

EAGLE CREEK
COMMUNITY ASSOCIATION
Architectural Review Committee
Handbook

All changes to the exterior of a Unit (structures, landscaping, driveways, lighting, walkways, etc.) require prior ARC approval and must meet the criteria contained in this handbook. The Exterior Change Request form is available at the Property Management Office and on the Community Association web site (www.eaglecreekcommunityassociation.com "forms")

Architectural Reviews: This document contains the guidelines and rules for the approval of Exterior Changes.

Neighborhood Associations are encouraged to aid in enforcing compliance with the ARC requirements.

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ARCHTITECTURAL REVIEW COMMITTEE MISSION STATEMENT

The mission of the Eagle Creek Community Association Architectural Review Committee (ARC) is to fairly and uniformly evaluate all applicable requests (Exterior Changes Requests) received from Owners or Neighborhood Associations for changes to the exterior of their dwelling or common area and to render decisions based on a reasonable trade-off of the desires of the Owners and the best interest of the balance of the Community. The standard for rendering decisions shall be the quality and style of the Community as originally developed. Paramount in all decisions will be preserving the character of the Neighborhoods, maintaining Homeowners values, observing precedents, observing applicable laws (Federal, State and County) and consideration for abutters.

COMMUNITY COMMON ELEMENTS

The distinguishing features of a Community, as opposed to a mere grouping of residences, lies in a theme recognized by common elements. The ARC will endeavor to sustain these thematic common elements in the Eagle Creek Community in order to carry out our Mission Statement. Listed below are examples of Eagle Creek's Common Elements.

- **Street pavement and driveway material**
- **Signage**
- **Street lighting**
- **Neighborhood entry columns and post lights**
- **Mailboxes clustered with pavers and bulletin board**
- **Stratified stonework**
- **Subdued lighting**

Min. Floor Area	1,000 square feet
Min. Yard Size	Front 20 feet
	Rear 20 feet
	Side zero on one side, 10 feet on the
	Other side

The third category was originally specified as a maximum of three (3) living stories. A subsequent variance was granted to permit later units to be four (4) living stories. Detached garages are permitted for this category only.

MASTER COVENANT ELEMENTS

The Master Covenants for the Eagle Creek Community contain elements that pertain to the Architectural Review function. The following has been extracted from the Master Covenants.

- **Criteria to be considered for project approval**
 - **Not detrimental to Eagle Creek as a whole**
 - **In harmony with surroundings**
 - **Otherwise desirable**
 - **Aesthetics, architectural design, placement of building elements, landscaping, color schemes, materials and finishes.**

- **Special Circumstance: Projects pertaining to common elements of a Condominium require prior approval of the Condominium Association**
- **Time Restrictions: ARC decisions must be rendered within 30 days of receipt of all required information else approval is automatic.**
- **Conditional/delayed approval and exception**
 - **ARC may grant conditional approval**
 - **ARC may request additional plan information**
 - **ARC approval can be delayed pending submission of additional information**

ARCHITECTURAL CONTROL

The following proposed changes shall be submitted to the ARC and initiated only following approval by ARC

- **Construction or modification of a dwelling, building, outbuilding, garage, pool, decking, paving, fencing, retaining wall, patio, screened enclosure, walkway or other structure.**
- **Changes or additions to the exterior of any Living Unit or Building, including roofing, storm shutters, screen doors, security bars, lanai enclosures, or other building materials.**
- **Changes or additions to landscaping and grounds including trees.**
- **Exterior painting of any Living Unit or building.**

- Any other modifications, maintenance or repair which changes the external appearance of a building, living unit or the surrounding area.

The submittal to the ARC must include sufficient and appropriate plans, specifications and other written descriptions necessary for the ARC to make an informed judgment of the suitability of the proposed change.

OPERATIONAL POLICY

Actions and approval of the Architectural Review Committee shall be governed by the following Operational Policy.

- The ARC approval of a project must reasonably be premised on the use of licensed and insured contractors, that appropriate safety measures will be implemented, that work will be accomplished within the prescribed time frame and that consideration will be given to the impact on Neighbors of noise, traffic, parking, trash, etc.
 - Contractor work hours and parking are based on a standard for contractor hours.
 - Monday through Saturday 7 AM to 6 PM; if a holiday occurs on one of these work days then the rules for Sunday would apply. Exceptions require approval.
 - Sunday has no approved work times. Exceptions require prior approval.
 - Contractor vehicles should be parked in a guest or owner space for the Condos. Villa Keeps, Carriage homes, and Estate homes parking should be in the driveway.

- If this is not feasible care must be taken as to traffic flow consideration for other residents and guests.
 - Parking of a vehicle must not interfere with flow of Emergency Vehicles.
 - Parking must be on one side of the street only.
- Approved projects may be monitored for conformity with the approved plan and compliance with paragraph 1 above. Any unauthorized variations must be corrected. Failure to do so may result in “stop work” directive and may also result in other remedies as prescribed by the Eagle Creek Governing Documents.
 - Projects are subject to all applicable permit requirements including governmental laws, statutes, regulations, orders, and decrees. Homeowners and their contractors are responsible for obtaining permits where applicable.
 - Any commitments made with contractors and or suppliers prior to obtaining written ARC approval shall be made at the homeowner’s risk and are not binding on the ARC, the Eagle Creek Community Association or any Neighborhood Association

WINDOW TREATMENTS

No owner shall install or maintain aluminum foil or other reflective material on any window or glass.

ADDITIONS

Additions to units must maintain the architectural elements of the original structure including number of stories, roof, windows, paint color, and lighting. The additional must not violate the setback

requirements of the PUD and must not infringe on neighboring units.

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STUCTURAL CHANGES

No external structural additions or alterations may be made without the approval of the ARC. Erection or removal of non-support carrying interior partitions and other interior work done in a Living Unit, which is not visible from the exterior does not require ARC approval.

SHEDS

No outbuilding, tents, shack, garage, mobile homes, trailer, shed, RV or temporary building of any kind may be constructed nor used as a residence.

FENCES

No fences are permitted with the exception of the existing ones in the Villas.

ENCLOSURES

No Owner or Occupant may enclose an entranceway, patio, porch, or lanai except with the approval of the ARC.

COMMON COMMUNITY AREAS

All common community area projects such as signage, lighting, landscaping, etc. should be accomplished in a manner that promotes a consistent theme that blends with the Country Club and its facilities. All projects are to be submitted to the ARC for approval.

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DRIVEWAYS

Driveways shall be maintained in the form, format and color as originally installed. This means plain concrete for all Villa Units, stamped colored concrete for Carriage Houses and Keeps and either pavers or stamped colored concrete for Estate Homes. Minor changes of stamped or paver driveway color can be considered but must blend with surroundings.

EXTERIOR LIGHTING

Exterior lighting should be white and minimal. Focused accent lighting will be approved provided that the beam is limited in both intensity and height, is located entirely within the boundary of the Unit, does not impose on adjacent Units, and does not impair the vision of motorists or pedestrians. Special holiday lighting is permitted to be displayed for a period not to exceed 30 days.

EXTERIOR PAINTING

Exterior painting must be of a uniform nature in the original color or a muted earth tone. Door, window and trim colors must be complimentary.

Conjoined Units (Condominiums, Villas, Keeps, and Carriage Houses) must sustain a consistency of exterior color including doors, windows, and trim.

LAWN ORNAMENTS/DECORATIONS

Lawn ornaments can be an impediment to grounds maintenance operations and thus are generally discouraged. To the extent that they are permitted they must be minimal on a given property, be located in areas that are not mowed and will not interfere with irrigation and grounds maintenance activities. Lawn furniture is not permitted in front or side yards. Ornaments should be subtle, artistic, and non-whimsical in nature and maintained in good repair. Flag poles must be approved if they are to be a permanent installation.

POOL ELEMENTS/LANAI SCREENS

Pool equipment (heaters, filters, pumps, etc.) must be suitably concealed from view from the golf course and walk-by perspective via plantings or other minimum height structure that blends with the surroundings.

Lanai screen panels must be uniform in color and maintained in good condition with all panels securely in place and not breeched. NOTE: Care should be taken when replacing individual panels to assure that screen panels remain uniform in color.

AWNINGS

Exterior awnings, where permitted, must blend with the color scheme of the dwelling.

RENEWABLE RESOURCE DEVICES

Renewable resource devices (e.g. solar panels) are permitted provided that such installation shall be in accordance with the following requirements.

- To the extent consistent with Florida Law, no device, or associated elements, shall be in view when viewed by a walk-by perspective from the street. Solar Panels must be of a single color including the frame, which would in most cases be black.
- All arrays must be roof mounted and coplanar with the roof.
- All elements (including piping) shall blend with the Unit structure as to color, location, and configuration.
- All renewable resource device installation require prior approval of the Architectural Review Committee with full disclosure of construction details such as, but not limited to, size, location color and piping detail.

ROOFS & WALLS

In order to sustain property values within the Eagle Creek Community, all new residence Units and all re-roofing projects require ARC approval and must use some form of tile roofing. The color of the tile shall be complimentary to the general color scheme of the Unit and should blend with the surroundings. Conjoined Units and Condominiums within a cluster must sustain a common roof tile color, style, and texture.

Gerard Canyon Shake Tile or equivalent is an acceptable alternative to be used on structures unable to support standard tile.

The installation of communication antennas, satellite dishes, lightning rods etc requires prior ARC approval as well as compliance with the following:

Communication antennas, dishes, weather stations, etc must be located as unobtrusively as possible consistent with transmitter contact for antennas. Lightning rods must be installed in conformance with federal, state and county regulations.

- Television and Other Outdoor Antennae—No television, radio, satellite, or other antenna or satellite system may be installed on the Common Areas by any person other than the Association.**

SPECIAL VILLA REQUIREMENTS

Each unique grouping of Units must sustain a consistency of architecture, exterior paint color, roof line, garage doors, style and color of roof tile.

All Units within a grouping must preserve a common appearance, including driveway and lighting, from a walk-by perspective.

SPECIAL CONDOMINIUM REQUIREMENTS

Each of the seven (7) Condominium groups must sustain a consistency of architecture, exterior paint color, style of roof, roof color, and roof line.

Lanai customizing projects such as (but not limited to) the addition of enclosure panels, storm shutters, screen doors, and radon mitigation elements may be approved provided that such additions sustain the consistent exterior appearance of the Unit and the balance of the building and incorporate provisions to prevent water penetration into concrete structure.

Note: Maintenance of such additions becomes the responsibility of the Unit owner and their successors.

TREE REMOVAL POLICY

The removal of ANY tree within the bounds of the Eagle Creek Community Association (Common Grounds or Residential Property) requires prior approval of the Architectural Review Committee (ARC).

Communities such as Eagle Creek owe their charm to a number of factors, not the least is the presence of a mixture of mature canopy trees, pines and palms. The tree removal policy proposed for the Eagle Creek Community is a combination of the County regulations and the desire to sustain the attractiveness of a mixture of mature tree specimens.

Acceptable Reasons for Tree Removal

- 1) Trees causing damage to structures such as buildings, driveways or walkways.**
- 2) Trees damaging utilities.**
- 3) Trees presenting a safety hazard.**
- 4) Trees that diseased or sufficiently damaged based on a certified arborist assessment.**

Prerequisites For Tree Removal

- 1) ARC approval via an Exterior Change Request.**
- 2) The selection of a mandatory replacement tree.**
- 3) A county permit for community association properties, Villas and Condominiums (single family lots do not require a permit).**

Please note that pine needle and acorn debris is NOT an acceptable reason for tree replacement.

Special Considerations

The ARC in conjunction with the Greenscapes arborist will render judgment on any unique conditions not covered by the above.

MULCH FOR COMMUNITY

Mulch is provided as part of a Community wide initiative.

- Single colored mulch is selected by the Community Association and is provided for all residences and common areas. No other mulch colors are permitted.**
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LIGHTNING POTECTION

Lightning rods may be installed with ARC approval. The system must conform to federal, state and county specifications.

SECURITY CAMERAS

Homeowners may install security cameras with prior ARC approval. The unit's exterior elements must be minimally observable and limited in field of view so as to assure the assumed right of privacy of others.

Large ornamental flowerpots are permitted provided that they blend into the landscape and are located in areas that do not interfere with lawn maintenance. The maximum number of such pots may not exceed six per household. Pots must be properly secured in times of high wind storms as a safety precaution for the Community

All Architectural Review Committee (ARC) decisions may be appealed to the Eagle Creek Community Association Board. The procedure for an appeal is as follows:

- Submit a written request for an appeal hearing to the Property Manager. The written request must include a copy of the Exterior Change Request form, the full response of the ARC, the applicant's basis for the appeal and the specific approval being sought.
- The Property Manager will notify the ARC of the appeal hearing request and will schedule said hearing at the next Community Association Board meeting that affords the ARC at least ten (10) calendar days to prepare their briefing material.
- The ARC shall initiate the appeal hearing by presenting the reason(s) for their decision in both a verbal and written form.
- The Homeowner/Applicant will then be afforded the opportunity to present pertinent facts including their appeal basis as well as the specific approval they seek.
- Upon hearing both sides of the question, the Board shall proceed to vote to either sustain the ARC position, to grant the Homeowner's

request, or suggest an alternative for the Homeowner and ARC to consider.

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- **The Exterior Change Request form will so note the Board's decision and the ARC and the Applicant will be obliged to act in accordance with the final ruling.**

1 Compliance with Florida statute

Florida statutes for Community Associations require that all Board and Committee meetings be open to the Membership. In the case of the Architecture Review Committee (ARC) this requirement imposes a significant impediment to rendering timely responses to the many requests, particularly during the off season when most Committee members are not in residence. In order to comply with the open process requirement, the ARC shall adhere to the following operating procedure.

- 1.1 The architectural requirements for the Eagle Creek Community shall be delineated in a formal manual (ARC Manual).
- 1.2 The ARC Manual and all subsequent revisions thereto shall be approved by the Community Association Board in an open meeting.
- 1.3 The approved ARC Manual shall be posted on the Community Association website and thus available to all Eagle Creek Community members.
- 1.4 Exterior Change Requests (ECR's) submitted to the ARC that are fully compliant with the ARC Manual requirements shall be approved and the applicants so notified.
- 1.5 ECR's that are either rejected for non compliance with the ARC Manual or ERC's that are recommended for approval on a basis other than full compliance with the ARC Manual requirements, shall be submitted to the Community Association Board at an open meeting for final disposition.

2 Periodic Review

- 2.1 **The ARC shall conduct an annual review of the ARC Manual so as to best reflect the changing desires of the Community and competitive architectural trends.**

3 ARC Representation

3.1 In order to provide a true Community-wide representation, the ARC should consist of at least one representative from each of the three Neighborhood Associations (Condominium, Villa and Estate Homes) and at least one year-round resident member.

4 Proactive Operation

4.1 The ARC is encouraged to work proactively with the Neighborhood Associations to facilitate proposed changes to residences that promote Community enhancement, for the pleasure of our current Membership and to attract new buyers to our Community.

