



LAKE CHARLES ASSOCIATION, INC.

This document is a summary of the rules and regulations adopted by the Lake Charles Board of Directors intended to provide property owners and tenants with a working knowledge of them. Modified on 5-19-2016

1: ANIMALS & PETS

Animals at Large

ART XII, SEC 4, PG 22 FINE SCHEDULE: \$25/DAY

Pet owners must keep pets leashed at all times when outside their home including front, side and back yards. The leash must be held by a responsible person especially when walking on public streets and common areas.

- Only two (2) household pets are permitted per unit.
- Pet owners must pick up and remove all solid waste generated by their pet. Solid waste must be taken back to your home and disposed of properly.
- Pit bulls are **NOT** permitted. Designation as "Pit bull" by the City of Port St Lucie animal control department will govern.
- Those pets which are permitted to roam free, or, in the sole discretion of the association, endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other units or the owner of any property located adjacent to the properties shall be removed upon request of the board.

An owner, by the purchase of a unit, agrees to indemnify the Association, and hold it harmless against loss or liability of any kind arising from the owner having any animal in Lake Charles.

Noisy Animals Prohibited

The Port St Lucie Noisy Animal Ordinance prohibits animals from making constant or nuisance noise from 11:00 P.M. to 6:00 A.M. and from steadily making noise for more than five (5) minutes from 6:00 A.M. to 11:00 P.M. Owners of "screeching, squawking and yelping animals" are subject to the same ordinance. Violators of the law face a fine and county court appearance in addition a fine from the Association.

FINE SCHEDULE:

- ◆ **First offense - \$50**
- ◆ **Second offense - \$100**
- ◆ **Third offense \$200 plus mandatory court appearance**

2. TRASH and Recycling Containers:

FINE SCHEDULE: \$25/DAY

All containers must be stored inside the homeowner's unit, or completely screened from view.

3. TRASH:

ART XII, SEC 8, PG 23

FINE SCHEDULE: \$25/DAY

Trash should not be put out before 6:00 PM the night before it will be picked up. Household trash must be in a tightly sealed bag or trash pail.

After pickup, trash pails must be taken from the curb and stored as noted above no later than 8:00 PM on day of pickup.

- Wednesday - household trash and recyclable items
- Saturday - household trash

For large items and electronic devices (televisions, computers, etc.) homeowners must make pick up appointment time directly with Waste-Pro (772) 595-9390. *Items may not be left at the curb prior to making arrangements with Waste-Pro for pick up.*

Personal trash should not be placed in the dumpster at the Beach Club.

4. YARD WASTE:

FINE SCHEDULE: \$25/DAY

Yard waste from trimming trees and shrubs is picked up Monday mornings starting at 7:00 A.M.

Yard waste may not be put out at the curb site before Saturday afternoon. If a Homeowner has any trimmings done by a private landscaper, the landscaper will be required to remove the clippings. Clippings are not to be left at the curb.

5. LANDSCAPING:

FINE SCHEDULE: \$25/DAY

Any change made to the landscaping requires the approval of the Modifications Committee and becomes the responsibility of the homeowner. The association landscape company will not edge planter beds filled with stone due to the dangerous conditions they create. All changes must be in beds and should be far enough away from other beds to allow for clear lawnmower passage. If passage is blocked, the Association will remove the plants at the owner's expense. Although decorative stone is permitted it is not recommended. Any bed containing stone will not be edged by the landscaping company. Any damage or physical injury caused by the placement of stone in a bed will be the sole responsibility of the Homeowner.

6. WEEDS IN DRIVEWAYS - Weeds in the driveway are addressed by the association landscaper as needed.

7. PALM TREES:

ART XII, SEC 6, PG 23 FINE SCHEDULE: \$25/DAY

The landscape company only trims palms in the front of houses when they can reach the fronds standing on the ground using a pole saw (up to approximately 12'). Dead palm fronds above this height are the responsibility of the homeowner and must be maintained periodically. Homeowners must maintain trees in the rear of their house.

8. IRRIGATION SYSTEM:

ART XII, SEC 12, PG 24 FINE SCHEDULE: \$25/DAY

Irrigation systems on private property (except in Harbour Isles) must be maintained by homeowner. If an irrigation head is broken by the landscape company its repair or replacement is the responsibility of the landscape company, but if it is determined that the reason for breakage is a malfunctioning head, it is the homeowner's responsibility to replace the head.

9. PRESERVE AREAS:

FINE SCHEDULE: \$50 PER VIOLATION

A homeowner may not do anything to the preserve area behind or adjacent to their home. Homeowners may not plant any flowers, shrubs or trees in the preserve area. South Florida Water Management District routinely inspects our preserve areas, which could also result in a heavy fine for any violations. The homeowner will be responsible to pay the fine. Dumping of yard waste in preserve areas is prohibited.

10. CHAIRS AND BENCHES:***FINE SCHEDULE: \$25/DAY***

Chairs and benches are only allowed in the covered "loggia" or inside any walled entry way to the front entry of the home as follows:

- One bench or two chairs made of wood, cement or decorative metal only
- Chairs and benches must be maintained in good repair. (Paint, etc.)
- Chairs and benches be moved inside during a hurricane or tropical storms.
- Plastic chairs and benches are not allowed.

11. EXTERIOR SCULPTURES & ORNAMENTS:***FINE SCHEDULE: \$25/DAY***

Sculptures and ornaments are only allowed within the covered "loggia" or inside any walled entry way to the front entry of the home. In Harbour Isles, inside of the courtyard area is considered the same as covered "loggia" or inside any walled entry way. All Sculptures and ornaments must be removed before a hurricane or tropical storm.

12. FLOWER POTS:***FINE SCHEDULE: \$25/DAY***

Four (4) flowerpots in front entry to residences is allowed within the covered "loggia" only or inside any walled front entry of the home as follows:

- Same size, color, material and style (identical). Color must be complimentary to house.
- No green or black plastic "nursery" pots are allowed.
- Living plants only. No artificial plants or empty pots allowed.
- For safety reasons, make the pots as heavy as possible or anchor to prevent strong winds from blowing them around.
- They must be moved inside during a hurricane or tropical storms.
- If the "loggia" is screened, it will be treated as if it is the interior of the home.

13. PLAYGROUND EQUIPMENT:***FINE SCHEDULE: \$25/DAY***

- Modifications committee approval is required prior to installation.
- Basketball hoops must be stored away outside of view when not in use.

14. FLAGS:***FLORIDA 720.304 STATUTE FINE SCHEDULE: \$25/DAY***

Any homeowner may display one portable, removable United States flag and/or official flag of the State of Florida in a respectful manner, not larger than 4-1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Police, Fire Memorial Marine Corps, or Coast Guard, or a POW-MIA flag, and complies with all governmental requirements.

Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not

larger than 4-1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, Coast Guard, or a POW-MIA or Police/Fire Fighter memorial. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and location criteria contained in the governing documents.

No other banners or windsocks are permitted.

15. WATER SOFTENERS & POOL EQUIPMENT:

FINE SCHEDULE: \$25/DAY

Modifications committee approval is required for installation. Must be screened from view of the street with plants no lower than 36" at time of planting. Solid fence is prohibited.

16. ROOFS:

ART XII, SEC 6, PG 23 FINE SCHEDULE: \$25/DAY UP TO \$1,000

Roofs must be cleaned periodically to keep them mold free. It is recommended that the roof be cleaned every 2 ½ to 3 years - or sooner if needed.

17. HURRICANE SHUTTERS:

FINE SCHEDULE: \$25/DAY

Installation of Hurricane Shutters requires Modifications Committee approval.

Hurricane/storm shutters are not to be used for security. Shutters may be put up a maximum of 72 hours before a storm and must be removed within 48 hours after the storm. Homeowners who plan to be away during a hurricane season must notify Property Management ahead of time with the date their shutters will be up/closed. Maximum time hurricane shutters can remain up is 21 days.

18. SATELLITE DISHES:

ART XII, SEC 5, PG 27 FINE SCHEDULE: \$25/DAY

Modifications committee approval required for dishes larger than 1 meter in size. For dishes of 1 meter or less it is recommended that location be inconspicuous.

19. SIGNS:

ART XII, SEC 1, PG 22 FINE SCHEDULE: \$25/DAY

Home Security and Open House signs only may be erected by Lake Charles homeowners without approval. Signs are not permitted on common property without approval.

An "Open House" sign on a unit listed for sale is subject to the following limitations: An owner (for signs placed by Owner) or Broker or Sales Agent (for signs placed by the Broker) must be physically present on the unit property at all times during the Open House. The placement of an Open House sign is limited to no more than two (2) days per week between the hours of 1:00 P.M. and 5:00 P.M.

20. LEASING AND RESALE:

ART XII, SEC 22, PG 25 FINE SCHEDULE: \$25/DAY

Contact the Property Manager for required forms and instructions on all resales and leases. A copy of a signed lease agreement must be given to Property Manager within ten (10) days of execution of the lease. Owner must make available copies of the Declaration of Covenants, Conditions and Restrictions, the By Laws and the Association's Rules & Regulations to the buyer. It is the owners' responsibility that the lessees comply with these Governing Documents.

Units must be rented in their entirety; no fraction or portion may be rented. Units can only be occupied by one family. There will be no subleasing of units or assignments of leases unless prior written approval is obtained from the Board of Directors.

All leases shall be in writing and will be for an initial term of not less than six (6) months, except with the prior written consent of the Board of Directors. No transient tenants may be accommodating in a unit.

21. GARAGE SALE:***FINE SCHEDULE: \$100 PER VIOLATION***

No community or individual garage sales are allowed.

22. BUSINESS USE:***ART XII, SEC 26, PG 26 FINE SCHEDULE: \$25/DAY***

No "BUSINESS" or "TRADE" may be conducted in or from any home if apparent or detectable by sight, sound or smell from the outside of the home. Sole discretion of this may be determined by the Board.

23. GUNS:***ART XII, SEC 10, PG 23 FINE SCHEDULE: \$100/PER VIOLATION***

The discharge of firearms including BB guns and pellet guns is prohibited. No crossbow and arrows allowed.

24. FIREWORKS:***FINE SCHEDULE: \$100 PER VIOLATION***

Fireworks may not be used or exploded in Lake Charles. They are real fire hazards to our preserves and must not be used!

25. VEHICLES:***ART XII, SEC, 2 PG 22 FINE SCHEDULE: \$50/DAY***

- Vehicles must be parked without blocking the sidewalk, and may not be parked on any portion of the lawn. This applies 24 hours per day, every day.
- Vehicles may not park in designated "No Parking" areas.
- There shall be "No Parking" of any vehicle on any street, except in emergency between the hours of 2 A.M. and 6 A.M. Cars will be flagged and are subject to towing.
- Property owners or overnight guests who cannot park in their garage or driveway without blocking the side walk, may obtain a permit from the gatekeeper at the front gatehouse, to park at the West Side Beach Club parking lot. Permits will be issued for a maximum of three (3) days.
- No trailers, (Boat, flat, cargo, or recreational) shall be parked in driveway overnight.
- All vehicles with commercial plates and/or business logos must be garaged.
- Commercial vehicles are: dump trucks, tow trucks with six wheels, step vans chemical tank trucks and any pickup or van openly storing materials or equipment or supplies. Unregistered or inoperable vehicles must be parked inside the homeowner's garage. Vehicles are considered inoperable vehicles if they have one or more flat tires, missing wheel(s), without a battery, up on blocks or without a current tag.
- Vehicles with car covers must be parked in a garage.
- Vehicles that are parked on association property and are violating the parking rules will be towed. The cost of towing shall be a charge against the owner of the vehicle.
- Parking shall be allowed on paved areas only. No parking across sidewalks or on any grassy areas.

• NUISANCES, NOISE FROM VEHICLES:***FINE SCHEDULE: \$50/DAY***

The operation of any mechanical device designed to reproduce recorded sound, including but not limited to television, radio, tape players, CD players, DVD players, computers, and other similar devices, such that the sound that it makes can be heard outside a vehicle in a loud manner will be considered a nuisance for purposes of the above aforementioned section and is prohibited.

26. SPEED LIMIT:***FINE SCHEDULE: \$50/DAY*****THE MAXIMUM SPEED ALLOWED IN LAKE CHARLES IS 25 MPH.**

Residents are encouraged to take down license plate numbers of cars ignoring the speed limit and give information to Property Management. No passing of other (cars) vehicles (except golf carts) on any street at any time. Motorcycles shall NOT accelerate at a fast or high rate of speed as to make unnecessary loud noise. In response to resident complaints, speed of vehicles in the community will be monitored using a calibrated video recording device.

Speeding fines:

26-39 MPH: \$25 fine for 1st offense

2nd offense: \$50 fine

3rd offense: \$50 fine plus loss of privileges for 90 days

40 MPH or greater: \$50 fine for 1st offense

2nd offense \$100 fine

3rd offense: \$100 fine plus loss of privileges for 90 days

Failure to stop for STOP sign: \$25 fine

27. RECREATIONAL VEHICLES:

ART XII, SEC 2, PG 22 AMENDMENT VII, FINE SCHEDULE: \$100/DAY

No recreational vehicles including but not limiting to campers, motor homes, golf carts must not be stored on the premises or parked on the property overnight, unless parked entirely in one's garage. A permit may be obtained from the gatekeeper at the front gatehouse to park at the West Side Beach Club parking lot. Permits will be issued for a maximum of three (3) days.

28. GOLF CARTS:

FINE SCHEDULE: \$100/DAY

Golf Carts may only be driven by those with a valid driver's license.

Any resident owning and riding their own personal golf cart in the community must register their golf cart with the association and display appropriate sticker provided by the association's office. Proof of liability insurance and slow moving vehicle signs are required to be affixed to the golf cart. Golf carts driven after dark must have working headlights and tail lights. Driver of golf cart must obey all traffic regulations.

29. BICYCLES, MOTORIZED SCOOTERS, ROLLER BLADES OR SKATEBOARDS:

FINE SCHEDULE: \$25/DAY

Are not allowed on the tennis court, basketball court or in or around the pool area:

Motorized conveyance may only be driven by those with a valid driver's license on roads, not on the lawns or preserve areas.

When Bicycles are used on the street, rider must ride going with the traffic along the side of the lane, Bicycles are allowed on the sidewalks. This applies to skate-boarders, roller devices and all other foot powered vehicles. However, they all must give right-of-way to pedestrians.

- **Bicycle Regulations** *Florida Statute Law Sec 316.2065*

FINE SCHEDULE: \$25/DAY

A bicyclist must obey all traffic controls and signals.

A bicyclist must use a fixed, regular seat for riding.

No bicycle may be used to carry more persons at one time than the number for which it is designed or equipped.

Parents and guardians must not knowingly allow a child or minor ward to violate any provisions of this section.

Every bicycle must be equipped with a brake or brakes, which allow the rider to stop within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

Children under the age of 16 must wear approved helmets.

When riding on sidewalks or in crosswalks, a bicyclist has the same rights and duties as a pedestrian.

A bicycle operated between sunset and sunrise must be equipped with a lamp on the front exhibiting a white light visible from 500 feet to the front and both a red reflector and a lamp on the rear exhibiting a red light visible from 600 feet to the rear. Additional lighting is permitted and recommended.

A bicyclist not traveling at the same speed of other traffic must ride as close as practicable to the right-hand curb or edge of the roadway.

Persons riding bicycles upon a roadway shall not ride more than two abreast. Persons riding two abreast shall not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions existing, and shall ride within a single lane.

30. BOATS:

ART XII, SEC 2, PG 22, FINE SCHEDULE: \$50/DAY

No boats of any kind shall be permitted for storage in front, side, rear yard or driveway.

Refer to item 26 for overnight parking permits.

Paddle boats, canoes, rowboats, and electric trolling motors are approved at this time for use in our lakes. No gas motors allowed.

All types of approved watercraft must be stored on a dock or tied to a dock only in such a manner that the watercraft does not interfere with the mitigation and littoral zone of the lake as required by the SLW Service District. Boats may only be stored on Lake Charles Community owned property (common area) upon or attached to docks installed with the express permission of the Modification Committee per the Association's standards. All watercrafts must be registered with the association and display the appropriate sticker provided by the association. Owner must provide upon registering the boat, a copy of their home liability policy to the office. Fines for a violation will be \$50 per day to a maximum of \$1,000. Boats and docks not removed by the owner will be subject to confiscation by the Association. In the interest of protecting the Mitigation and Littoral Zones, moorings are not permitted.

31. DOCKS:

ART XII, SEC 25, PG 26, FINE SCHEDULE: \$25/DAY

There is an approved dock construction plan which is available at the clubhouse office along with the Modifications Committee form needed for approval. Owners must display their house number prominently on the dock. All docks/watercraft must be maintained by the homeowner. If in disrepair it must be removed by the homeowner.

32. NUISANCES, NOISE:

ART XII, SEC 5, PG 23, FINE SCHEDULE: \$25/DAY

The operation of any mechanical device designed to reproduce recorded sound, including but not limited to television, radio, tape players, CD players, DVD players, computers, and other similar devices, such that the sound that it makes can be heard on the adjacent property will be considered a nuisance is prohibited.

Any such mechanical device used outside the house must be used with earphones such that the sound produced by the device cannot be heard by anyone other than the person wearing the earphones.

33. RECREATIONAL ISLAND

FINE SCHEDULE: \$50/DAY AND/OR POOL SUSPENSION

Residents and their guests must adhere to all of the Pool and Spa Rules as posted in the pool area.

There is a 4 guest limit per household member at the pool. Additional guests will be allowed with a pass issued by the office.

34. WILFULLY DAMAGING GATES:

FINE SCHEDULE: \$100/PER INCIDENT

A fine will be levied for willfully damaging the gates plus the cost of repair, a reasonable administrative fee and possible prosecution if warranted per incident.

35. PARKING:

FINE SCHEDULE: \$50/DAY

Leaving vehicles in clearly marked "No Parking" zones or using designated handicapped parking areas without the required Handicapped signs on the vehicle is prohibited.

36. USE OF AMENITIES:

FINE SCHEDULE: \$50/DAY

Member(s) not in good standing who use the amenities where only members in good standing are allowed shall be fined. Lake Charles amenities are for use by members in good standing. Members not in good standing who use the amenities shall be subject to possible fines.

37. PODS/COMMERCIAL DUMPSTERS:

FINE SCHEDULE: \$100/DAY

Pods and commercial dumpsters may be placed **overnight** in **driveways** in Lake Charles for a maximum of 2 days. The use of PODs or commercial dumpster is subject to a refundable deposit of \$500.00 to provide for potential damage to common property.

38. PAVER DRIVEWAYS: ***FINE SCHEDULE: \$50 ONE TIME PLUS \$25/DAY UP TO \$1,000 IF NOT CORRECTED***

Paver driveways may be coated with clear sealer only. Color paint or stain is not allowed. For all other coatings see modification Committee.

39. HARBOUR ISLES ROOF ACCESS:

FINE SCHEDULE: \$100

A Roof Access Form must be submitted prior to accessing the roof by owners or their vendors.

40. MODIFICATIONS: ***FINE SCHEDULE: \$100 ONE TIME PLUS \$25/DAY UP TO \$1,000 IF NOT CORRECTED***

All modifications to the exterior of the home must first receive approval from the Modification Committee.

41. TEMPORARY STRUCTURES:

FINE SCHEDULE: \$50/DAY

No structure or object of a temporary character such as, but not limited to, house trailers, vans, tents, shacks, sheds, or temporary or accessory buildings or structures, shall be erected, kept, or maintained on the property, or any part thereof except with Lake Charles board approval.

42. GENERAL FINES:

A fine of \$50 may be assessed for any violation of the rules or covenants for which a fine has not been specified therein.

44. RUDE BEHAVIOR: ***FINE SCHEDULE: \$100 ONE TIME PLUS UP TO 6 MONTHS OF BAR CODE /PROX CARD SUSPENSION***

Rude, disruptive, vulgar or threatening behavior such as swearing, threatening or interfering with a LCHOA employee, contractor or member of any recognized committee via telephone, electronic communication or in person will not be tolerated. Property owners will be held responsible for the behavior of their lessees, family members, vendors or guests.

45. DRONES:

The operation of drones is strictly prohibited in all areas of the Lake Charles Community.

FINE SCHEDULE:

\$50/1ST OFFENSE

\$100/2ND OFFENSE

RECREATIONAL ISLAND

POOL & SPA HOURS: 6:00 AM to 10:30pm (Subject to change by Board Approval)

SPA/HOT TUB RULES

1. Recommended maximum use is 15 minutes
2. **Warning:** Pregnant women, children under 10 years old, people with health problems and people using alcohol, narcotics or other drugs that cause drowsiness should not use the spa without first consulting a physician.
3. Children under 12 years old must have adult supervision.
4. No glass containers or dishes of any kind within pool enclosure.
5. Shower before entering water.
6. No soap in the Spa.
7. No drinks or food in the spa or within five feet (5') of spa edges.
8. Maximum spa capacity - 17 persons.
9. Maximum water temperature is 104 degrees F.

POOL RULES:

1. Swim at your own risk. There is no lifeguard on duty.
2. NO DIVING OR JUMPING INTO THE POOL.
3. Children age 12 and under must have ADULT supervision.
4. Do NOT swallow the pool water.
5. Shower before entering water.
6. No food or beverages within five feet (5') of pool edges.
7. No alcohol, smoking, glass or animals within the fenced pool area.
8. No running, ball playing, skates, scooters, roller blades, horseplay, skateboard, bicycles or mopeds within pool enclosure. NO DISORDERLY CONDUCT.
9. Bathing suits only - no shorts or cut offs.
10. All diapers worn in the pool must be swim diapers.
11. No large flotation devices (small personal flotation devices for safety purposes only).
12. Loud and/or profane language is prohibited.
13. Limit of 4 guests only per household. Exceptions must be approved through the office.
14. Maximum pool capacity - 100 persons.
15. Sitting, hanging or standing on lap rope divider is prohibited.
16. No sitting on pool steps within 5 feet of either side of handrail.

VIOLATORS WILL HAVE POOL AND SPA PRIVILEGES SUSPENDED AND/OR BE FINED.

Lake Charles Association Modification Guidelines Reference Guide



All residents benefit from the planning and design that has been the basis of Lake Charles Association development. The principle purpose of this Guide is to assure residents that the standards of design and quality will be maintained, which protects property values and enhances Lake Charles Community Association's overall environment.

An essential element of Architectural Control is the recognition by all homeowners of the importance of maintaining the general plan of development of the Community. This should be viewed as a benefit and not a burden to the Community.

These guidelines represent an overall summary of the Architectural Rules as promulgated by the Modification Committee (MOD) and approved by the Board of Directors through the issue date referenced on this document. This document is intended to facilitate the review and processing by the MOD of any applications for approval of proposed modifications. This document is also intended to facilitate the identification, enforcement and resolution of any architectural, landscape or site violations of the architectural rules as outlined in the various governing documents of Lake Charles Community Association with which the residents of Lake Charles Community are required to comply. These guidelines are not intended to include all of the requirements stipulated in the Declaration of Covenants, Conditions and Restrictions for Lake Charles Community Association, but rather should be considered as a supplement to those covenants. The covenants take precedent over this guide.

LAKE CHARLES MODIFICATION COMMITTEE

The *By-Laws of Lake Charles Community Association, Inc.* (hereafter referred to as *The By-Laws*) as well as *The Declaration of Protective Covenants of Lake Charles* (hereafter referred to as *The Declaration*) reference the New Construction Committee, and the Modifications Committee. At Lake Charles, one committee acts in all of these capacities; thus, in order to remove any ambiguity or confusion, this committee shall be referred to as the Modification Committee (MOD).

PURPOSE:

The Declaration of Covenants, Conditions and Restrictions (Declaration) of Lake Charles Association assures each Owner that the quality of the design of the Lake Charles Community will be maintained. The Homeowners Association Board of Directors is responsible for administering the Declaration and providing administrative support to the Architectural Review Board (MOD) The MOD must ensure that exterior alterations in the Lake Charles Community complies with the provisions in Articles XI of the Declaration, community-wide standards and this document. ALL requests for exterior alterations MUST be submitted to the MOD for its approval BEFORE they may be undertaken. Absence of such approval does not relieve the homeowner, contractor or other party from the requirement to comply with all the requirements of the Declaration. If unapproved work is constructed or implemented, removal of or repair to such work will be at the sole expense of the homeowner, including, without exception, all legal fees and other costs required to defend the homeowner or the Association from any legal matters arising from any unapproved work. The purpose of this Guide is to inform the homeowners of the Design Requirements for Lake Charles Association and the procedures to be followed when requesting modification to their property.

AUTHORITY:

The authority for the MOD is set forth in Articles XI. The structure of the MOD is defined in Article XI, section 2 of The Declaration of the Association, which was received by all homeowners when they purchased their homes and acknowledged in writing by each homeowner at that time. The Declaration encompasses all of the homes within the Lake Charles Community. The Declaration is a contract between the homeowners and the Association, under which each homeowner agrees to refrain from making any modifications to the exterior of the home and property without first receiving approval from the MOD which is responsible to the Board of Directors of the Association. "Modifications to the exterior of the home and property" shall include, but not be limited to, construction of improvements (including without limitation, pools, saunas, spas, Jacuzzis, screened enclosures, buildings, mailboxes, fences, hurricane shutters and exterior lighting, attachments, fixtures, security cameras, alterations, repairs, change of paint or stain color, or other work. Construction of improvements also includes, without limitation, staking, clearing, excavation, grading, other site work and the planting or removal of plants, trees or shrubs. No construction of improvements shall be erected, constructed, affixed, placed, or altered on any unit until the proposed plans, specifications, exterior colors and/or finishes, landscaping plan, plot plan and/or survey (as needed) showing the proposed location of such improvements shall have been approved by the MOD. Approval by the MOD must be in writing except as provided below in the section dealing with "Time Limitations".

MOD MEMBERS:

The MOD shall consist of no less than five (5) members. The MOD shall meet as necessary to review applications received and present its findings within forty five (45) days of receipt of a completed application. The Board of Directors has the right, power, authority and obligation to appoint and remove members of the MOD.

MEETINGS:

Homeowners are welcome to attend. Conduct of the meetings shall be in accord with the procedures that the MOD may from time-to-time set

MOD PROCEDURES

An application is required whenever a homeowner seeks to change any landscaping or make any exterior changes to the existing unit unless noted in another section.

HOW TO MAKE APPLICATION TO THE MOD

SITE PLAN:

A property survey must be included with the application showing the location of existing structures and the boundaries of the Property. Proposed changes or additions must be indicated including dimensions and distances from the home and adjacent properties. Landscaping changes must be indicated as well. Homeowners may not make changes outside the boundaries of their property.

DRAWINGS, PHOTOGRAPHS AND OTHER INFORMATION:

A graphic description of the request must be provided. This may be in the form of manufacturer's literature or full frontage picture as well as freehand or mechanical drawings. The amount of detail must be consistent with the complexity of the proposal. Proposals for landscape projects should include photographs of the type of plantings to be installed or removed, and information regarding the size and nature of plantings proposed.

PERMITS:

After receiving approval from the MOD, the applicant shall also be required to obtain all necessary permits from applicable governmental authorities. The applicant is responsible for determining whether this requirement applies to the requested modification. The applicant must supply a copy of all permits to the property manager before work begins.

INSURANCE:

Owners are responsible to make sure their contractors are licensed and insured and that proper permits, when necessary, are pulled appropriately by the contractor.

BASIS FOR DECISIONS:

The MOD will make its decisions based on standards set forth in the Declaration and further described in this Guide.

LIMITATION OF RESPONSIBILITIES:

The MOD assumes no liability with regard to the structural integrity of any requests. The MOD makes no representation as to its expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on the submitted plans or on the ultimate construction of the approved modification. The MOD does not assume responsibility for the performance or quality of work of any contractor.

MOD POLICIES:

The MOD does not seek to restrict individual taste or preferences. In general, its aim is to avoid harsh conflicts in the landscape and architectural themes of Lake Charles Community and to foster thoughtful design so that there is harmony between neighboring residences. The MOD intends to be fair and impartial in the architectural review process. The approval by the MOD of plans or specifications submitted by one homeowner shall not be deemed to be a waiver by the MOD of the right to object to any of the features or elements if and when the same features and elements are included in any subsequent plans and specifications submitted for approval for use by other homeowners.

PRIOR APPROVAL IS NECESSARY:

No construction of improvements shall be erected, constructed, affixed, placed, or altered on any property unless the same shall be approved in writing in advance by the MOD.

TIME LIMITATIONS:

The MOD will establish time limitations for the completion of any architectural improvements for which approval is required. After approval by the MOD, all improvements shall be completed within 30 days from commencement of the improvement or the period set by the MOD, whichever is earlier. The MOD may establish a more specific time for completion as a condition of its approval for any project. The MOD may grant a request for extension in the event that circumstances beyond the control of the homeowner caused a delay in completion of the project. In the event the MOD fails to respond to a request for approval within forty five (45) days of receipt of said request it will be deemed to be granted, if submitted in writing to the MOD on the approved form, including all information necessary for consideration and review. The MOD shall have the right to reject applications in order to request additional information. (A rejection to request additional information waives this forty five (45) day time period). A new forty five (45) day time period will begin upon receipt of the additional information requested.

INSPECTIONS:

Periodic inspections may be made by the MOD and/or the Management Company while work is in progress to determine compliance with the approved plans and specifications and provisions of the Declaration. The MOD or any such agent of the MOD shall not be deemed to have committed a trespass or other wrongful act by reason of such inspection. Upon completion of the modification the homeowner should contact the Property Manager that the work is completed. The Property Manager will inspect the property and confirm that the modification complies with the work stated in the original application.

JOB SITE CONDITIONS:

1. All job sites shall be kept in a neat and orderly condition, as determined by the MOD.
2. No construction debris shall remain in the street overnight.
3. Commercial construction hours are Monday through Saturday, 8:00 AM to 7:00 PM.
4. All construction operations must comply with state and local governmental ordinances.
5. Any landscaping damage or other damage, and modifications to the irrigation system, caused by a homeowner's project shall be replaced, repaired, or modified at the expense of the homeowner. Such replacement or repair shall be completed within the reasonable time period as determined by the MOD. The Homeowner is required to submit a refundable deposit prior to the start of construction based on type of modification.

APPROVAL:

Upon approval by the MOD, a letter indicating approval of the work to be done will be sent to the homeowner. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded provided that there has been compliance with all conditions of approval.

VIOLATIONS:

If any alteration or modification is made without the required prior written consent of the MOD, the alteration has been undertaken in violation of the Declaration. All unapproved alterations or modifications may be required to be removed until MOD approval is granted. In no event may any alteration or modification be allowed to remain if in violation of any of the Covenants and Restrictions contained in the Declaration, or in violation of any zoning or building ordinance or regulation. The Association is empowered to enforce its policies, as set forth in the Declaration and this Guide, by means specified in the Declaration, including an action in a court of law, to ensure compliance. The Association also has the right to levy a fine and request full reimbursement of all costs incurred by the Association on modifications made without the written request and approval from the MOD.

Homeowners are subject to fines of up to \$100 per day, up to a maximum of \$1000, for failure to obtain a required MOD approval, for failure to implement a project consistent with an approval by the MOD, for implementing a project after receiving a disapproval decision from the MOD, or for violation of the use restrictions set forth in the Covenants. Fines may be imposed in addition to any other remedy available to the Association regarding such violations, including legal action.

SCREEN ENCLOSURES:

Screen enclosures must be installed by qualified, licensed personnel. Plans of the screen enclosure with a full site plan must accompany the application. After approval from the MOD, the applicant must secure all required governmental permits.

Screen enclosure framework may be white, bronze, or black. Screen color may be gray or charcoal black. Kick Plates, if installed, must not exceed 16" in height and match the framework. The area inside the screen enclosure is considered part of the interior of the home; however, if the screen enclosure is removed on a permanent basis, then the standard provisions for house color will prevail. Florida glass or similar products are not permitted.

FRONT SCREEN ENCLOSURES:

A homeowner is permitted to screen the front entry into the home. The color may be white or bronze. Screens must be gray or charcoal black. Front entry screens must be installed in such a manner as to not create the appearance of a screen enclosure such as permitted at the rear of the house. The application must include full plans and pictures of the screen. The door must be selected from the approved list.

SWIMMING POOLS AND SPAS:

All pools and spas must be installed by qualified, licensed personnel. The application must be accompanied by a full lot site plan (survey) and include all pool, spa, hot tub, and fencing or screening information. Fencing is only allowed around swimming pool areas and an area that is absent of a pool but follows the same HOA guidelines for an area that has a pool. Surface area is referred to as a "hard" surface or Patio, will be the only consideration for allowable non-pool fenced area. Maintenance of enclosed area is to be performed by homeowner. No lawn area is to be fenced in. All applications for fencing must be approved prior to install and meet HOA specifications for material, height, style and color. Fences are only allowed for rear patios. No other fencing will be allowed. Fences must be white and four (4') feet in height. Gates of matching finish, height and design must be installed to provide pedestrian access. Fencing material will be aluminum Wood fencing is not permitted. Fences must be maintained in good condition, kept clean, painted, and free of mildew or physical damage.

The maximum height of any pool or spa fountain, falls, or other structure is 48 inches from the level of the pool deck. Specific plans and sketches for such structures must be submitted with the pool plan. The pump/heating area will be located and screened by landscaping to minimize view from the street and in such a manner as to minimize noise to the community and neighbors. Due to equipment noise affecting neighbors, the MOD may have input as to the location of the equipment.

Above-ground swimming pools are prohibited.

HOUSE MODIFICATIONS/ADDITIONS/ALTERATIONS:

House extensions, whether by enclosing a patio or lanai, pool, or any area, which in effect can create a new room, as an addition to the house must have MOD approval.

GUTTERS:

An application is necessary for the installation of gutters. A site plan is required showing the location of the gutters and downspouts in order to prevent run-off water from pooling between houses and posing a nuisance to a neighbor's house or yard. The color of the house gutters must be white, cream or the same color as the house trim. Gutters for the screen enclosure will conform to the screen enclosure color.

HOUSE PAINTING:

A MOD application is necessary and must include a sample of the paint that will be used on the house, front door, garage door, and trim. Selections of standard color schemes will be available in the clubhouse office and residents are to choose from these color schemes. The MOD may add additional paint schemes from time to time. When repainting with an original color, approval is not required. However, the Modifications Committee requests that an application be submitted for information purposes only, so that the residence record on file can be updated to confirm an original approved paint color was used and provide future reference.

ROOFS:

A modification application and approval by the MOD will be required for all roof replacements. Materials must be barrel tile, either clay or pre-colored concrete.

DRIVEWAYS:

No changes or alterations may be made to any driveway without approval of the MOD. This includes, but is not limited to: changing the dimensions of the drive; altering the surface by stonework, tiles, or pavers. Those alterations that do not conform to the community-wide standard will not be approved.

Measurements for driveways extensions should start at the edge of the home and must meet the following guidelines:



































- ☐ -Single car garage: Max of 16' wide
- ☐ -2 car garage: Max 20' wide
- ☐ -3 car garages driveways will not be allowed for extensions
- ☐ Aprons cannot be modified.
- ☐ Driveway paint: Only clear coat sealer is allowed on driveways or aprons. This excludes the common area sidewalk.

APPROVED/RECOMMENDED TREES

SPEC FOR NEW TREE SIZE: CALIPER of 5 INCHES at 3 FEET ABOVE GROUND

HEIGHT - REQUIRED HEIGHT LISTED IN EACH CATEGORY

**IF REMOVING OR REPLACING A TREE, THE TREE STUMPS MUST BE
REMOVED OR GROUND DOWN.**

Major Trees: Height Requirement – 12 to 14 Feet	Minor Trees: Height Requirement – 10 – 14 Feet	Palms: Height Requirement – <u>MINIMUM 5 FEET OF CLEAR</u> <u>TRUNK BEFORE FRONDS</u>
<div data-bbox="256 363 613 919"> <div> Red Maple (Acer Rubrum)</div> <div> Camphora Tree (Cinnamon Camphora)</div> <div> Bald Cypress Taxodium Distichum</div> <div> Chinese Elm (Ulmus Parvifolia Sempervirens)</div> <div> Eucalyptus (Eucalyptus Torelliona)</div> <div> Slash Pine (Pinus Elliotti)</div> <div> Sweet Gum (Liquidambar Styraciflua)</div> <div> Chinese Elm (Ulmus Parvifolia Drake)</div> </div>	<div data-bbox="727 321 1128 1119"> <div> American Holly (Ilex Opaca) Varieties: East Palatka</div> <div> Birch (Betula ssp)</div> <div> Cherry Laurel (Prunus Caroliniana)</div> <div> Chinese Tallo Tree (Sapium Sebiferum)</div> <div> Crepe Myrtle (Lagerstroemia Indica)</div> <div> Glossy Privet (Ligustrum Lucidum)</div> <div> Golden Rain Tree (Koelreuteria spp)</div> <div> Jerusalem Thorn (Parkinsonia Aculeata)</div> <div> Loquat (Eriobotrya Japonica)</div> <div> Silk Tree (Albizzia Julibrissin)</div> <div> Southern Magnolia (Magnolia Grandiflora)</div> <div> Tulip Tree (Liriodendron spp)</div> <div> Wax Myrtle (Myrica Cerifera)</div> <div> Weeping Bottle Brush (Callistemos Viminallis)</div> <div> Weeping Willow (Salix ssp)</div> </div>	<div data-bbox="1206 384 1576 1287"> <div> Cabbage Palm (Sabal Palmetto)</div> <div> Canary Island Date Palm (Phoenix Canariensis)</div> <div> Chinese Fan Palm (Livistona Chinensis)</div> <div> Cocas Palm (Butia Capitata)</div> <div> Queen Palms (Arecastrum Romanzoffianum)</div> <div> Saw Thatch Palm (Paurotis Wrighti)</div> <div> Senegal Date Palm (Phoenix Reclinata)</div> <div> Washington Palm (Washington Robusta)</div> <div> Foxtail Palm</div> <div> Christmas Palm</div> <div> Bottle Palm</div> </div> <div data-bbox="1187 1318 1568 1409"> <p>*NOTE: Multiple Trunk Palms Count as One (1) Tree</p> </div>

PROHIBITED TREES/PLANTS

The following plant species are **prohibited** in St. Lucie West.

- ☐ Norfolk Island Pines
- ☐ Italian Cypress
- ☐ Malaleuca Quinquenervia (Punk Tree or Cajuput Tree)
- ☐ Ficus Trees
- ☐ Brazilian Pepper
- ☐ Australian Pine Tree
- ☐ Bahia grass
- ☐ Rubber Plants
- ☐ Coconut Palms
- ☐ Carrot Wood
- ☐ Frangipani
- ☐ Eucalyptus
- ☐ Laurel Oak
- ☐ Live Oak
- ☐ Sycamore

TREE REQUIREMENTS:

- ☐ The lot size will determine the required number of trees needed on a home site
- ☐ Lots with 80 linear feet or more of frontage will require three (3) trees
- ☐ Lots with 50 – 79 linear feet or more of frontage will require two (2) trees
- ☐ Lots with less than 50 linear feet or more of frontage will be according to available space with a maximum of 25 square feet per tree
- ☐ Palm or one major tree as stated in the above guidelines is required
- ☐ There may be a mix of approved trees
- ☐ Oak trees and fruit trees are no longer permitted on homeowner property. This is due to the destructive root problem of the Oak trees and the attraction of vermin with fruit trees.

LANDSCAPING

Any change made to the Landscaping requires approval of the MOD and becomes the responsibility of the homeowner. Stones and rocks, while not recommended by the Association due to the dangerous conditions they make during landscaping functions, are permitted in a bordered bed. The landscape company will not edge planter beds filled with stone if directly adjacent to grass areas. All changes must be in beds and should be far enough away from other beds to permit clear lawn mower passage. If passage is blocked the Association will remove the plants at owners expense.

ARBORS AND TRELLISES

These items are not allowed

HEDGES:

Choice of plant material used for any hedge must be approved by the MOD. Hedges must be planted no less than eighteen (18) inches from the property or fence line to allow space for maintenance.

EXTERIOR SCULPTURES, PLANTERS & ORNAMENTS

Sculptures and ornaments are not permitted outside the loggia or walled front entrance area of the house (Ex: St James model etc.). If placed in the back of the house, they must be removed prior to the start of a predicted hurricane or tropical storm.

MAILBOXES:

All mailboxes must conform to the communitywide standard that dictates uniform heights, posts, mail box units and numbers, and color. These are on file with the management company. Please note that all mailboxes are located on common property, subject to association rules

GARDEN WALLS:

Garden walls are defined as the low landscape walls that set off a planted area, generally in the front of a house. Garden walls will not be more that (12) inches above the low mowed lawn grass line. The standard shall be a color in harmony with the house. All proposed garden walls must be evaluated by the MOD with regard to the community-wide standard.

LANDSCAPE PLANTS ON LAKES, LITTORAL ZONES AND PRESERVES:

This is prohibited in Lake Charles Community.

AWNINGS:

Only retractable awnings are permitted and must be located at the rear of the house inside a screen patio. An application must be submitted for all awnings, including fabric and color samples. Only earth toned colored will be approved.

WINDOWS:

Application to the MOD for approval is required. Windows must conform to community design and applications. No outward opening windows are allowed.

FLAG DISPLAY DEVICES:

Any homeowner may display one portable, removable United States flag and/or official flag of the State of Florida in a respectful manner, and one portable removable official flag in a respectful manner not larger than 4-1/2 by 6 feet which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA or Police/Fire Fighter memorial flag, regardless of covenants, restrictions, bylaws, or requirements of the association.

Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4-1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, Coast Guard, or a POW-MIA or Police/Fire Fighter memorial. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and location criteria contained in the governing documents.

GENERATORS:

Permanently installed generators require an application to the MOD. Such application must include a site plan, plans and specifications of the generator and propane supply. Generators may only be installed by qualified, properly licensed personnel

The generator area will be located and screened by landscaping to minimize view from the street and in such a manner as to minimize noise to the community and neighbors.

HURRICANE SHUTTERS:

Permanent hurricane shutters require application, with review and approval from the MOD. Plans must include pictures of the shutters, specifications, and color samples. The Lake Charles Board of Directors may, in its discretion, issue rules or directives regarding the use of hurricane shutters. Roll down shutters are not permitted.

LIGHTING-EXTERIOR:

Application is required for ground landscape or accent lighting. All bulbs/reflectors must be directed at either the residence or skyward. Landscape lights placed only in plant beds. Only white light bulbs are permitted.

PLAYGROUND EQUIPMENT:

All playground equipment must be placed in the rear of the residence. All equipment must be maintained in good condition. Failure to do so may result in an order for removal.

In keeping with the community-wide standard, playground equipment in excess of four (4) feet must be hidden from any view by planting appropriate landscaping around the property.

Modified on 3-24-2016

SOLAR PANELS:

It is preferable that solar panels be located on a roof surface that is not directly visible from a street. Panels must be installed parallel to and resting on the roof. All required piping must be painted in such a color as to minimize attention. Complete plans, with color samples and specifications, must be submitted with the application to the MOD.