3 ~~Any~~ lanai, patio, or patio roof ~~which may be~~ added after the original ~~residential unit’s~~ construction, ~~of the Residential Unit~~ must be consistent with the design, materials, and material appearance of the original ~~residential unit.~~ ~~—structure.~~

14.4 Flat aluminum roofs are acceptable if ~~must flat/installed~~ parallel to the ground with a slight pitch and where neighbors cannot see the roofing ~~materials, otherwise material is not visible from neighboring properties.~~ Where visible, roofing must be constructed ~~from of~~ ARB-approved materials (see ~~roofing~~ Section 16) ~~– Roofing).~~

14.5 All aluminum roofs must ~~have fascia/include fascia,~~ trim caps/, or covers ~~so as to~~ shield roof edges from view.

14.6 The color of all aluminum patio coverings must be bronze or white ~~(no “raw”. Raw aluminum)~~ finishes are not permitted.

15 House Painting

All homes 15.1 Maintenance Obligation

Residential Units should ~~be painted every 5–10 years.~~ ~~It is generally be repainted within a Residential Unit Owner’s responsibility~~ five (5) to properly clean and seven (7) year cycle depending on exposure and condition. The ARB may require repainting where exterior finishes exhibit fading, peeling, staining, mildew, or other visible deterioration that materially detracts from community appearance.

15.2 ARB Approval Required

All exterior paint homes on a regular basis. ~~Recommended~~ colors and finishes, including body, trim, accent areas, garage doors, shutters, and driveway surfaces, require prior written ARB approval before application. Applications must include a completed ARB Request form, a photograph of the residence, and manufacturer color combinations are contained in the ARB samples. Photocopies or digital reproductions of color book which samples may be ~~reviewed prior~~ rejected if not accurate representations.

15.3 Approval Standards

Color selections shall be evaluated based on architectural compatibility, coordination with roof materials, surrounding homes, and preservation of the overall visual harmony and contemporary

character of the community. Highly saturated, fluorescent, neon, or excessively bright colors are prohibited. The ARB may limit the number of exterior colors applied to application. Paint samples a residence to preserve architectural integrity and community uniformity. Previously approved color schemes may be considered but shall not create a binding precedent.

15.4 Driveways and Protective Systems

Driveway finishes must be included with ARB Request form complement the approved exterior color scheme of the residence. High-contrast, novelty, or decorative finishes that materially detract from community uniformity are not permitted. Hurricane shutters, impact systems, and decorative shutter elements must be neutral in appearance and compatible with the approved exterior color scheme.

Owners must submit a drawing of where the colors will be painted, as well as a photograph of the home's exterior. Color swatches must be submitted with the application to paint the home. No photocopies or electronic submissions of colors will be approved (as they are often not true to the actual color).

Acceptable Wall/Main Paint Colors:

- Neutral colors such as white, beige and gray, and most pastel/lighter colors are acceptable.
- No pink, purple or brown wall color.
- No bright blues or greens may be painted on the main walls.
- Certain dark colors may be appropriate, but must be submitted to the ARB.

Acceptable Trim, Accent, and Garage Door Colors:

- All colors must coordinate with wall and roof colors.
- Trim and Accent colors may be contrasting with wall color, but must coordinate with the wall and roof colors.
- The ARB may approve colors not listed in the color book for homes with white or off-white walls.
- The ARB may limit the number of colors painted on a home.

Acceptable Front Door Colors:

- Bright or dark front door colors that may not be appropriate for wall colors may be approved if they coordinate well with the rest of the home's color scheme.

Acceptable Driveway Colors:

- Neutral colors such as white, beige and gray are acceptable.
- Driveway colors must coordinate well with the rest of the home's color scheme.

Acceptable Hurricane Shutter Colors:

- Neutral colors such as white, beige and gray.
- All colors must coordinate with wall and roof colors.
- If shutters are permanent and decorative (such as Bahama shutters) they will fall under the restrictions listed in the acceptable trim, accent or garage door colors section.

15.5 Color Reference Guide

The ARB may maintain a color reference guide for advisory purposes. The guide is intended to assist Residential Unit Owners; however, all color selections remain subject to individual review and written ARB approval.

16 Driveways

- 16.1 A Collier County permit ~~shall~~must be obtained for any driveway ~~alterations.~~alteration.
- 16.2 Driveways and turnarounds may be limited in size or placement ~~in~~at the discretion of the ARB ~~depending based on the~~ lot size ~~and,~~ orientation, and site conditions.
- 16.3 Driveways ~~shall~~must be constructed of concrete or pavers. ~~They may be~~ Stamped, stained, or painted. ~~finishes are permitted.~~ Asphalt ~~pavement or~~and gravel driveways are ~~not permitted~~prohibited.
- 16.4 Driveway colors must be approved. ~~Refer to~~ by the ARB and must comply with the acceptable color guidelines.

17 Roof Materials

~~Clay,~~ Acceptable roof materials include clay tile, cement tile, metal roofing, and asphalt shingles are the acceptable roof materials.

18 Garage Door Screens

~~Garage door screens are permitted when~~ adhering to~~complying with~~ the following ~~guidelines:~~

- ~~They are:~~
 - ~~Overhead mounted~~ either under the soffit or attached directly to the garage door header beam.
- ~~The screen must be one~~
 - ~~Single-piece and cannot have an~~design with no entrance door.
- ~~Screens may be electrically~~
 - ~~Manual~~ or ~~manually operated.~~

~~The screen material must be of the “electric operation~~

~~“Solar” type, which ensures screening material that the garage prevents interior is screened~~visibility from public view.

19 Hurricane Protection

~~Residential Unit Owners may utilize the following hurricane protection methods to protect their units during hurricanes:~~

- ~~Roof systems recognized by the including:~~
 - ~~Florida Building Code~~ which meet approved roof systems meeting ASCE 7-22 standards
 - ~~Permanent fixed storm shutters~~
 - ~~Roll-down track storm shutters~~
 - ~~Impact-resistant windows and doors~~
 - ~~Polycarbonate panels~~
 - ~~Reinforced garage doors~~
 - ~~Erosion~~ controls

control measures

~~Exterior fixed generators~~

- Fuel storage tanks not visible ~~to~~from neighboring properties
- Other hurricane protection products ~~used~~intended to preserve ~~and~~or protect ~~the structures or improvements on a parcel governed by the association~~

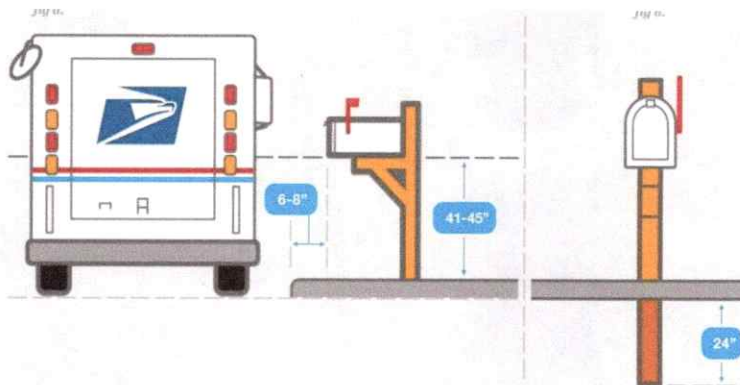
19.1—~~Any~~ All hurricane protection ~~method utilized by a Residential Unit Owner will~~methods must comply with ~~a~~Applicable Florida Building Codes.

19.2 ~~Any~~ Hurricane protection ~~method shall~~methods must conform to the unified building scheme of ~~the BLMA regarding external with respect to exterior~~ appearance ~~of the structure. A color sample. Color samples~~ must be approved by the ARB where applicable.

20 Mailboxes, Posts and Exterior Light Posts

Residential Units ~~must have~~shall maintain black mailboxes and black mailbox posts consistent with community standards. Where originally constructed with post-mounted light fixtures, Mailboxes must have, such light fixtures shall be maintained and replaced in kind. Removal of required light fixtures is prohibited. Residential Units located on streets originally constructed without mailbox light fixtures are not required to retrofit lighting unless otherwise directed by the Association.

Mailbox house numbers must be a minimum of one (1) inch ~~tall~~ in height



Mail-post installation measurements

21 Flags/ and Flagpoles

21.1 A ~~home~~Residential Unit may have one (1) free-standing flagpole ~~no more than~~not exceeding twenty (20) feet ~~high~~in height.

21.2 ~~The flagpole cannot~~Flagpoles may not obstruct sightlinessight lines at intersections ~~or~~, interfere with ~~light from street lamps, and cannot lighting, or~~ be erected within ~~or upon~~any easement.

21.3 ~~The flagpole~~Flagpoles and ~~display are subject to~~flag displays must comply with all applicable building codes, zoning setbacks, and ~~other applicable government~~governmental regulations, including lighting ordinances.

21.4 In lieu of a ~~flag pole~~the free-standing flagpole, a Residential Unit Owner ~~can elect to~~may install a wall-mounted flagpole assembly.

22 Private Wells

- 22.1 Any private well improvements ~~installed on a Residential Unit are placed upon a residential unit are placed thereon~~ at the sole risk of the Residential Unit Owner.
- 22.2 All approvals granted by the ARB may be revoked ~~at any time if where~~ the ~~ARB determines that the actual~~ operation of a well ~~is causing creates a material adverse impact on the community, common areas, or adjacent properties, including but not limited to staining to buildings and or other improvements, is causing unpleasant, odors, is creating unacceptable noise or is adversely affecting residential unit or Residential Unit Owner. The Residential Unit Owner shall remove of any such, or other nuisance conditions. Any resulting staining must be remedied by the Residential Unit Owner.~~

23 Sidewalks

- 23.1 Sidewalks, where installed, are part of the public right-of-way. As such, structural repairs are the responsibility of Collier County.
- 23.2 Sidewalk Routine cleaning of sidewalks, including removal of mold, dirt, and litter, shall be performed by the Residential Unit Owner whose residential unit property is adjacent to the sidewalk.

24 Outdoor Cooking, Smokers, and Fire Pits

- 24.1 Only commercially manufactured electric, LP gas, or charcoal outdoor portable barbeque appliances are permitted.
- 24.2 Commercially manufactured electric or LP gas outdoor portable fire pit/pits or heaters are permitted.
- 24.3 No portable ~~barbecue grills~~ barbeque grill or portable fire ~~pits/heaters shall~~ pit/heater may be ~~of a size, or used in a manner or location or manner,~~ that presents a ~~danger to the Residential Unit Owner or other persons; safety hazard~~ or unreasonably ~~intrudes upon other~~ interferes with another Residential Unit Owner's use and enjoyment of their residential unit. The use of such devices property. Use is restricted to the backyard.
- 24.4 No permanent outdoor barbeque ~~grill~~ grills, fire ~~pit/pits, fireplaces, or fireplaces similar~~ structures of any kind are permitted.
- 24.5 No outdoor wood-burning devices of any kind are permitted, including ~~but not limited to~~ wood-burning fireplaces, fire pits, barbeque grills, ~~and/or~~ food smoking devices.

25 Residence Requirements

Residence Requirements:

Minimum Floor Area

Air-conditioned floor area excludes garage, entry, and lanai or porch area

- 1.0 One story 1200 square feet
1.1 Two story 1400 square feet.

Front Elevations

- 1.0 Consideration by the contractor should be given to avoid construction of similar elevations close to each other.
- 1.1 Any proposed building should be in harmony with the architecture of buildings on the neighboring properties.
- 1.2 Where practical, natural materials, rather than synthetic will be used for exterior finish.
- 1.3 Wing wall additions to the structure shall not be higher than 5 feet above the slab.

Roof Pitch

- 1.1 Main structure and garage - minimum center pitch 5 feet high to 12 feet horizontal.
- 2.2 Lanai - if part of the original design plan, the lanai may have a flat or below the 3½ minimum pitch roof

Single family Residential 90' and 70' lots

Permitted uses:

1.0	Single Family Dwelling	70.0'	90.0'
1.1	Minimum front yard	25.0'	30.0'
1.2	Minimum side yard		
	One story	7.5'	7.5'
	Two Story	7.5'	10.0'
1.3	Minimum Rear Yard		
	Principal Structure	20.0'	25.0'
	Accessory Structure	10.0'	15.0'

Maximum Building Height

- 2.0 30 feet, principal structure
- 2.1 20 feet, garage and pool enclosure
- 2.3 As measured from the finished floor to the highest point of the roof structure.

Minimum Floor Area

- 1.0 Air conditioned floor area excludes garage, entry, lanai or porch area.
- 1.1 One story - 1800 square feet.
- 1.2 Two story - 2000 square feet.
- 1.3 All lots platted in Unit 7 Berkshire Lakes will be required to have a minimum floor area for a one story structure of 1500 square feet.

Accessory Structures

- 1.0 Private garages - with overhead doors - may be front or side entry design.
- 1.1 2 car attached – minimum
- 1.2 No maximum attached garage
- 1.3 Remote electric automatic door opener on each door is required.
- 1.4 Carports and tool sheds are prohibited.

Private Swimming Pools, SPA

- 1.0 May include an attached, or detached, separate spa
- 1.1 Pool Enclosure Color - bronze or white (no "raw" aluminum)
- 1.3 Swimming pools and spas are to be below ground or deck level.

Single Family Residential — 55' Lot

With Collier County site plan approval, Villas, cluster and group housing, townhouses, patio homes and zero lot line homes.

Building Setbacks

As measured from individual lot or parcel boundary lines.

- 1.0 Lot size - 55'
- 1.1 Minimum Front Yard 20'
- 1.2 Minimum Side Yard - One Story 5' Two Story 5'
- 1.3 Minimum Rear Yard -Principal Structure 20'
- 1.4 Accessory Structure 5'

Maximum Building Height

- 1.0 30 feet, principal structure
- 1.1 20 feet, garage & pool enclosure
- 1.2 As measured from the finished floor to the highest point of roof structure.

Accessory Structures

- 1.0 Private garages - with overhead doors - may be front or side entry design.
- 1.1 1 car attached — minimum
- 1.2 No maximum attached garage
- 1.3 Remote electric automatic door is required for each door.

Corner lot residences are to face minor streets where possible.