

**LAKEVIEW POINTE  
HOMEOWNERS ASSOCIATION, INC.**

Architectural Review Board  
**COMMUNITY STANDARDS**

Approved  
October, 2012

## INTRODUCTION

Article VI, Section 9 of the DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS (the "Declaration") provides for the review and written approval of all exterior changes and modifications prior to any exterior changes and modifications being made to the homesite. The Board of Directors of LAKEVIEW POINTE HOMEOWNERS ASSOCIATION, INC. (LVP) has the right and power to adopt, amend, and promulgate Community Standards in order to effectuate the purpose of this Article. Accordingly, these Community Standards are subject to all enforcement procedures associated with the Declaration and Rules and Regulations. Furthermore, this Article authorizes the establishment of an ARCHITECTURAL REVIEW BOARD (ARB) as a committee of the Board of Directors to provide this review and approval and to enforce these Community Standards.

A properly designed and operated system of architectural control and design review yields substantial benefits to all residents. This system can create and preserve an attractive, viable community, preserve property values and minimize major problems in the form of misunderstanding and controversy among neighbors. To be effective, an essential element of successful architectural control and design review is recognition by all members of the community that it is a benefit and not a burden.

The purpose of the Committee is to carry out the responsibility of the Board of Directors to assure that no exterior modification or changes shall be made to dwellings, or improvement upon lots, unless they conform to the Declaration, the Rules and Regulations and the Community Standards for Lakeview Pointe, and that such actions will:

1. assure harmony of external design, materials, and location in relation to surrounding buildings, and topography within the properties;
2. protect and conserve the value and desirability of the properties as a residential community;
3. be consistent with the provisions of the Declaration; and
4. conform to or enhance, in the sole opinion of the Board or the ACC, the aesthetic appearance of the properties.

In the event there is a conflict between these Community Standards and the Declaration, the provisions of the Declaration shall control.

## **SCOPE OF ARCHITECTURAL REVIEW**

No exterior change or modification shall be made to any residential dwelling on any lot, unit or parcel, including but not limited to, any fences, walls, structures or improvements to a lot, unit or parcels after it has been conveyed by the Declarant until the plans and/or specifications showing the nature, kind, shape, height, materials and color to be used on the exterior, and location of the same, shall have been submitted to and approved in writing by the Board of Directors of LVP via its designated Architectural Review Board.

Exterior changes include but are not limited to:

1. extensions to or additions of rooms or porches
2. installation of swimming pools or hot tubs
3. installation of skylights, roof exhaust devices, rain gutters, or solar and voltaic cells
4. changing the exterior color, surfaces or materials of any part of any dwellings
5. resurfacing or painting of exterior walls, house, garage – See Exhibit “A”
6. installation of screen doors
7. installation of patios, railings, or lanai enclosures
8. installation or modification of sprinkler systems
9. erection of lattice work, air conditioning enclosures or trellises
10. planting or removal of trees or shrubs
11. enlargement of front landscaping beds
12. curbing around flower beds (allow 4’ 8” clearance between structures)
13. driveways, pavers and borders
14. fencing structures – See Exhibit “B”
15. satellite dishes
16. generators



## ASPECTS AND OBJECTIVES OF ARCHITECTURAL REVIEW

The Architectural Review Board evaluates all properly completed Applications for Plan Approval on the merits of the individual request. Design decisions made by the ARB are not based on personal opinion or taste but on the following criteria:

Relation to the Natural Environment: To prevent the unnecessary removal, destruction or blighting of the natural landscape or of the achieved man-made environment.

Conformance with Covenants and Design Guidelines: All applications are reviewed to confirm that the proposed project is in conformance with the Declaration, the Rules and Regulations, and Community Standards.

Design Compatibility: Compatibility is defined as similarity in architectural style, quality of workmanship, use of similar materials, color or colors, and construction details.

Location and Impact on Neighborhood: The proposed alteration should relate favorably to the landscape, the existing structure and neighborhood.

Materials: Continuity is established by the use of the same color or colors compatible with materials used in the original construction.

Workmanship: The quality of work shall be equal to or better than that of the original adjacent surface.

Validity of Concept: The basic concept must be appropriate to its surroundings.

## APPLICATION FOR EXTERIOR CHANGE OR MODIFICATION

APPLICATION FOR PLAN APPROVAL - A homeowner wishing to make an exterior change or modification to his dwelling, unit, lot or parcel must apply for and receive approval for such change or modification prior to start of the project. New exterior products, technology or other new materials must be presented to the ACC with full documentation prior to installation. Homeowner must allow ARB sufficient time to research the request.

Application is made by completing the Application for Plan Approval.

Applications for Plan Approval are available by request at the property management office, Terra Management Services, Inc., 4809 Ehrlich Road, Suite 104, Tampa, Florida, 33624. The form may also be downloaded off the website: [myterracommunity.com](http://myterracommunity.com). A sample of the Application for Plan Approval is shown in the appendix.

The completed request together with all applicable information and supporting material is to be submitted to Terra Management Services, Inc. where it will be logged. Applications for Plan Approval are not considered complete until accompanied by all of the information necessary for the ARB to make an informed decision.

SUPPORTING DOCUMENTS/MATERIALS - In order for each Application for Plan Approval to receive a timely review and for the ARB to confirm that the Declaration, Rules and Regulations and Community Standards are being met, all necessary supporting documents and/or samples of materials to be used must accompany the application.

Requests for structures, room additions, extensions or modification to the exterior boundaries of the home, or installation of pools or hot tubs must include a lot survey clearly depicting the location, size, and measurements to lot boundary lines and applicable set-backs.

All requests must include an estimated completion date. Contractors must be licensed and bonded. LVP will not assume any responsibility for improper or poor workmanship by sub-contractors hired by residents. The homeowner will assume any and all expenses for correction or removal of materials if the ARB determines that community standards have not been met.

Requests for change are either:

- APPROVED,
- APPROVED WITH CONDITIONS, or
- NOT APPROVED.

In most cases, applications are acted upon promptly within a week to ten (10) days of receipt. If the ARB requires additional information or needs to make a site visit to more clearly understand the proposed change, that period may be longer.



In any event, the ARB has up to thirty (30) days from the date a completed Application for Plan Approval is received and logged at Terra Management Services, Inc. to take action on that request. In the event the ARB fails to approve or disapprove such design and location within thirty (30) days after receipt of completed Application for Plan Approval and accompanying plans and specifications, or supply written reason for the delay, approval will not be required and the Declaration, Rules and Regulations and Community Standards will be deemed to have been fully complied with.

IT IS THE RESPONSIBILITY OF EVERY APPLICANT TO OBTAIN ANY NECESSARY CITY OF CLERMONT, LAKE COUNTY, OR ST. JOHNS RIVER WATER MANAGEMENT DISTRICT PERMITS AS MAY BE REQUIRED AND TO HAVE IN HIS OR HER POSSESSION, AN APPROVED, SIGNED ARCHITECTURAL REVIEW BOARD APPLICATION FOR PLAN APPROVAL **BEFORE** undertaking any exterior residential or property change.

Upon completion of the project the Architectural Review Board will, as it deems necessary, inspect the completed work. This inspection is to confirm that the work was performed in accordance with the approved request and/or conditions.

REQUESTS NOT APPROVED - Applicants whose requests have not been approved are notified in writing of the ARB's decision and the reason for the ARB's decision. The Owner may then correct, modify, resubmit, or withdraw the application, or institute an appeal.

If the homeowner wishes to appeal the ARB's decision to reject an application, an appointment for an appeal hearing may be made with Terra Management Services, Inc.

The appeal will be heard by a committee consisting of:

- LVP President
- At least one other member of the Board of Directors
- A recording secretary appointed for the appeal.

The committee on appeals will submit its recommendation to the full Board of Directors within fourteen (14) days of the hearing. The final authority on appeals is the President of the Lakeview Pointe Homeowners Association, Inc., after confirmation from the Board of Directors.

## **CHANGES OR MODIFICATIONS MADE WITHOUT PRIOR APPROVAL**

If changes or modifications are made without an application being submitted and without prior approval given with or without conditions, changes will be inspected by the Architectural Review Board. If such changes or modifications do not conform to the Lakeview Pointe Declaration, Rules and Regulations or Community Standards, homeowner will be required to either modify them to conform or to promptly remove them from the property.

If trees on lots are removed without prior approval, homeowner will be required to explain their actions to the ARB and may be required to replace such trees.

Changes or modifications made without approval subject the homeowner to enforcement procedures as outlined in the Declaration for Lakeview Pointe.

## **CHANGE OR MODIFICATION LIMITATIONS**

In order to ensure harmony of external design, promote conformity in appearance, and maintain a certain amount of architectural uniformity, the following limitations and restrictions shall be in effect, along with additions to this list that may be deemed necessary in the future:

### **Accessory Structure:**

No tent, shack, barn, utility shed or other buildings other than the dwelling and its required garage shall, at anytime, be erected on any homesite.

### **Awnings:**

Awnings of any size or material composition are allowed at any time.

### **Driveways**

Driveways shall not be painted or decorated in any manner. With ARB approval, driveways may be sealed with CLEAR seal by Dyco.

### **Fences**

Fences may not be installed unless approved by the ARB. Fences are permitted in the rear of the property only; fencing in the front yards of the home are prohibited. For fencing design standards see Exhibit "B."

### **Flags and Flagpoles (Residential):**

A homeowner may install one freestanding flagpole not to exceed 20 feet above ground level and constructed of PVC, aluminum, fiberglass, or stainless steel. Flagpoles subject to rust, corrosion, or insect deterioration are prohibited.

ONLY the American flag may be flown on freestanding flagpoles and must be illuminated if flown after daylight.

One flagpole may be attached to certain areas of the house (normally not to exceed four feet in length). Decorative flags may be displayed on attached flagpoles.

Flags must be replaced if faded, tattered or in poor condition.

### **Front Roof Changes:**

No changes will be permitted on any roof which is visible from the front of the house.



**Front Porch:**

No front porch will be permitted to be screened. A screened door is permitted, with ARB approval, and color must match entrance door and frame. Homes with courtyards may be screened, but an Application for Plan Approval form and a drawing must first be submitted. Color must match entrance door and frame. Front porch may not be used for storage of barbeques, bicycles, or any other objectionable items as determined by the ARB.

**Garage Screening & Garage Door:**

No garage screening will be permitted.

**Generators:** All generators located outside the home must have approval of the ARB. Please submit specifications with application.

**Holiday Decorations:**

All holiday decorations, light and ornaments must be removed within one week after the holiday. Christmas decorations are to be removed by January 6<sup>th</sup>.

**House Numbers:**

To aid emergency personnel and delivery people and to conform to City of Clermont and Lake County ordinances, each house must have a readily visible house number displayed, so as to be visible from the street. The numbers shall be the garage door. To ensure conformity in the house numbers on each home, they will be ordered in the same size/design/technique/mode from a vendor recommended by the ARB.

**Landscaping:**

Proposed changes to landscaping require detailed plans indicating any removal and relocation of trees, and additional planting of trees, shrubs, perennials or annuals. Quantity, approximate size and type of plants should be identified. Most landscaping contractors will prepare this diagram for you.

No extension of the landscaping of homesites will be permitted onto Lakeview Pointe common property; this prohibition includes, but is not limited to, trees, bushes, plantings, flower pots, picnic tables, furniture, fences, walks, hedge enclosures and other types of groupings.

Homeowners may enlarge the landscape beds to reduce the St. Augustine grass by replacing it with drought-resistant plantings. Reduction of grass area will not reduce fees for lawn maintenance. A drawing and plant types/names must be submitted to the ARB prior to lawn removal and installation of replacement plants.

Additional landscaping will be maintained by the homeowner. This includes weeding, trimming, and mulch replacement.

Additional landscaping is to be installed in a manner that does not interfere with the safe access of lawn maintenance crews. Branches of any trees added by the homeowner must be trimmed so as to not interfere with the safe access of lawn crews. Each homesite must comply with any and all requirements of the City of Clermont regarding the trees.

Vegetable plants are not permitted in front of the home. These types of plants are permitted in the rear of the home after submitting a plan and receiving ARB approval. The plan for vegetable gardens must include:

1. Location – from the back of the home or lanai, the garden area must not extend further than three (3) feet.
2. Size – not to exceed three (3) feet by four (4) feet.
3. No rows or plantations of any vegetables / citrus trees.
4. Evidence that garden area does not interfere with mowers' access for proper cutting of grass.
5. Statement that irrigation must conform to local regulations.
6. Statement that the ARB is not responsible for damage caused by mowing, irrigation, fertilizing or weed control.

Removal of any tree requires ARB approval, in addition to any necessary governmental approval.

Concrete formed curbing will be allowed around flower beds along the perimeter of the home in areas with single family detached homes, with ARB approval. The curbing must not interfere with lawn maintenance (allow 4'8" clearance), and homeowner shall be responsible for promptly repairing any damage to the curbing at homeowner's own expense. Decorative perimeter around flower/shrub beds shall not exceed a height of twelve inches (12"). Application to the ARB must be accompanied by plans in detail and include a list of materials and color samples (all must be compatible).

Acceptable grass types are St. Augustine, Bahia, or Zoysia, and grass type must be consistent throughout the front and rear yards.

### **Lighting**

No outside lighting shall be installed other than what is installed in the original construction of the home unless approved by the ARB. Security lights are permitted with ARB approval, and must be controlled by a motion detector (2 lamps per corner.) Lamps shall not exceed 100 watts. Homeowner shall submit to the ARB a diagram showing location of all fixtures.



**Mailbox - Maintenance, Replacement and Painting of:**

Mailboxes and mailbox posts must be maintained by the homeowner and if replaced shall be the same size, style, and color as originally furnished at the time the dwelling was built (American Eagle, 407-767-7200.) If the original style, size or color is not available, an ARB approved substitute may be used.

**Rear Patio:**

The installation of rear patios are prohibited without prior ARB approval.

**Repainting of House and Garage:**

All changes and modifications to the exterior surfaces of the home must be approved by the ARB, and in accordance with the recommended color palette established (see Exhibit "A".) Requests for changing exterior dwelling surfaces, materials, color or colors for painting the house and/or garage must include a color sample of the material and color or colors to be used. Color samples can be provided by the contractor.

**Roof/Covering:**

No roof or covering for a car, boat, equipment or similar items will be permitted.

**Satellite Dishes**

No antennas or reception devices shall in any way be attached to or protruding from the home, except up to two (2) small satellite dishes may be mounted on the roof/walls of the home with ARB approval. No satellite dish may be installed on a pole in the yard. The placement of any satellite dish is subject to ARB review and approval prior to installation.

**Signs:**

No signs, no banners and no nameplates of any size or type shall be permitted on any lot or parcel except as expressly permitted in the Rules and Regulations.

**Solar and Voltaic Cells:** Homeowners may place solar and voltaic cells on the roof with the approval of the ARB. A layout of the location is required. All efforts should be made to keep solar and voltaic panels off the front of the roof.

**Storm Shutters:** Must be hinged Colonial louvered style with the same specifications as for decorative shutters. Extra wide shutters may be hinged and foldable to conform to the twenty inch (20") width in the open position.

NOTE: Storm shutters may be closed only upon issuance of an official storm warning and must be returned to the open position, by the owner or his appointed representative, within 24 hours



after the storm danger has passed. Under no circumstances may storm shutters or protective panels be used as a routine security measure while the owner is away.

Removable Protective Panels are permitted and, although not subject to rules governing size and design, they can be put in place only during an official hurricane warning and must be removed within 24 hours following the lifting of said hurricane warning. Should the panels not be removed, LVP is granted an easement to the property to remove said storm panels and charge the cost of labor to the owner. LVP shall not be responsible for any damages incurred or caused by said removal.

EXHIBIT "B"

**LAKEVIEW POINTE  
HOMEOWNERS ASSOCIATION, INC.**

**FENCE STYLE & SPECIFICATIONS**

***Fences within Lakeview Pointe shall only be constructed of white or sand colored PVC material and shall be ornamental with solid panels, as illustrated on the following page.***

- The first step before beginning installation of your fence is to complete and architectural application. The application must be submitted to the Architectural Review Board (ARB) c/o the management company with a survey of your lot showing the location of the proposed fence installation on the survey. **Approval may take up to 30 days to receive from the committee. Do not begin your fence installation until you have received a written approval from the ARB.**
- All fences shall be at a height of six feet if your home backs up to another home. If the rear of your lot faces a conservation area or pond, the fence must be six feet in height up to the last panel of the fence on either side wherein it shall transition diagonally from six feet to four feet in one panel length and continue at a height of four feet across the rear of the lot. Greater transitions in two panel sections may be required if visibility is hindered for another homeowner.
- Only the good side of the fence may face outward. No posts or stringers may be visible from the outside of the fence.
- All fences that will abut an existing fence or perimeter wall must be installed with the final end side section graduating in height to meet the height of the existing fence or perimeter wall.
- No fence shall be constructed closer to the street (which the house faces) than eight feet (8') back from the forward facing corners of the house. No fence shall be permitted to extend beyond the front corners of the house in any circumstance.
- Fences for corner lots require close coordination with the ARB due to their unique layout and concerns for vehicle visibility/safety and compliance with existing easements and county building code setback requirements. The committee may require landscape buffering along the side or rear of the fence to soften its appearance.
- Any and all required governmental approvals/permits for fence construction are the responsibility of the homeowners and must be obtained prior to construction. **It is the responsibility of the Owner to comply with all City, County and/or Association requirements, whichever is most stringent.**
- It is not recommended that fences be installed in drainage easements. However, if the ARB grants permission for a fence to be installed in a drainage easement it is the responsibility of the homeowner to correct any changes in drainage on the homeowner's home site or adjoining home sites at the homeowner's expense. Should the Association or County be required to correct a drainage situation either above or underground, the homeowner is responsible for all costs associated with the removal of the improvement installed in said easement.
- Fences may not be installed past any wetland conservation or drainage easement setback lines on any home sites within the community.

## FENCE STYLE & SPECIFICATIONS



### PVC FENCES

PVC fences must be "Tongue and Groove" or "Shadowbox" styles, may have a flat, concave, convex, or lattice top, and must be constructed from materials substantially similar to the following:

2" x 7" x 95" Bottom & Middle Rail

2" x 3.5" x 95" Top Rail

1" x 7" Vertical Pickets with Picket Caps

5" x 5" Posts

5" Traditional Post Caps

Posts installed 36" in ground, with concrete around each post.