

THE VINES COMMUNITY ASSOCIATION

ARCHITECTURAL GUIDELINES AND REVIEW PROCEDURES

FOR SINGLE FAMILY HOMES ON VINTAGE TRACE CIRCLE

NEW CONSTRUCTION, ADDITIONS

AND TEARDOWNS/ REBUILDS

January 2022

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I. PURPOSE AND PHILOSOPHY

The Architectural Guidelines provide standards for the design and construction, teardown and rebuild or additions (expansion of existing footprint or square footage) of single-family homes located on Vintage Trace Circle at The Vines Community (hereinafter known as The Vines).

All other residences at The Vines are subject to the architectural rules and regulations of their respective associations.

The Vines has high standards for architectural and landscaping design. The intention is to enhance the property value of the overall community as well as that of the individual single-family homes by setting minimum requirements.

The following points summarize the philosophy of the Architectural Review Committee (herein after known as either “ARC” or “Architectural Review Board”):

- A. The Vines is a carefully planned residential community with natural beauty, quality recreational amenities and controlled development, all contributing to the lifestyle of its residents.
- B. The ARC will evaluate building plans, styles and techniques at The Vines to determine fulfillment of overall development objectives.
- C. It is not necessary for every home at The Vines to be unique; however, too frequent repetition of designs within a neighborhood may not be acceptable.
- D. Although building costs may escalate, it is not in the interest of The Vines to permit lesser quality development in response to cost considerations.

II. General Information

These guidelines provide specific guidelines for planning your new home. The overall impact of a home design involves issues of taste and judgment which cannot be completely reduced to measurable standards of size, setback, roof pitch, etc. A home which meets all the statistical criteria may be unacceptable for The Vines if its overall aesthetic impact is unacceptable in the judgment of the ARC.

The ARC will have full authority to grant an application or deny any application they deem inappropriate for The Vines.

Any and all construction requires submission of an ARC Form and PRIOR approval by the ARC.

Please refer to the separate Guidelines and Procedures for Modifications and Renovations

ARC approval does not preclude the necessity for obtaining permits from the Lee County Building Department, the Village of Estero and other applicable agencies.

ARC approval does not imply compliance with federal, state or local rules and regulations. Compliance is the responsibility of the homeowner.

ARC approval does not constitute a representation or warranty of the quality of work performed. The homeowner is solely responsible for determining that the contractor's performance is satisfactory. Homeowners are strongly encouraged to ensure that the contractor is licensed and insured.

All work is to be completed within 1 year of approval. Any project expected to extend beyond 1 year requires the submission of an ARC Extension Form within 330 days of approval of the original ARC Form.

The ARC reserves the right to confirm that completed construction agrees with the submitted plan and may require the homeowner to grant access to areas of the property in connection therewith.

III. ARCHITECTURAL CRITERIA

- A. **Flood Plain Elevation** – Properties within The Vines may be exempt from flood plain requirements and restrictions; and, therefore, mortgagors, may not require flood insurance coverage.
- B. **Exterior Design** - In evaluating the exterior appearance of a home, the Committee may take into consideration all of the elements of design which contribute to an acceptable design solution, including but not limited to:
 - 1. **Site Utilization** - Relationship of proposed construction to existing natural and man-made features; views from the home and adjacent structures; effect on the streetscape, common open space, neighbors, drives, parking and landscape treatment.

2. **Scale** - Relationship of proposed structure to surrounding structures and site size in terms of lot coverage, height, width and overall visual impact.
3. **Massing** - Relationship of the elements of the structure to one another.
4. **Fenestration** - Relationship of exterior openings (doors, windows, etc.) to the solid portions of the design and to one another, compatibility with the design of the home, materials used and the manner in which the fenestration is detailed.
5. **Roof Scape** - Relationship of roof shapes and treatment to the overall design concept of the home. No flat deck or built-up roofs will be permitted as any portion of a roof design plan.
6. **Aesthetics** - Overall design quality based on the judgment of the ARC.
7. **Structure** - No stilt (piling) home or "mobile" or "modular" structure of any kind will be permitted at The Vines.

C. **Building Development Standards**

1. **Definitions**

- a) Estate Homes – Custom, single family homes located at 19001 Vintage Trace Circle through 19721 Vintage Trace Circle inclusive.

Villa Homes – single family homes located at 19725 Vintage Trace Circle through 19887 Vintage Trace Circle inclusive.

- b) Setback – The distance between an exterior wall of the main structure and the nearest lot line.
- c) Height – As measured from the finished first floor.

2. **Minimum Requirements for All Villa and Estate homes**

- a) Front Setback - 30' Minimum
- b) Rear Setback - 20% of Lot Depth minimum

- c) Golf Course Easement - 25' of each lot adjacent to the golf course

3. **Height**

- a) Finished Floor Height - 14" above the crown of the adjacent road
- b) Estate Homes - No structure shall exceed (2) two stories in height. Maximum total building height shall not exceed 38 ft.
- c) Villa Homes – No structure shall exceed 1 story in height.

4. **Additional Standards for Estate Homes**

- a) Living Area:
 - Single Story 2,200 Sq. Feet Minimum
 - Two Story 1,800 Sq. Feet Minimum on 1st floor
Maximum of 50% of 1st floors Sq. Footage
- b) Side Setbacks 10% of Lot Width with a minimum of 15'.
This may be increased at the discretion
of the ARC
- c) Driveway 10' minimum from side of lot

D. **Exterior Materials. Colors and Textures** - The material used to clad a building is very important to exterior appearance. At The Vines, exterior materials and colors are expected to harmonize with the natural surroundings. Materials which are appropriate to achieve this harmony include wood, brick, natural stone and stucco; earth-tone colors are appropriate and are normally more subdued. Building materials used should be fundamental to the house design.

- 1. **Exterior Finishes** - Materials are expected to be of the very highest quality. Woods used for siding or trim shall be durable by type and/or treatment. Wood, brick, stucco and other materials proposed for exterior use shall be submitted to the Board and approved before installation.
- 2. **Paint and Stain** - Subdued tones are recommended. Two manufacturer's paint chips of each color labelled with the brand, color

name and color number and indicating the surfaces to which they will be applied must be submitted with the ARC Form.

3. **Roof Design** - The roof of a building is often a major feature of its design and the material selected for covering it is very important. The proposed roofing material, color and application will be critical parts of the ARC's design evaluation.
4. **Roof Materials** - Interlocking tile roofs composed of clay, cement, metal and composite are acceptable roofing materials. Acceptable styles include Spanish tile (large or small barrel), shake, smooth, slate and glazed. NO exposed screws are permitted. A sample of the material is to be submitted with the ARC Form.
5. **Windows and Doors** - High impact windows and doors are required, with all units being finished in an earth-tone, black or white, factory applied finish. Decorative window shutters are appropriate when sized to match window openings and mounted to appear functional. Awnings must be approved for color, material and shape by the ARC.

Samples of all exterior materials, colors and textures shall be submitted at the time of the application for final review.

- E. **Fences, Hedges and Screens** – Fences, hedges and screens are not permitted to enclose or define property lines of individual homesites. Fences, hedges or screens may be used, however, upon approval of the ARC to enclose service areas, patios, swimming pools or other areas requiring privacy.
- F. **Garages** - Garages must provide space for a minimum of two cars. Since private golf carts are permitted, a garage design that includes space for the cart is recommended. Garage doors must be of standard height and not oversized to accommodate trucks or recreational vehicles of any kind.
- G. **Lanai Cages** – Acceptable cage colors are white, bronze and black. Cage height and design are to be compatible with the home style and size. A color sample and drawing including all dimensions must be submitted with the ARC Form.
- H. **Landscaping** - A Landscape Plan shall accompany every new home ARC Form. Owners are encouraged to select native and drought tolerant plants. The planting of invasive species, fruit trees and coconut palms is prohibited. A landscape plan created by a landscape designer showing the location and type of plant must accompany the ARC Form.

- I. **Lighting: Exterior and Landscape** – all exterior and landscape lighting including flood lights, post lights, low voltage lighting and fixtures attached to the house exterior or pool cage must be indicated on the plans. Exterior lighting should be neighbor friendly and avoid light pollution. To accomplish this lighting should be targeted and/or aimed downward. Permanent exterior lighting must be soft white or bug light
- J. **Mailboxes** – Owners are required to install and maintain a mailbox that conforms to the specific criteria as set forth by the ARC. Information, design and maintenance details are available in a separate document on the VCA website.
- K. **Parking and Driveways** - Because lots are large at The Vines, side-entry garages shall be the standard driveway plan. In some instances, however, lot geometry may preclude a side-entry garage and a direct, frontal arrangement may be approved by the ARC.

All homes will have a defined driveway constructed of concrete pavers, brick or other suitable impervious material. New and complete replacement of driveways with asphalt and plain concrete is not permitted. Driveways should offer off-street parking for at least two automobiles. Where a lot fronts on more than one street, the lot shall be entered from the secondary street.

- L. **Repetitive Designs** - Some house designs may be unacceptable for a particular lot because of similarity to homes in the immediate neighborhood. If, in the judgment of the ARC, the massing, basic style, roof line, exterior materials, colors or other features of a home are too similar to its neighbors, the design may not be approved.
- M. **Service Area and Equipment** - The planning of the home should include areas to accommodate air conditioning compressors, garbage cans, the electrical meter, generators, propane tanks, service entrance and other items that by their nature present an unsightly appearance. The service area or areas should be convenient to the utility service of the site and screened from view by an enclosure that is an integral part of the site plan using materials and colors that are harmonious with the home it serves. Window and wall HVAC compressors are prohibited.
- N. **Sheds and Out Buildings** – No sheds or out-buildings of any kind are permitted.

- O. **Solar/ Renewable Energy** - Installation of solar energy devices may be installed on the roofs of buildings. Free standing solar/renewable energy panels are not permitted. All installations must be in accordance with Florida State Laws and all other applicable regulations.
- P. **Storm Shutters, Screens and Awnings** - Hurricane shutters and screens are encouraged. Acceptable styles include roll downs, accordions, storm screens, Bahama shutters and panel hurricane shutters. Colors should be neutral and compliment the residential exterior. A color sample and a foot print of the residence that shows the location of each shutter, screen and awning placement must be submitted with the ARC Form. All must look appropriate with the residential exterior. All must adhere to Florida State Laws and any other applicable regulations.
- Q. **Television Antennas** - Cable television is available at The Vines. Only small dish type antennas will be allowed. Installation must not be positioned to detract from the exterior of the residence. The installation location and dimensions must be indicated on the plans.
- R. **Tree Removal** - The tree canopy in The Vines is important to the overall community aesthetic, therefore, approval for the removal of trees will only be granted if no other alternative exists.

Crown pruning and root barriers can be used to mitigate many issues. All work must be performed by a licensed arborist.

A tree removal permit must be obtained from the Village of Estero and other applicable agencies to remove protected tree species. A copy of the removal permit must be submitted with the ARC Form. Only those trees indicated on the permit can be removed. Care should be exercised to protect all other trees from equipment damage. All removals must be done by a licensed tree contractor. NOTE: a copy of the contractor's license and insurance certificate is required to be submitted with the ARC Form.

IV. ARCHITECTURAL REVIEW PROCESS

All new construction, exterior alterations and additions must be approved before beginning any construction or installation. A \$100 per day penalty (or the maximum allowed by Florida State Laws) and/or the revocation of the residents automated gate pass will be enforced if no ARC Form is filed and approved.

- A. **Application Policies and Procedures** - Application form must be submitted in a timely manner and on the current ARC Form.

1. Preliminary Application - Prior to the preparation of construction drawings, the ARC recommends that the applicant submit a preliminary application for its comment. In this manner, conceptual errors may be resolved, and the possibility of a lengthy review period avoided. The preliminary application will be accompanied by two sets of plans and may be drawn in "sketch" form. A preliminary application includes:

a) **Site Analysis**

- (1) Provide a tree and vegetation drawing that clearly identifies significant sized species and location.
- (2) Indicate views and vistas to and from the site
- (3) Show the position of any neighboring homes and their effect on proposed construction.
- (4) Designate other natural or man-made features which could affect the design.

b) **Site Plan**

- (1) Drawn at a scale of 1" = 10' superimposed over the existing tree survey.
- (2) Show and identify species and diameter of vegetation as described above and indicate any trees to be removed and reasons for removal
- (3) Show existing and proposed topography (approximate grades).
- (4) Show setbacks from property lines.
- (5) Indicate site hardscape including walks, drives, patios, decks, etc.
- (6) Show proposed landscaping indicating general massing of plants and trees and intended use of plant material.

- c) **Floor Plans**
 - (1) Drawn to a minimum scale of 1/4" = 1'.
 - d) **House Elevations**
 - (1) Drawn at the same scale as the floor plans.
 - (2) Show four elevations or provide a model.
 - e) **Additional Information** - submit any additional information which will aid the ARC in the evaluation of the proposed design.
2. **Final Application** - Two complete sets of documents shall accompany the final application. If approved, one set of documents will be stamped "Approved" and returned to the applicant. Each sheet of drawings and the first page of other documents shall include the street address, applicant's name, architect or designer and the date of drawings.

Documents to be submitted with the final application include the following:

- a) **Site Plan**

Show all information required for a preliminary submittal as measured to scale drawing, identify all materials, be fully dimensioned and show the roof plan (unless shown in a separate drawing) and exterior lighting, if any.
- b) **Landscape Plan**

Superimposed over the site plan, indicating the locations, bounds, numbers and species of all plants, trees, shrubs and ground covers.
- c) **Floor Plans**
 - (1) Drawn to a scale of 1/4" = 1'.
 - (2) Show all dimensions.

- (3) Include all door and window symbols and schedules.
- (4) Show all attached decks and other appurtenances.

d) **Elevations**

- (1) Drawn to a scale of 1/4" = 1'.
- (2) Show all exterior views of the house including those which will be partially blocked from view by garages, fences or other parts of the building.
- (3) Indicate all exterior finish materials.
- (4) Show finished floor elevations and existing and proposed grade lines.
- (5) Show all exterior openings.

e) **Wall Sections**

- (1) Drawn to a minimum 3/4" = 1'.
- (2) Indicate roof pitch.

3. **Submission of Typical Building Materials** - Except when the ARC specifically elects to waive this requirement, where the colors or materials are known to the ARC, both the names of proposed exterior materials and physical samples will be included or will accompany the application as listed below. An application will not be considered complete without these exterior samples:

- a) Include the name, grade, description, color and sample of roofing to be used.
- b) Include the name, grade and sample of any siding with chosen color applied.
- c) A typical example of brick to be used.
- d) Any other exterior materials of significance to the design.

4. **Stake-Out Prior to Final Approval** - Before final approval and the commencement of any site clearing, the applicant shall stake and string all property lines, corners of the proposed structure and identify with orange tape all trees to be removed. The VCA's management company shall then be notified to inspect the site for compliance with the approved plans. When compliance has been ascertained, the ARC will sign the site plan as "Approved".
5. **Approval Process**- All ARC Forms will be submitted to the VCA Management Company who will email to all ARC members. Upon review and finding the ARC Form in order, the ARC will email all VCA Board members for approval. NO project is to be started without approval by the VCA Board. It could take up to 60 days for approval.
6. **Architectural Review Committee** - The ARC may offer specific suggestions for further consideration which may resolve any design problems found by the ARC. The ARC can, however, reject an application based on the judgment of its members without citing specifics for the following reasons, among others:
 - a) Insufficient information to adequately evaluate the design or design intent.
 - b) Poor overall design quality.
 - c) Incompatible design elements.
 - d) Inappropriate design concept or design treatment.
 - e) Failure to comply with the requirements and specifications in these Guidelines.
 - f) A design found to have an adverse effect on the character of The Vines or its residents.

The ARC will not normally comment on or reject a custom-designed home because of its interior elements except in cases where those features affect the exterior appearance. Observations by the ARC which it believes could make the home acceptable will be passed on to the applicant for consideration. The ARC may, however, reject the design of speculative houses because of interior design features,

when, in its judgment, the livability of the submitted design does not meet the standards expected of speculative houses at The Vines.

B. Construction

1. Pre-Construction Activities

- a) No lot is to be cleared or construction otherwise started without prior approval of the plans by the ARC and obtaining the necessary Building Permit from Lee County and all other applicable agencies.
- b) The applicant agrees to pay for any damages to street, curbs, common areas or adjoining lots occurring during lot clearing, house construction or landscaping.
- c) The builder, lot owner or architect must ensure availability of all utilities. An application should be made to Florida Power and Light Company for temporary and permanent electrical service.

An application for water and sewer service must be made to the appropriate utilities and all applicable government agencies. Water and sewer hook-up fees must be pre-paid for all lots.

- d) The connections for water and sewer as indicated on each lot. Care should be exercised in clearing of the lot. Prior to excavation at the site, The Vines cable and internet provider should be contacted to determine the location of the buried cable.
- e) Florida Power and Light Company will run the electric service from the transformer to the residence by the most direct route to a point on the building nearest the transformer.
- f) There is no dumping area available at The Vines. Provisions for these services must be made with other sources in compliance with the Lee County code and other applicable agencies.
- g) Dumpsters that remain on property overnight for any reason require submission of an ARC Form and prior approval.

2. During Construction

- a) The cost to repair damage to curbs, streets, structures and common areas as a result of construction will be charged to the owner.
- b) Only those trees marked and indicated to be removed on the approved site plan will be removed. Care should be exercised to protect all other trees from equipment damage and/or filling. Owner shall use protective barriers or bulkheading where necessary so as not to cover the roots of remaining trees with soil.
- c) The use of adjoining properties for access to the site or for the storage of materials without the written permission of the adjacent owner is forbidden.
- d) The storage of materials must be in an inconspicuous area of the site. Cleanliness will be practiced, and contractors are required to make frequent clean-ups of surplus materials, trash wrappers, etc. A trash barrel must be maintained on each site for the disposal of small trash and eating litter. Unsightly building sites constitute nuisances to the community and will be regulated according to the VCA covenants and restrictions.
- e) Because sewer, water, electric, TV and telephone service to the home are underground, care should be taken to ensure that these lines have been installed and the water and sewer connections made prior to paving drives, walks, etc. The owner is responsible for locating existing utilities and services and for all applicable costs.
- f) A portable toilet is required for all construction sites.
- g) No loud radios, stereos or other broadcasting devices are permitted that are disruptive to neighbors and/or play on the golf course.

3. General Information for Builders

- a) The gatehouse at The Vines exists for the purpose of monitoring incoming and outgoing traffic for property owners and the contractors as a deterrent against theft, vandalism, etc. The gatehouse personnel will also assist in the delivery of materials by directing suppliers and subcontractors to your job site. We ask your cooperation in working with the gatehouse staff by following these rules:
- b) All incoming vehicles must stop at the gatehouse for identification by the staff.
- c) Drivers should be prepared to stop at the gatehouse when leaving The Vines
- d) The working hours for construction personnel at The Vines will be from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. No work will be performed on Sunday or Holidays.

V. Penalties and Remedies

Violations of these Guidelines and Review Procedures or failure to obtain prior ARC approval or deviations from ARC approvals may result in:

- A. **Fines** – the VCA may assess fines as permitted by VCA Rules and Regulations.
- B. **Removal of improvements** – the VCA may require owners to remove improvements not previously approved by the ARC and restore the property to the prior condition at the owner's expense.
- C. **Suspension of barcode privileges** – the VCA may suspend barcode privileges with respect to access to The Vines.
- D. **Other** – the VCA may implement such other and further penalties or sanctions as may be allowed by law and/or by the Rules and Regulations of the VCA.