

**Calusa Point Homeowners Association  
Architectural Guidelines  
& Related Rules and Regulations**

**Effective Date: June 23, 2015**

Amended: July 14, 2022

The Board of Directors (the “Board”) of Calusa Point Homeowners Association (the “Association”) believes that these Standards benefit all members of the Calusa Point Association, Inc. by helping its members govern the use of the property and the conduct of its members to preserve, protect and increase property values and their quality of life as residents. The intent of the Architectural Guidelines is to assure the residents that the standards of design and quality will be maintained. This, in turn, protects the property values and enhances the overall Community environment. The Board believes enforcement of these standards is essential to the continued success of our community.

The following architectural guidelines and covenants have been approved by the Board. The guidelines address a broad range of rules and regulations as well as exterior modifications for that homeowners must submit an application to the Architectural Review Committee (“ARC”). The guidelines are looked upon as protective rather than restrictive because they are designed to of maintain the ambiance of the Community, enhance the quality of life for individuals living in the Association by protecting the property values and safety of all residents and owners.

The guidelines are not intended to create, nor shall it be construed to constitute a contract between the Association and property owners or residents. The policies and procedures apply to all owners and residents without regard to race, color, religion, national origin, age, sex or citizenship. The basis for many of the following guidelines and rules can be found in the Declaration of Covenants, Conditions and Restrictions of the Association, a current copy of which is available at <http://www.calusapointhoa.com>

The goal of this document is to provide further clarification as to the accepted architectural standards that govern the properties within the Calusa Point. Furthermore, it seeks to give guidance to homeowners as to what modifications, changes, upgrades, improvements, additions, deletions and the like are acceptable to the exterior of their house and property and the process by which they can gain approval for them. This document is not inclusive of all possible situations. As such, each request will be reviewed on its own merit and with deference to the community-wide standard. This document supersedes any prior Architectural Standards or Design Guideline documents that may or may not have been disseminated.

The Board and the ARC will periodically conduct an evaluation to determine if the guidelines need to be amended. The Board anticipates that the majority of changes primarily would be additive and would not involve substantive changes of existing rules and regulations.

If the homeowner proceeds with any new construction, alterations, additions or repainting without prior written approval by the ARC, the homeowner runs the risk of having to correct any violation at their own expense and incurring a \$100 fine (FS 720). If violations are not rectified in a timely manner, the Board may hire an outside company/contractor to remedy the situation and liens may be placed on the property, as appropriate, to recover the expenses. Using guidance provided by the ARC, the Board shall render the final decision as to the merit of any requested change.

Finally, while precedence will have a bearing on the ARC and Association decisions, the ARC and the Association are not held to a final decision based solely upon precedence, but upon the individual merits of each application.

Approved on June 23, 2015

Amended on Aug 9, 2016 (Rev 2016.001)

Amended on July 14, 2022 (Rev 2022.002)

## **AUTHORITY, DISCOVERY AND ENFORCEMENT OF THE RULES AND REGULATIONS**

**AUTHORITY:** The ARC is authorized by the Board to achieve its stated mission in compliance with the Calusa Point Homeowners Association Declarations of Rules and Bylaws and the Covenants that accompany the property deed.

**RESPONSIBILITIES:** On behalf of the Association, the Board or the ARC are empowered to adopt, promulgate, amend, revoke, and enforce Design Guidelines for the purpose of:

1. Governing the form and content of plans and specifications to be submitted to the ARC for approval or disapproval.
2. Governing the procedure for submission of plans and specifications; and
3. Establishing guidelines with respect to the approval or disapproval of design features, architectural styles, exterior colors and materials, details of construction, location and size of any structure, landscaping, and all other matters that require approval by the ARC.

The management agent is not authorized to review or approve Architectural Modifications nor make any decisions on behalf of the ARC or the Board. They do, however, serve as a conduit for information and enforcement of decisions made by the Board and its assigned committees.

**LIMITATION OF RESPONSIBILITIES:** The ARC approval is based only on the aesthetic features of the approved modification. The ARC assumes no liability with regard to the structural integrity of any requests. The ARC makes no representation as to their 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 ARC does not assume the responsibility for the performance or quality of work of any contractor.

**ARCHITECTURAL REVIEW COMMITTEE POLICIES:** The ARC intends to be completely fair and objective in the architectural review process and to maintain sensitivity to the individual aspects of design. The approval of the ARC of plans or specifications submitted for approval, shall not be deemed to be a waiver by the ARC 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 on other Properties.

**APPROVAL NECESSARY:** No building or improvement of any kind shall be erected, constructed placed or maintained on any properties, nor color scheme thereof, be altered, changed repaired or modified unless the same shall be approved in writing by the ARC.

**TIME LIMITATIONS:** After approval by the ARC, all improvements must be completed within sixty (60) days from commencement of the project. If a project remains uncompleted for longer periods of time are visually objectionable and can be a nuisance and a safety hazard for neighbors and the

Community, the ARC may apply compensatory fines. A new application is required for approved projects that were not started within the established time frame as guidelines may change in the interim.

The ARC has the right to request additional information if in its opinion, the information submitted is incomplete or insufficient. The ARC may also establish a more specific time for completion of a project as a condition of its approval.

**DISCOVERY:** It is the responsibility and the initiative of the Board through its appointed ARC to be apprised of any record transactions and modifications occurring within its jurisdiction requiring compliance with the Association's rules and bylaws, restrictive covenants, and state law. The means employed by the ARC to achieve discovery are: (1) Periodic walk through inspections of the Community; (2) Resale compliance inspection; (3) Member observations and complaints; (4) Governmental and quasi-governmental agencies; (5) The management agent; and (6) any other.

**INSPECTIONS:** Periodic inspections may be made by the ARC to determine compliance with the approved plans and specifications and provisions of the Declaration and these Architectural Guidelines. Any internal inspections must be at the permission of the homeowner.

**ENFORCEMENT:** The Association shall notify the homeowner in writing of any violation of the procedures for obtaining approval of any addition or modification, of any violation of the guidelines, or of any violation of the plans approved by the ARC and/or the Board that are not covered in the guidelines and covenants. Such notice shall be in writing and delivered by first class mail within thirty (30) days after the Association is made aware of the violation.

In any instance where the violation presents a health or safety hazard, the Board may direct the Association's management agent to immediately notify the owner and/or tenant in writing to take corrective action at the owner's expense within the time frame specified in the notice.

All notifications of violations appealed by the homeowner and reviewed by the ARC or Board will include a statement of the ARC or Board's findings and conclusions, and the appropriate sanction, relief or denial thereof. A copy of each decision when issued shall be sent to the parties of the proceeding and the Committee.

In the event the homeowner does not bring the violation into compliance within the time frame specified in the notice or submit a request for an appeal within fourteen (14) days of receipt of the violation notice, legal action may be taken by the Association. The owner may be held liable for any and all costs, including legal expenses, in connection with the correction of the violation. A letter notifying a homeowner of a proposed legal action under the Declaration of Covenants, Conditions and Restrictions shall contain the following:

- 1) The estimated cost of repair, as determined by the contractor that the Board proposes will do the work if the homeowner fails to take corrective action.
- 2) A statement that the Board will have the work done if the homeowner does not correct the

problem within a specified period of time or if the homeowner fails to provide the Board with acceptable evidence that corrective action has been initiated.

- 3) A statement that any funds expended by the Association, including legal and estimated expenses, will become a part of the owner's assessment and that such assessment may constitute a lien upon the property.
- 4) A statement that a majority vote from the Board supporting the position being taken has the concurrence of the Association's attorney.

*The Association reserves the right to impose monetary assessments for non-compliance with established Guidelines.*

**THE FAILURE OF THE BOARD TO ACT TO ENFORCE ANY RIGHT, PROVISION, COVENANT, CONDITION, RULE OR REGULATION SHALL NOT CONSTITUTE A WAIVER.**

## ARCHITECTURAL REVIEW AND APPROVAL PROCESS

- A. **Submission of Request for Architectural Review.** All requests must be submitted to a member of the ARC through the management company. Standard submissions include, but are not necessarily limited to an Architectural Modification Request Form.

Application documents include, at a minimum, detailed description and specification of the proposed modification, plans and specifications, including elevations and cross-sections, as needed, and Contractor's License & Insurance details.

Any change to previously submitted and/or approved plans must be resubmitted using the Architectural Modification Request Form. If the homeowner proceeds with any alterations, additions or repainting without prior written approval by the ARC, the homeowner runs the risk of having to correct any violation at their own expense, and being fined.

- B. **Approval of Request for Change.** Once the Architectural Modification Request Form and all supporting documentation have been provided to the ARC through the management company, the review process can commence. Incomplete forms or missing information will result in delays. In such cases, a member of the management company will contact the homeowner for clarification. The review process does not begin until all required information, supporting materials, drawings, sketches, and documentation are provided to the ARC.

The application review process does not start until all the documents are confirmed to have been received by the ARC. When additional information or documentation is requested, the more promptly it is received, the sooner a decision can be rendered.

- C. The ARC has up to forty (40) days to render a decision from the time ALL required AND requested information has been provided to the management company, which receives all requests for the ARC. Every effort will be made to complete this process as quickly as possible.

The ARC may have a monthly meeting to discuss any outstanding issues and to render any decisions that need additional discussion. Homeowners should plan their projects accordingly so as to allow for ample time in working through this process.

- D. All work must commence within sixty (60) days of receipt of the signed ARC approval and must be completed within sixty (60) days from commencement of construction, unless completion within such time is delayed due to causes beyond the reasonable control of the homeowner, as determined at the sole discretion of the ARC. If work has not been started or completed within sixty (60) days, a new Architectural Modification Request Form must be submitted, and approval once again given before work can re-commence.

- E. **Execution of the Request.** During approved work or construction, all vehicles that are in any way connected with such work shall be parked to avoid damage to trees, paving, grass, curbs, gutters, and any other community property.

**NOTES FOR APPLICANTS:**

- 1) The project must conform to all Miami-Dade County codes and ordinances. In addition to ARC approval, the homeowner must obtain all necessary Miami-Dade County permits and approvals and make all the required notifications to Miami-Dade County.
- 2) The homeowner may not begin work on a project until full approval is obtained from the ARC. The homeowner may be required to return the property to its original condition and to pay all associated legal fees if work is started before ARC approval.
- 3) Approval is contingent on work being completed per the approved project.
- 4) The homeowner retains sole liability for any and all claims that result from the proposed project, and is responsible for all maintenance, repair, or upkeep associated with the project.
- 5) In preparing a modification application, the homeowner needs to review both the relevant sections of the Architectural Guidelines as well as the Calusa Point Covenants and Bylaws relating to exterior alterations.
- 6) Building materials and construction equipment may not be stored on streets, sidewalks, or on property owned and/or maintained by Association. Streets may not be obstructed by construction equipment. All rubbish, debris and unsightly material or objects of any kind must be regularly removed from the property and are not allowed to accumulate. All construction debris must be removed on a daily basis from the property by the homeowner or contractor. It is the responsibility of the homeowner to make sure all common areas including sidewalks, swale, roadways, etc. are left clean on a daily basis while under construction / modification.
- 7) Construction hours are **Monday through Saturday from 7am to 7pm ONLY. Any construction work is not allowed on Sundays and Federal holidays.**



## ARCHITECTURAL GUIDELINES, RULES AND REGULATIONS

The guidelines and rules and regulations stated below have been adopted by the Board and are intended to both reiterate and supplement the Declaration of Covenants, Conditions and Restrictions of the Association. They are meant to represent the common interest of the homeowners in achieving and maintaining architectural compatibility and continuity, enhancing the overall quality and value of our Community while maintaining its integrity, aesthetic quality and value, and to provide a general reference as to what types of changes are allowed and/or not allowed in Calusa Point. They do not necessarily cover all situations or change requests. Homeowners are always welcome to submit an Architectural Modification Request Form for changes that fall outside these Guidelines. Each request will be reviewed individually and upon its own merit.

This document does not explicitly specify any local, county, state or federal building code requirements that may or may not apply to certain situations. **IT IS THE HOMEOWNER'S RESPONSIBILITY TO COMPLY WITH ALL BUILDING CODE REQUIREMENTS AND TO OBTAIN THE NECESSARY BUILDING PERMITS AND VARIANCES AS NEEDED. APPROVAL BY THE ARC DOES NOT IMPLY THAT THE REQUESTED MODIFICATION IS IN COMPLIANCE WITH MIAMI-DADE COUNTY BUILDING OR ZONING CODES.**

### Definitions:

*Front patio* – is defined as the area located between the sidewalk and the two front corners of the house and extending to the front of the property line. All front patios have low walls around them as part of the Community design concept.

*Rear patio* – is defined as the area enclosed by the patio walls located behind a line established by the rear corners of the house and extending to the property line.

### 1) Townhome and Exterior Wall Color

- a. The exterior wall color is an integral part of the exterior color scheme of the Community and the Association is responsible for painting all exterior walls in the Community on a seven (7) year cycle.
- b. If an owner chooses to paint their Unit individually, an application is required in order to repaint a home or exterior improvement to match the [Community Approved Color Codes](#).

- 2) **Roof Tile.** ARC approval and County permits are required for any roof replacement or change. Roof shall be constructed of cement or clay tiles. Metal roofs are not permitted. The roof color is an integral part of the exterior color scheme of the Community. Roof replacements must conform to the approved type and color of tile. The approved roof tile profiles and colors are:

- a. Entegra roof tile with Broom Swept Bermuda profile in Indian Red color (Product ID: N-INDI-NN-Y-BS-15), if available.
- b. Eagle roof tile with Bel Air tile profile in 4698 Kona Red Range color
- c. Eagle roof tile with Bel Air profile in 4664 Terracambra Range color
- d. Crown roof tile with Windsor Slate profile in Bougainvillea (AWSSC007) color

Fascia and flashing must be painted to match the [Community Approved Color Codes](#) upon completion of roof replacement.

### 3) Bahama Shutters.

- a. The Bahama shutters are an integral part of the Community's design concept and cannot be removed even if storm shutters are installed. All street (front) facing rooms have Bahama shutters. See the images below to match the Bahama shutter requirements to your specific unit type.

Bahama shutter requirements and unit types:

2 Bahama shutters: 1 top and 1 bottom



3 Bahama shutters: 2 top and 1 bottom



2 Bahama shutters: 1 top and 1 bottom

2 Bahama shutters: 1 top and 1 bottom



2 Bahama shutters: 1 top and 1 bottom

2 Bahama shutters: 1 top and 1 bottom



1 Bahama shutters: 1 top

1 Bahama shutter



- a. The removal of any Bahama shutters will not be approved as it is detrimental to the

Community and its design concept. The replacement of Bahama shutters with impact resistant versions that match the approved color, style and dimensions (as noted in the [Community Approved Color Codes](#)) requires ARC approval.

#### 4) Windows.

- a. ARC approval and County permits are required for any window replacement or change. The use of bronze or espresso colored anodized aluminum windows that closely matches the original style and color is required. Single-hung, double-hung or sliding windows are allowed.
- b. Bright-finished or bright plated metal exterior windows, window screens, louvers, exterior trim or structural members are not permitted.
- c. The use of reflective mirror finishes on windows (and doors) is prohibited.
- d. The use of aluminum foil placed in any window or glass opening is prohibited.

#### 5) Front Doors.

- a. ARC approval and County permits required for any door replacement or change. All front doors must meet Miami-Dade County standards for impact resistant front doors. If the door has a solid panel, the front door must be painted to match the [Community Approved Color Codes](#). If a metal and glass combination panel is used, the metal profile must be in bronze or espresso colored anodized aluminum, and the glass frosted.
- b. Sidelight panels cannot be removed; and must have frosted glass.
- c. External ornamental iron or security doors are not allowed.

- 6) **Atriums.** Atriums need to be maintained in good condition and not detract from the community's appeal. A wooden gate can be installed, in line with the property walls. The gate must be built of pressure treated lumber, styled according to Community standards and painted to match the [Community Approved Color Codes](#), and with a dog-ear top cut. The gate must include evenly spaced vertical wood boards, 5 ½-inch wide, with a ½-inch gap between them. Gate height must not exceed 6 ft (72 inches)

Atrium gate



- 7) **Front Facing Glass Patio Doors.** ARC approval and County permits are required for any door replacement or change. All front facing patio doors must have a bronze or espresso colored anodized aluminum frame that closely matches the original style and color is required to maintain the appearance of the neighborhood. They must meet Miami-Dade County standards for impact resistant doors.
- 8) **Lighting.** Replacement front lights (located by the front door of each unit) shall be glass framed in black or bronze metal, to maintain the appearance of the neighborhood.
- 9) **House Numbers.** House numbers will be displayed in 4-inch high acrylic **Friz Quadrata** numerals (**stud mounted, Ivory #2718, ¼" thick**) that match the original placement and location. Numerals ~~and~~ must be visible, to emergency services from the street. When replacing numerals, all the numerals must be replaced at the same time to maintain uniformity and their placement must match the community standard (see below). Replacement numerals may be purchased online at: <https://americansignletters.com/acrylic-letters/>

Approved format for house numbers



- 10) **Front Gate and Back Gate.** Wooden gates are mandatory on the front and rear entrances, in line with the property walls. Front gates and back gates must be built of pressure treated lumber, styled according to Community standards and painted to match the [Community Approved Color Codes](#), and with a dog-ear top cut.
- Front gates must include evenly spaced vertical wood boards, 5 ½-inch wide, with a ½-inch gap between them.
  - Back gates may be installed without any spacing between the vertical wood boards. Gate height must always match the height of the wall.

**Example images on following page**

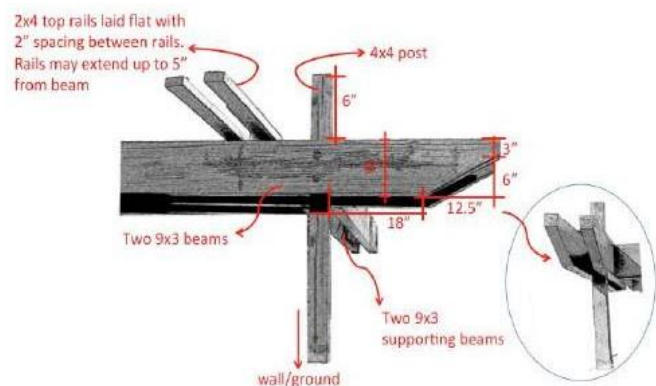


Front gateBack gate

- 11) **Siding, Fascia and Trim.** An application is required unless the replacement siding, fascia or trim matches the original style and color. This includes the decorative wood trim (**1 1/2" wood thickness; 11 1/2" height**) on the outside the front patio wall. All framing shall be constructed of pressure treated lumber and be painted and finished to match the [Community Approved Color Codes](#)

12) **Open Framework Trellis.**

- a. All properties have an open framework front trellis (see approved design image below). Trellis work must match the [Community Approved Color Codes](#). Trellis height may not exceed eight (8) feet in height or, depending on the unit type, the roof overhang fascia and soffit. Where there is an existing neighbor trellis, the trellis height should align.
- b. **Trellises are allowed to be covered with roofing panel, it should be clear or brown.**



### 13) Storm Shutters.

- a. Storm shutters may be closed when a Hurricane Watch is announced by the National Weather Service, and the shutters must be opened a within five (5) days or the following weekend, whichever is longer after passage of a hurricane or hurricane watch.
- b. Due to fire safety related regulations, all shutters must be kept in the open position from December 1st to May 1st, except in the case of an imminent storm.
- c. Seasonal residents may leave their hurricane shutters closed May through November only as long as the property manager is notified in writing. Such residents are required to secure the exterior of the property by removing any unsecured items including but not limited to patio furniture, flower planters, lawn ornaments, garden statues and benches. The shutters must be opened upon return to the residence, regardless of the month.
- d. Owners are always encouraged to provide storm and hurricane protection to their homes with permanent, operable shutters. As with other exterior elements, permanent shuttering requires careful design and relevant permits. All types of hurricane shutter installations must be approved in writing by the ARC before installation and require Miami-Dade County permits.
- e. The use of plywood or galvanized panels as hurricane shutters is not allowed.
- f. It is the intention of the ARC that storm shutter appearance be balanced and appear integral to the Community's design concept. Therefore, storm shutters should not detract from the Community's fenestration concept and the removal of any Bahama shutters is not allowed.
- g. When windows have Bahama shutters, the ARC allows **accordion storm shutters, in bronze color only.**

Storm shutters around Bahama shutters (Only Bronze will be allowed)



- 14) Garage Doors.** Any change of existing garage doors must be approved by the ARC. Any replacement garage doors must be 9x7 feet, 16-panel, raised, without any windows or glass (see image below). Upon completion of installation, the door must be painted to match the

[Community Approved Color Codes](#). ARC approval and County permits required.

**Example images on following page**

Approved garage door



#### 15) Rear Patio Enclosures.

- a. Screened patio enclosures are allowed on the rear patio and are considered an integral part of the Community's design concept. The ARC must approve the installation of all new and replacement screened enclosures. The approved screen enclosure standards are: **Charcoal colored aluminum framing with 18-814 screen cloth in Black or Charcoal.**
- b. Screened enclosures (attached and detached) are not permitted on the front patios.
- c. Owners that elect to use screened patio enclosures must maintain the screens in good condition without tears or sags, as this is a violation.
- d. In certain cases, the ARC may approve privacy screens based on site conditions. If approved, the privacy screens must match the approved screen enclosure colors and must be limited to 1 foot from the top of the patio wall.
- e. Use of privacy screen material for the entire screen enclosure is prohibited.
- f. Solid roof patio enclosures are prohibited. A solid roof patio enclosure is defined as the covering of the entire rear patio area with a solid roof.

- 16) **HVAC area.** If used as storage, the area must be gated with a wooden gate, in line with the property walls and must match the height of the patio wall. The gate must be built of pressure treated lumber, styled according to Community standards and painted to match the [Community Approved Color Codes](#), with a dog-ear top cut. The gate may be installed without any spacing between the vertical wood boards.

#### 17) Security Bars and Gates.

- a. The installation of visible security bars or grates on any exterior portion of the home is prohibited. This prohibition includes security doors, gates and grills; security or ornamental bars; as well as breezeway and entry enclosures.
- b. Security bars or grates for windows may be installed on the interior portion of the home and should never be visible from the street and adjoining homes. The ARC must approve the



installation of all security bars or gates.

#### **18) Home and Yard/Patio Maintenance.**

- a. All exterior portions of the home must be kept in a state of good repair.
- b. Mold and mildew must not be allowed to collect and grow on the exterior of the home.
- c. Trash and recycle bins must be stored out of sight from the street and neighboring properties. Trash bins may be placed at the curb for pick-up no sooner than 12 hours before pick-up and must be removed no later than 12 hours after pick up.
- d. Visible outdoor clotheslines or similar apparatus are not allowed in Calusa Point.
- e. Window-mounted air conditioning equipment and fan units, including evaporative coolers and the like, are prohibited in Calusa Point.
- f. No structure of a temporary character, including, but not limited to, trailer, tent, shack, barn, pen, kennel, run, stable, outdoor clothes lines, shed or other buildings shall be erected, used or maintained on any Property or designated parking spaces at any time, without the prior written consent of the ARC.
- g. No visible electrical connections, conduits, wires may be permanently or temporarily installed or affixed to the exterior wall of the property without prior approval.
- h. Temporary fencing of string, tape or other similar materials is not allowed.
- i. No building additions shall be constructed from the main dwelling.
- j. An ARC application is required for birdhouses, feeders and baths located in front patios.

#### **19) Landscaping.**

- a. Trees and shrub roots and branches may not threaten Association property or other adjoining property. All trees must be properly trimmed so that the tree does not cause a nuisance by obstructing clear and easy access to sidewalks and driveways. The landscaping cannot pass the walls of the of the lot or interfere with building structures including but no limited to the trellis, walls etc.. If in the opinion of the Board, any branch, root or tree becomes a nuisance, the Board may require the offending branch, root or tree be removed at the expense of the owner. If necessary, the Association may assess a daily fine until the tree comes into compliance.
- b. Views of neighboring property owners must be considered. Size at full growth of all tree species cannot block or infringe on neighboring properties.
- c. Any landscaping within a property may not impede or impair access to, from and along the Property.
- d. Decorative objects placed in the Common Areas are not permitted. Only one pot on each side of the front gate outside the front patio. The pot cannot encroach into sidewalk or block unit address.
- e. Association landscaping in the Common Areas, including the areas in the parking fingers and the planting beds along exterior walls, may not be changed or modified. Homeowners wishing to add additional plants in these areas must obtain prior written approval from the ARC.
- f. Owner needs approval for landscaping rocks and mulch. The need to be community

approved colors.

## **20) Exterior Lighting**

- a. An application is required for approval for all permanently installed exterior and security lighting. The application must contain the location of the lighting as it relates to the applicant's house and property lines. Lighting must be directed so that light intensity creates minimum impact outside applicant's property. No exterior lighting shall be permitted that, in the opinion of the ARC, will create a nuisance to the adjoining property owners.
- b. Holiday decorations are allowed during holiday seasons only. Decorations, to include lights, should be put up no more than thirty (30) days prior to the holiday and taken down no more than fifteen (15) days after the holiday has ended.

## **21) Ventilators, Skylights, Gutters and Downspouts.**

- a. Attic ventilators, turbines and exhaust ducts or other apparatus requiring penetration of the roof should be as small in size as functionally possible and should be painted to match the roof color. Ventilators and turbines shall be mounted on the least visible side of the ridgeline and not extend above the ridgeline in an effort to minimize their impact on other homes. Ventilators and exhaust ducts meeting the requirements cited above do not require approval by the ARC.
- b. Skylights and sun tunnels must be designed to be a material part of the roof. A maximum of three (3) roof extrusions are allowed per unit. Their form, location, and color must be compatible with the existing roof. Profiles must be minimized. The color of skylight and sun tunnel frames must be compatible with the roof color. Spherical and arched skylights are not allowed. ARC approval is required for installation of all skylights and sun tunnels.
- c. Gutters and downspouts must match the trim on the house and be as inconspicuous as possible. Design and run-off must not adversely affect the drainage on adjacent properties. Installation of gutters and downspouts meeting the requirements cited above do not require approval by the ARC.

Note: Owners that divert water onto adjoining private properties or change existing drainage patterns in the common areas will be cited for corrective actions. Professional advice is highly recommended and may be required.

## **22) Antenna, Satellite Dishes, Flagpoles and Signs.**

- a. External antennas or external receiving devices of any kind, except satellite dishes, are prohibited. One satellite dish per unit is allowed, however the dish must be installed in the least conspicuous location on the Property consistent with receiving a clear signal. Under no circumstances may a satellite dish be installed on the front (street facing) wall of the Property. Any satellite dish larger than 39-inch diameter is prohibited. Wiring should be concealed and may not hang or be loose and exposed. Effort should be made to minimize visual impact. ARC approval is required.
- b. Permanent, in-ground flagpoles are not allowed in Calusa Point.

- c. ARC approval for the installation of small, house-mounted flagpoles is not required. The United States flag, the official flag of the State of Florida, as well as seasonal and decorative flags, may be displayed in a respectful manner by the placement of a small bracket attached to the unit. Flags must be displayed in a respectful manner, not be offensive in nature or violate accepted standards based on Federal Statutes. Flags may not be mounted to or cover any window of the unit. Flags are not allowed to become torn, tattered, or faded. Further, the United States flag must be displayed in accordance with the provisions of the Federal Flag Act. Flags may not be illuminated for nighttime viewing. Flagpoles may not be used as an antenna.
- d. One "For Sale" or "For Rent" sign shall be allowed to be erected or displayed on a Property without written permission of the ARC. No sign shall exceed one (1) square foot. Sign must be placed within property limits and may not be nailed or attached to a tree.
- e. No political signs are allowed.
- f. Contractor signs and any signs advertising goods or services that are not specifically described above are not allowed.
- g. The Board has the right to erect reasonable and appropriate signs on any portion of Calusa Point common areas to promote community-wide events. The ARC shall determine form, size, color, content, time of placement and location of any other sign.

### **23) Sun Control Devices.**

The ARC's mission is to maintain uniformity and neatness in townhome areas. Since awnings and gazebos were not part of original Community design concept. Sun control devices must, therefore, be compatible with the architectural character of the house in terms of style, color and materials.

- a. As a general rule, awnings (seasonal covers) are not permitted. ARC approval must be obtained in advance for any exception. If approved, awnings must be simple in design and color and compatible with the approved Community colors and design (see example images below). The size, location, and form of the awning must be in scale with the existing house. In rear patios, the total footprint of awnings may not exceed thirty-two (32) feet. In the front patio, awnings are only permitted above the front door if the unit does not have an existing roof extrusion. Awning depth may not exceed twenty-eight (28) inches.

#### Examples of approved awning styles



- b. Per Miami-Dade County building codes, roof extensions or covered trellises in the rear patio are not allowed. Any requested free-standing gazebo or trellis must be located in the rear patio. The highest roof point of any such freestanding structure cannot exceed seven (7) feet. Specific locations will be evaluated on their individual merit. All proposed gazebos must be approved in advance by the ARC.

#### **24) Permanent Barbeques.**

- a. No permanent barbecue shall be installed without approval from the ARC.
- b. Permanent barbecues may be permitted in rear patios but should not be visible above the patio wall.

#### **25) Solar Rooftop Devices.**

- a. Solar rooftop devices are defined as: (1) Photovoltaic (PV) panels/modules; (2) Solar Water Heating (SWH) panels/modules; and (3) Integrated Photovoltaic Systems (IPS) (i.e., photovoltaic “shingles, tiles or siding” or “thin-film laminates”).
- b. Solar rooftop devices will be reviewed on a case-by-case basis, and if approved by the ARC must be installed so as to present the least obtrusive condition.
- c. Solar rooftop devices must be visually integrated with the architecture of the Property regarding style, location, size and color. The installation of such devices must not be visible from the street in front of the Property. All supports and piping for solar collectors must be enclosed. All effort should be made to eliminate or minimize visibility.
- d. Tracking platforms or mechanisms that allow devices to tilt seasonally, permanently or by time of day are not allowed. Prior to the installation of any devices, the roof surface should be verified to have a minimum roof life of 10 years. Roof life will be determined by proof of roof installation date, professional roofer certification or professional home inspector certification, in each case in form and substance acceptable to the ARC.
- e. The color of all solar collector frames, piping and any additions must be compatible with the roof color.
- f. All PV installations should have a minimum manufacturer’s power performance warranty of 20 years. All installations should have a minimum manufacturer’s power performance warranty of 10 years.
- g. Inverters and additional utility meters for PV systems should not be installed in plain sight from the street or any other adjacent property.

#### **26) Games, Play Structures and Recreational Equipment.**

- a. BB guns, slingshots, etc., as well as throwing of rocks, sticks, etc. are prohibited anywhere in Calusa Point.
- b. Recreational and play equipment placed in back patios shall be unobtrusive to neighbors and shall be compatible with the back patio size.
- c. No basketball backboard, swing set, gym, sand box, nor any other fixed game or play structure, platform, playhouse or structure of a similar kind or nature shall be constructed in the front patio of any Property or in any of the designated parking spaces or Common Areas.

**27) Common Areas.**

- a. No structure or personal property, whether temporary or permanent, may be placed upon the common areas of the Association. Personal property found on Association common areas is subject to removal without notice. The costs for such removal will be borne by the responsible homeowner.
- b. The common areas may not be used for parties, get-togethers or other organized gatherings.
- c. No drinking of alcoholic beverages is allowed in the common areas. Glass beverage containers are not allowed in the common areas.
- d. No modifications to sidewalks in the Common Areas are permitted. The grass strip between the sidewalk and street or finger islands between the parking spaces is common property.
- e. Modifications to Association landscaping in the Common Areas, including the areas in the parking fingers and the planting beds along exterior walls, are not allowed.

**28) Vehicles and Parking.**

- a. All vehicles owned or used by Owners or occupants, excluding those of temporary guests or visitors, may only be parked in designated areas. Designated areas are defined as the designated parking spaces or the garage. The term “vehicles” refers to vehicles that are used as an Owner’s or Occupant’s primary means of transportation on a regular basis, and includes cars, vans (unless they are full-sized vans and not used as the primary means of transportation), sport utility vehicles, motorcycles and light trucks, but shall not include commercial vehicles (including those that have commercial writings on their exteriors or evidence of commercial use such as tool boxes or tool or ladder racks), buses, house trailers, mobile homes, motor homes, recreational vehicles, campers, trucks with camper tops, boats, boat trailers, tool trailers, trucks with a load capacity of one ton or more, or like equipment.
- b. The following are not allowed to be parked in Calusa Point except for brief periods of time as is reasonably necessary for the purpose of loading, unloading, or to prepare such vehicle for imminent use: commercial vehicles (including those that have commercial writings on their exteriors or evidence of commercial use, including but not limited to tool boxes or tool or ladder racks), buses, house trailers, mobile homes, motor homes, recreational vehicles, campers, trucks with camper tops, boats, boat trailers, full-sized vans not used as the primary means of transportation, tool trailers, trucks with a load capacity of one ton or more, or like equipment.
- c. Vehicles may not be parked on Common Areas, except in the designated parking spaces. Parking on or other obstruction of Common Areas is prohibited. The Association may impose a fine for any violation of this Section.
- d. Vehicles may not be parked on the emergency vehicle turnarounds (dead end T-turns) located at the end of each *cul-de-sac*. Parking or other obstruction of the full, legally required width of emergency access is prohibited and subject to Miami-Dade County penal action. In addition, the Association may choose to impose a fine for any violation of this Section.
- e. All motor vehicles of any kind located within Calusa Point shall be in working condition.

- and registered. The parking or storage of permanently disabled vehicles is prohibited.
- f. No unlicensed or licensed vehicles, including but not limited to motorized bicycles, mini-bikes, go-carts, etc., shall be operated on any grassed common area.
  - g. All vehicles shall display current licenses and other required registration and safety inspection permits and decals and shall be maintained in proper operating condition so as not to be a hazard or nuisance due to noise, exhaust emissions or fluid leakage.
  - h. The installation of electric vehicle charging stations must be approved by the ARC. Charging stations must be located within the confines of the homeowner's property lines and not on common areas. Cords used for charging may not be permanently placed on the sidewalks, and may not impede sidewalk traffic, or otherwise present a trip hazard to pedestrians. **During the charging period, the cords must be covered with a reflective cover.**
  - i. Garage doors shall be kept closed at all times, except during times of ingress and egress from the garage.
  - j. Designated visitor parking may not be used for long-term parking (storage) of vehicles.
  - k. Vehicles parked in designated visitor parking may not be parked in the same location for more than 48 hours.
  - l. Please be respectful of the 15 MPH community-wide speed limit that begins at the entrance to the community.

## 29) Pets.

- a. No poultry, fowl, horse, cow, sheep, goat, pig, or animal other than household pets shall be kept, harbored, or bred on any of the said properties or within any home situated thereon.
- b. Household pets are identified as cats, dogs, parakeets, and other small domestic animals with the exception of pigs. All pets must have appropriate shots, licenses and tags as required by Miami-Dade County.
- c. Household pets may not be kept, bred, or maintained for any commercial purpose.
- d. When in the Common Areas, all pets shall be kept on a hand leash and must not be allowed to become a nuisance or otherwise disturbing neighbors. Permission has been extended for enforcement to all Miami-Dade County and State agencies with regard to county and state codes that address animals.
- e. Installation of structures for the care, housing or confinement of pets in the Common Areas is not permitted.
- f. Tethering or chaining a pet in the Common Area is not permitted.
- g. According to Miami-Dade County regulations, between the hours of 11PM and 7AM, all pets must be kept inside the townhomes.
- h. Pets must be kept inside the house and are not permitted to be left unattended in the front patios.
- i. Owners must clean up after their pets.
- j. Pet owners are responsible for any and all costs incurred in the repair or damage to the Common Areas as well as the property of other Association residents caused by their pet(s).

**FINAL NOTE:** These guidelines are not absolute and irreversible dictates. However, the ARC feels that the closer these guidelines are adhered to, the more harmonious and aesthetically pleasing the community will be. The ARC is open to other ideas and suggestions and will review requests not covered by these guidelines on a case-by-case basis. The ARC reserves the right to amend or revise these guidelines as necessary.

THE BOARD OF DIRECTORS OR THE ARCHITECTURAL REVIEW COMMITTEE MAY PROPOSE MODIFICATIONS OR ADDITIONS TO THESE STANDARDS **AT ANY TIME**. MODIFICATIONS/ADDITIONS BECOME EFFECTIVE WHEN APPROVED BY THE BOARD OF DIRECTORS AND NOTIFICATION MADE TO HOMEOWNERS.