



ARB DOCUMENTS - REQUEST FOR NEW CONSTRUCTION

PLEASE PRINT THE ENTIRE PACKET OF DOCUMENTS INCLUDED.

- CONSTRUCTION AGREEMENT (2 PAGES) – TO BE SIGNED, SCANNED AND SUBMITTED WITH THE MEMBER’S REQUEST THROUGH THE HOA TICKETING SYSTEM.
- WAIVER OF LIABILITY & ACKNOWLEDGEMENT OF POLICY 600 (1 PAGE) – TO BE SIGNED, SCANNED AND SUBMITTED WITH YOUR REQUEST THROUGH THE TICKETING SYSTEM.
- POLICY 600 – FOR YOUR FILES AND REFERENCE. PLEASE BE SURE YOUR BUILDER RECEIVES A COPY OF THIS POLICY.

OTHER REQUIRED DOCUMENTS

- FULL-SIZE SET OF BLUEPRINTS (to be delivered to HOA)
- SITE PLAN (submitted through ticketing system)
- LANDSCAPE PLAN (submitted through ticketing system)
- CERTIFICATE OF GENERAL LIABILITY INSURANCE (submitted through ticketing system)
- CHECK FOR MAILBOX PERPETUAL MAINTENANCE - \$500.00
- CHECK FOR DAMAGE DEPOSIT/IMPACT FEE - \$3,500.00

(\$2,500.00 IS REFUNDABLE SHOULD THERE BE NO UNREPAIRED DAMAGE TO COMMUNITY PROPERTY AT THE END OF THE PROJECT. \$1,000.00 IS RETAINED AS AN IMPACT FEE. CHECKS ARE MADE PAYABLE TO CAPE ROYAL HOA.

PLEASE NOTE: YOU MUST BE A REGISTERED HOA PROPERTY OWNER TO SUBMIT A REQUEST THROUGH OUR HOA WEBSITE TICKETING SYSTEM.

Cape Royal Homeowners Association
1242 SW Pine Island Road, #42-444
Cape Coral, FL 33991

Construction Agreement

This agreement was entered into this _____ day of _____, 20____ by and between the Royal Tee Homeowners Association Inc. dba: Cape Royal Homeowners Association (hereinafter "Cape Royal") and:

_____,
(names of owners)
Owner(s) of _____,
(Cape Royal street address)

of Cape Royal (hereinafter "Owner"), in Lee County, Florida. Witnesseth that, whereas, Cape Royal acting by and through its Architectural Review Board (hereinafter ARB) is charged with approving all Architectural and Landscape Plans for all improvements to be constructed in Cape Royal; and whereas, Owner has submitted plans for improvement to the address listed above now approved by the ARB, and is prepared to commence construction subject to compliance with all terms and conditions below; now therefore, in consideration of the approval of Owner's plans, and for other good and valuable consideration, exchanged by and between the parties, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree that:

1. Owner shall insure that his Builder and Contractor (to include all subs) are aware of and shall comply with all requirements of Policy 600 as well as the following:
 - A. Only one sign displaying the general contractor's and/or architect's name may be displayed on the lot. This sign must not exceed 5 square feet (30" x 24") in area and must be in harmony with the design standards of Cape Royal. No loud or gaudy colors will be permitted. When the job is completed, the sign must be removed immediately. No other signs will be displayed during construction at any time, including those of subcontractors or signs advertising other goods or services.
 - B. The working hours for construction personnel within Cape Royal will be from 7:00 am to 6:00 pm Monday through Friday and between 7:00 am and 4:00 pm on Saturdays. No work will be performed on Sunday or National holidays.
 - C. Contractors are prohibited from using water or electric from homes neighboring a construction site. Temporary utility services should be installed to support the construction effort. Because water, electric, TV and telephone service to the home are underground, care should be taken to ensure that these lines have been installed and the water connections made prior to completing driveways, walks, etc. Any questions about location of underground lines should be directed to Lee County Electric Cooperative, Pine Island Water, Xfinity and any phone service providers.
 - D. There is no dumping area available at Cape Royal.
 - E. A portable toilet is required for all construction sites.
 - F. Worker's vehicles, including lawn maintenance vehicles must not be parked on the roadways. Pull all vehicles off the road onto the site in the culvert area. The streets in Cape Royal are private property and must be maintained by the members. Oil and gasoline leaks from vehicles can break down the asphalt. Vehicles parked on the roadway will not be tolerated. Damage will be assessed against the lot owner. Continued violation of this restriction will result in revocation of permission to enter the development.

- G. The speed limit in Cape Royal is 25 MPH. Vehicles traveling at an unsafe speed will be warned one time and continued violation of this restriction will result in revocation of permission to enter the development.
- H. Loud volume from radios being played on the construction site is prohibited.
- I. The lakes are not recreational amenities, and fishing in the lakes is prohibited.
- J. The use of adjoining properties for access to the site or for storage of materials, without the written permission of the adjacent owner is forbidden.
- K. Damage to curbs, streets, Golf Course and common areas as a result of construction will be charged to the lot owner if not repaired to pre-construction condition or higher.
- L. Upon completion of construction, all construction debris, trash and signs shall be removed from the lot and all adjoining lots, together with the temporary electric service pole. All drainage swales will comply with required elevations.
- M. The storage of materials must be in an inconspicuous area of the site. Cleanliness will be practiced and contractors are required to make frequent clean ups of surplus materials, trash, wrappers, etc. A trash receptacle must be maintained on each site for the disposal of small trash and other litter. Trash and garbage shall be disposed of immediately to prevent it scattering to other home sites or the Golf Course. Unsightly building sites constitute nuisances to the community, including excessive vegetation height as determined by the ARB, and owners will be warned and then fined for ongoing violations.
- N. The following are prohibited from all residential construction areas: visitors, pets, firearms, alcoholic beverages, overnight construction trailers, sheds, or other temporary buildings.

2. Owner shall indemnify and save harmless the Association from any damages, or claims for damages, including attorney fees and court cost, caused or arising from any and all activities of the Owner, his Builder, and their contractors, in the development and construction of Owner's residence on said lot.

In witness whereof, the parties executed this Agreement,

this _____ day of _____, 20 _____

By _____ Owner

By _____ ARB Chair

Total Document Revision 8/16/07
Recent update 10/29/2024

Waiver of Liability, Acknowledgement of Policy 600

THE UNDERSIGNED hereby agrees that any or all liability caused by or arising from any acts which may increase the hazard of susceptibility to loss on the described premises shall not be held against the Association, et al, "as their interest may appear," and indemnifies the Association for all losses, costs, expenses, and attorney's fee in connection with any such addition or improvement to their home.

Further, the undersigned acknowledges that they have read Board Policy 600 in its entirety and agrees to abide by the conditions set forth therein.

PROPERTY ADDRESS: _____
(street address)

PROPERTY OWNER'S NAME: _____
(printed name)

PROPERTY OWNER'S SIGNATURE: _____
(signature)

DATED: _____
(date)

ARCHITECTURAL REVIEW BOARD

Policy No: 600

REVISION APPROVED: December 19, 2023

Purpose:

To implement guidelines for owners, their architects, and contractors and to provide information and requirements that will be helpful in the design, construction, and improvement of homes at Cape Royal and to explain the architectural review process.

Policy:

The Architectural Review Board (hereinafter "ARB") shall be a permanent, standing Board of the Cape Royal Homeowners Association (hereinafter "HOA"). The ARB chairperson and its members shall be appointed annually by the HOA President, and the ARB shall consist of five (5) members. Members of the ARB shall serve at the pleasure of the Board of Directors and shall serve voluntarily and without compensation, unless otherwise approved by the Board of Directors of the HOA pursuant to Section 5.3 of the Amended and Restated Bylaws. A quorum of the ARB shall be at least three (3) members and may include duly designated alternate members. If a quorum of the ARB is present, decisions shall be made by the majority present for that meeting. The background of the members should be such as to be knowledgeable in matters that come before the ARB. If the Board of Directors approves, the ARB may hire a chairperson and/or a consultant with home building industry experience. Paid Chairperson's and/or Consultant's qualifications and compensation must be approved by the Board of Directors. All architectural review shall be conducted by the ARB.

Scope:

These guidelines apply to the specifics of construction, design, site improvement, additions, exterior remodeling, and maintenance, as defined in this document. No guideline is intended to conflict with any federal, state, or local law, rule, ordinance, or regulation, or with any covenants or deed restrictions applicable to Cape Royal. The final decisions of the ARB are required to be in compliance with Chapter 720 and Section 373.185, Florida Statutes; Cape Royal Covenants; Amended and Restated Bylaws; Deed of Restrictions, and this policy. Should any conflict arise, then these guidelines shall always be interpreted so as to comply with governing law. If Cape Royal requirements are more restrictive than Lee County requirements, the ARB shall enforce the guidelines in this policy.

Process:

Plans for all proposed construction, whether new, alterations, or exterior remodeling and painting must be approved by the ARB. Plans submitted for approval must be in a form adequate to demonstrate compliance with the guidelines.

A. Application: The ARB shall provide all owners and/or contractors with a standardized application form (Request for Architectural Review), which must be completed in full, signed by the owners and contractors, and accompanied by one (1) set of blueprint and site survey plans, including setbacks and all community easements. No application will be considered without contact information for both the contractor and the property owner, including mailing addresses, phone numbers, and e-mail addresses. In addition, for all new construction or major projects, a fully executed copy of this document must be included with the application.

B. Plans: Plans must be project specific and include details that allow review of all requirements and provisions contained in this document. No generic plans or drawings will be accepted for review. Failure to meet this standard will require re-submission of drawings and a delay in review and approval. Unstamped drawings may be submitted for ARB review and must include all side / front / rear easements and setbacks, LME on the Site Survey; however, a set of stamped drawings must be submitted prior to beginning construction. Any differences between unstamped and stamped

drawings, which relate to any provision or requirement of this document, must be notated as to changes, reviewed by the ARB, and approved prior to the start of construction.

C. Review: The ARB shall complete its review of the plans at its next regularly scheduled meeting. Failure of the ARB to respond within 30 days from that date shall constitute automatic approval. The ARB may reject the application and plans if there is insufficient information submitted to determine compliance herewith or when the number of changes required by the ARB would be impractical without a new submission that is substantially in compliance. Otherwise, the ARB will either approve said plans as submitted, or make approval contingent on specific changes to the plans once acknowledged in writing by the owner. When approval is granted, each sheet of the plans shall be marked approved, dated, and initialed by the ARB. If the plans are approved subject to change, owners shall either note acceptance of changes on the application form or appeal those changes to the ARB. The ARB shall retain the submitted plans for its files.

D. Contact: All applications and plans may be hand delivered to the ARB Chairperson or Administrative Assistant or mailed to:

**ARB Chairperson
1242 SW Pine Island Road, #42-444
Cape Coral, FL 33991**

E. Project Changes: When changes to the design of any portion of the project controlled by this document occur after initial ARB approval, the ARB must be notified. Revised drawings and any other required documentation pertaining to the change would then be reviewed for approval by the ARB at its next regularly scheduled meeting.

F. Use of Adjacent Lots: Before the project begins, the owner and/or General Contractor must provide the ARB with written consent from adjacent lot owner(s) to use the lot(s) for any purpose during building construction. The ARB will provide the Contractor with contact information for adjacent lot owner(s), along with an approved consent form for their convenience. If consent is granted:

- In Sections A & B, owner/contractor must install a temporary culvert in the swale to allow for protection of our storm water management system and permit safe access to and from the lot.
- When construction is completed, Contractor must install a permanent concrete culvert, restore the lot and swale to their new slope conditions, including replacement of sod where necessary.

G. Cape Royal Construction Agreement & Fees Refundable Deposit: No construction will be started without written Approval of the plans by the ARB, and a signed Cape Royal Construction Agreement. The owner agrees to pay for any damages to community private roads, cul-de-sacs, curbs, common property areas, adjoining golf course and lots, lakes, sprinkler systems, swales, shrubs, caused by lot clearing, house construction, room or pool / lanai additions, fences, or landscaping. New construction and home repairs / upgrades require heavy construction equipment and large vehicle materials deliveries which necessitate maintenance of common and private property for wear caused by contractors and their vendors.

Fee Requirements:

1. New construction requires a \$3,500.00 deposit plus a \$500.00 fee to cover perpetual care and/or replacement of community approved mailbox. After final inspection, if there is no damage to private or community property or damages have been adequately repaired, \$2,500 will be refunded. Should the \$3,500.00 deposit be insufficient to repair all damages, the owner will be billed for the difference.
2. Existing residential additions, i.e., new rooms, pools, lanais, lanai extensions, driveway extensions, new garages, trees, new culverts, new roofs materials, etc. requiring heavy equipment for excavation and materials delivery require a \$1,000.00 deposit. After final inspection, if there is no damage to private or community property or damages have been adequately repaired, the 1,000.00 will be refunded.

Note: If the contractor does not correct all damages, it will be the project property owner's financial responsibility for all damages repairs. Billing for repairs will be sent to the property owner by HOA Accounting. Residents should advise all contractors there is no work allowed on Sundays or National Holidays, unless there is an emergency, i.e. broken water pipes, plumbing issues, electrical problems, leaking roofs, etc.

H. Permits: Approval by the ARB does not preclude the necessity for obtaining all permits from the Lee County Building Department, Lee County Health Department, or other government agencies, as Cape Royal community is in Unincorporated Lee County. The builder, lot owners, or architect should ensure availability of all utilities. An application shall be made to Lee County Electric Co-operative for temporary or permanent electrical service and an application for water to the Pine Island Water Association, Inc. All construction must conform to the Lee County Development Orders, Cape Royal Covenants & Restrictions Rules and Regulations, and the South Florida Water Management District Permit pertinent to the community.

I. Hours of Operation: No contractor or subcontractor may perform any work on a lot and/or any improvement thereon except between the hours of 7:00 AM and 6:00 PM, Monday through Friday; and between the hours of 7:00 AM and 4:00 PM on Saturdays. No work will be permitted on Sundays or National Holidays.

J. Time is of the essence: Any lot improved by means of scraping or filling, on which building construction does not start within 90 days of the date of the lot improvement, forfeits ARB approval and the lot must be returned to its unimproved state with respect to grade and ground cover. In addition, construction, including landscaping, shall be completed within one (1) year (or 365 days) of receiving a Lee County Construction Permit. Projects for modification of an existing home must be complete within one (1) year (or 365 days) of obtaining ARB approval, or the project must be resubmitted to the ARB for review.

Guidelines: The overall aesthetic impact of a residential design involves issues of personal taste and judgment. It is not the intent of the ARB to substitute the tastes and aesthetic judgments of its members for those of the owner; however, these guidelines are intended to empower the ARB to prevent the construction of any residence, or aspect thereof, whose exterior aesthetic impact or appearance will dramatically conflict with southwest Florida residential designs and the existing overall aesthetic of the community. (See Declaration of Covenants, Conditions and Restrictions, Royal Tee Homeowners Association (dba: Cape Royal Homeowners Association) Covenants recorded in OR 2176, PG 4645 et seq., as amended, in the Public Records of Lee County for further clarification.

Site Development

A. Flood Plain Elevation: As of the date these guidelines were revised, Cape Royal is in Zone "AE" per the Flood Insurance Rate Maps (FIRM) with a Base Flood Elevation (BFE) of 8 feet NAVD 88 (Zone AE8). Finished Floor Elevation (FFE) for all occupied areas of the residence must be at or above the BFE plus 1 foot of freeboard, or a minimum of 9 feet NAVD. The maximum FFE shall not exceed 10 feet. If certification by the Lee County Health Department requires an FFE greater than 10 feet, the FFE may be raised to the minimum amount required to meet certification. In all cases an FFE certificate is to be provided to the ARB prior to pouring the tie beam.

B. Silt Fence: All construction activities will require the placement of a silt fence around the work site, encompassing the entire rear property line and both side property lines. The silt fence must be 1 foot inside the property lines and be maintained during the entire construction process. Roadways must be cleared of dirt and construction debris at the end of each day.

C. Home Design Standards: Only single-family residences are permitted and no stilt (piling) home or mobile or modular structure of any kind are permitted.

- Minimum living area (defined as "enclosed air-conditioned space") shall not be less than 1,800 square feet on the first floor for both single- and two-story homes.
- Maximum height shall not exceed 35-feet at the highest point of the construction. This includes all aspects of the construction. The 35-foot limit shall be measured from the BFE requirement for our community as set forth in the Federal Flood Insurance Program. Any increase in FFE above BFE will not permit an increase in overall height from the BFE. The current BFE is 8-feet NAVD 88.
- All homes must incorporate frontage of at least 64 feet. For purposes of meeting this standard, the entire frontage must be under truss and roof, have a tie beam contiguous with the house, be fully enclosed and built to the same standards as the rest of the home. For any front facing element which is set back from the forward-most wall of the structure to count toward the frontage requirement, the following test must be met: The element must be visible by an observer at street level viewing the finished house from the centerline of the street and at a point on the street which represents the mid-point of the proposed frontage. This assessment will be made using the site plan provided with the application for ARB approval.
- Horizontal eave projection from the wall may not exceed 36-inches.
- No flat deck or built-up roofs will be permitted for any portion of a roof design plan.

D. Setback: "Setback" is defined as the distance between the furthest extensions of an exterior wall of the main structure or, where applicable, a patio or pool side and rear stem walls, and the nearest lot line. The minimum setback requirements are detailed below. In all 10-foot Side Setbacks there is an easement of 6 feet, which cannot be encroached or have any permanent structure / building / propane tank / drain field / septic tank, etc. This 6-foot easement is for HOA rear access to lakes, preserves, drainage, etc. for maintenance.

- Sections A & B:
 - o Front Setback: 25-feet
 - o Rear Setback: 20-feet for structure of home (see Section F for pool setbacks)
 - o Side Setback: 10-feet on interior lots and 25-feet on side street of corner lots.
 - o Exceptions: see Section F (Pools) for further information on rear setbacks for homes with pools.
- Section C:
 - o Front Setback: 35-feet
 - o Rear Setback: 20-feet for structure of home (see Section F for pool setbacks)
 - o Side Setback: 10-feet on interior lots and 25-feet on side street of corner lots.
 - o Exceptions: Subject to ARB approval, if a lot in Section C is affected by a Lake Maintenance Easement, an application may be submitted to the ARB for a reduction of Front Setback to 30-feet. See Section F (Pools) for further information on rear setbacks for homes with pools.

E. Drainage: Guidelines as follows:

- In Sections A & B, all homes will be constructed with a storm water drainage culvert extending across the width of the property, extending to within 1-foot of the property lines. The culvert is to be of concrete construction with an inside measurement of 12 inches by 18 inches. The ends of the culvert are to be met at 30 degrees from the horizontal (2:1 slope) to allow access for cleaning. The culvert will be set to an invert in accordance with existing drainage drawings or as approved by the Cape Royal Roads, Drainage & Lighting Committee.
- Where an existing concrete catch basin exists at a suitable elevation, the culvert will penetrate the catch basin and terminate at the inner edge of the catch basin wall with a 90-degree cut. The catch basin wall must be core drilled to accept the culvert.
- A minimum 12-inch square drainage box will be installed street side at each property line (if not already present) and piped underground via minimum 4-inch flexible drainpipe, into the connecting swale or catch basin (through a cored hole) where present at the property lines.

The flexible pipe will descend from the drain box to a point approximately at the elevation midpoint of the adjacent culvert. The drain box will be securely set at the adjacent street elevation or up to 1-inch below this point. The drain box will be set 6- to 10-inches from the street paving in the sodded area. Drain box may be of heavy polymer, steel or cast-iron construction with a removable leaf guard on top.

- Alternately, a graded roadside swale that directs storm water from the roadway into the open ends of the culvert may be substituted with approval of the Cape Royal Roads, Drainage & Lighting Committee.

F. Pools: Pools must conform to restrictions in the HOA's Covenants and Restrictions including, but not limited to:

- Minimum rear setback of 15-feet from the property line on a regular, rectangular shaped lot.
- Minimum rear setback of 12-feet on an irregularly shaped lot.
- Side setbacks: 10-feet. (Includes the 6-foot side easement)
- Owner/Contractor must obtain all appropriate permits from Lee County.
- Pool and enclosure must be recorded on the site plans to include identifying the back-wall distance from the rear property line. The edge of the water on golf course lakes is not the property line and owners should see their site survey map to assess actual location of the property line, and any LME.
- Pool must be included in the landscape plan.

G. Service Areas: Service areas (including areas which accommodate air conditioning compressors, garbage cans, the electrical service entrance, and other items that by their nature present are an accessory to the primary structure and are unsightly appearance), should be screened from view by an enclosure (constructed or landscaped) that is an integral part of the site development plan, using materials and colors that are harmonious with the home it serves. Please note that the use of fences to screen these areas requires ARB approval.

H. Fences and Enclosures: Fences are not permitted to enclose or define property lines of individual home sites and all fence installations must receive ARB approval.

- Fences or screens may be used to enclose utility and equipment service areas, patios, lanais, pools, or other areas requiring privacy, as long as the fence does not impede the view of any adjoining lot owners.
- Dog runs are not acceptable. Electronic invisible fencing may be used.
- A maximum of two (2) fences are permitted per residence and must be located on the sides of the residence only. A permanent pool safety fence must be installed directly on the lanai flat surface perimeter surrounding the pool when there is no screen lanai enclosure, or the lanai structure is greater than 36 inches in height from the ground.
- Concrete Block Structure (CBS) fences must be stucco finished and painted to match the residence. Vinyl or wood fences should be painted or stained to coordinate with the color scheme of the residence.
- Fences may not exceed 6-feet in height nor extend more than 6-feet from the residence. If the fence is open ended (no gate), its length may not exceed 12-feet. If the fence is enclosed with a gate, its length may not exceed 15-feet. In no case may a fence encroach on an existing easement.
- All fences must adhere to required setback guidelines.
- Special consideration may be given to requests where the lot will not accommodate these fence requirements. The merits of each case will determine whether ARB approval is granted.

I. Driveways: Driveways must offer off-street parking for at least two (2) automobiles parking side by side. Driveways must be constructed of concrete, paver bricks, or other suitable impervious materials approved by the ARB. No unpaved or asphalt driveways will be permitted.

J. Garages: Garages must provide space for a minimum of two (2) automobiles.

K. Antennas & Satellites: Cable Television is available at Cape Royal. No exterior antennas will be permitted apart from video antennas, including direct to home satellite dishes that are less than one

meter (or 39-inches in diameter), television antennas, and wireless cable antennas as allowed by Federal Law. Such antennas must be attached to the house and not placed on any stand-alone pole unless the pole is concealed and is within the setbacks.

L. Irrigation Systems: Underground landscaping irrigation must be supplied by the public water system unless a properly permitted well has been approved by local authorities and the ARB. No water shall be used for any purpose from any of the lakes along and belonging to the golf course and shall be deemed as trespass and theft.

M. Mailboxes: An approved community standard mailbox is required and will be installed by the HOA. The initial cost to provide and install a mailbox is the responsibility of the owner.

Materials & Aesthetics:

General Statement: In evaluating the exterior appearance of a home, the ARB takes into consideration all of the elements that contribute to a successful design solution, including the relationship of proposed construction to existing natural and man-made features; views from the home and adjacent structures; effect on the streetscape, common open space, neighbor's driveways, parking and landscape treatment; the relationship of the proposed structures to surrounding structures and site size in terms of lot coverage, height, width and overall visual impact; and the relationship of roof shapes and treatment to the overall design concept of the home.

A. Materials, Colors, & Textures: All exterior materials and colors (roof, driveway, walls, trim, lanai) are to be specified in the plans submitted for approval and are expected to blend with the natural surroundings. Acceptable external paint colors are listed in Exhibit #2 (attached) that are appropriate for the community and are normally more subdued (not high gloss or satin finish). Building materials used should be fundamental to the house design and non-indigenous materials should be avoided. Exterior finish materials are expected to be of the highest quality. The proposed roofing material, color, and application will be critical parts of the ARB's design evaluation.

High quality windows and doors are required, with all aluminum units being finished in a factory-applied finish, selected to harmonize with the exterior colors. Window shutters are appropriate when sized to match window openings and mounted to appear functional. The ARB must approve awnings for color, material, and shape. Samples of exterior materials, colors, and textures are requested at the time of ARB review for clarification.

B. Repetitive Designs/Colors: Some house designs may be unacceptable for a lot because of similarity to homes in the immediate neighborhood. If, in the judgment of the ARB, the basic style, roofline, exterior materials, colors or the features of a home are too like its neighbors, the design will not be approved. The owner may want to submit pictures of adjacent homes with the request for Architectural Review Form to expedite the approval process.

Landscape Criteria

General Statement: Plans submitted for approval to the ARB must address the landscape features and plans for the home site and must demonstrate compliance with the following criteria. Any changes to previously approved plans must be resubmitted in writing to the ARB prior to planting. Planting per the approved plan must occur prior to occupancy. If a pool is included, the landscape plan must include its location before being submitted for review. See Exhibit A for an example of an appropriate landscape plan format.

A. Non-Interference Easements: No structure or landscaping that may damage or interfere with the installation and maintenance of utilities or drainage facilities located in the utility easements shown on the plat of Royal-Tee, shall be placed or permitted to remain on any lot. The easement areas located on each home site and all improvements thereon shall be maintained continuously by the owner,

except for those improvements the maintenance of which is the responsibility of a public authority or private utility.

B. Sight Distances at Intersection: No wall, fence, hedge, shrub, or planting which obstructs sight lines between three (3) and six (6) feet above roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street lines and a line connecting them at points twenty-five (25) feet from the intersection of such lines, or in the case of a rounded property corner, from the intersection of the street lines extended. No tree shall be permitted to remain within such areas unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

C. Planting Requirements:

- No structure, planting or other material shall be placed or permitted to remain on a home site which may damage or interfere with the elevation or slope of the surface of a home site; create erosion or sliding problems; change the direction or flow of drainage channels; or obstruct or retard the flow of water through drainage channels or is likely to encroach on neighboring properties.
- Sod shall be required in the front, side, and rear yards of lots. Seeding or sprigging will not be permitted on any lot.
- Each owner shall be required to plant appropriate landscaping along the front, sides, and rear walls of all structures to approximately eighty-five percent (85%) coverage of the perimeter.
- Plants must be a minimum of 3-gallon and planted no less than 3-feet apart in any bed. Beds shall be a minimum of 3 feet wide.
- A minimum of four (4) trees per lot are required, but corner lots and lots considerably larger than average size shall be recommended to plant more than the minimum number of trees. Only trees located within the property boundary (not including the right of way area) will qualify to meet the 4-tree minimum. Use of existing trees may be counted to meet this requirement; however, potted plants or trees will not be included in the count to determine minimum numbers required.
- Typical palms (foxtail, royals, etc.) shall have a minimum of 10-feet of clear trunk, while hard or soft wood trees shall have a minimum of 8-feet of clear trunk. ARB can provide exceptions in specialized or hardship cases.
- No artificial vegetation shall be permitted on a home site outside of the structure thereon.
- Views of the golf course and waterways from adjoining lots shall not be screened from view. No plant material over three (3) feet in height or less than six (6) feet of clear trunk shall be planted in the area formed by the intersection of the rear and side property lines. These height requirements will be permanently maintained. Appropriate plant materials should be of reasonably mature size and spread, giving the property a finished, complete and established aspect, allowing for manicured growth.
- All planting plans submitted shall provide the following information:
 - o Location of septic tank and drain field.
 - o Location and botanical name of all plant materials.
 - o Size of all trees and shrubs noted by height and spread.
 - o Quantities of all plant materials.
 - o Proposed ground cover beds, shrub masses, or lineal hedges noted in quantity, size, and spacing.
- All tree pits, shrub and ground cover beds shall receive mulch or rock.

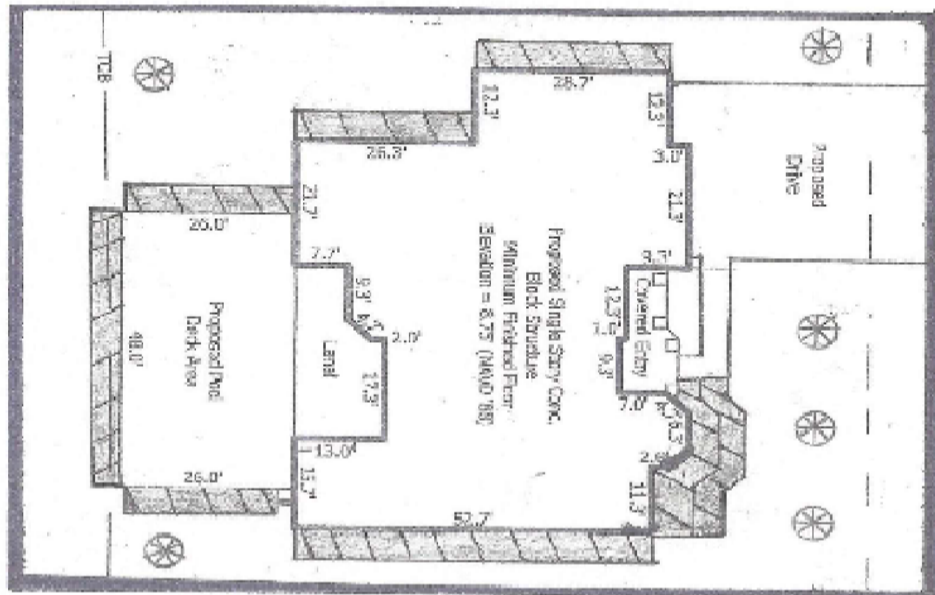
D. Outdoor Lighting: All outdoor lighting should be low key, intended for special effects only. The use of colored lights is prohibited. All lighting plans must be approved by the ARB.

Violations of Community Regulations




General Statement: Any observed violations or infractions of the Cape Royal Community Governing Rules, Regulations, Restrictions, Covenants and Policies will be initially documented to the homeowner for correction. Violations include any external changes to the residence without homeowner documented Requests and written Approval from the ARB. If the infraction or violation is not corrected within a designated timeframe, the issue will be directed to the HOA for correction or litigation.

Exhibit A

Royal Tee Landscape Minimum Requirements



Key:

-  Single Stage Bed
Minimum 3 ft. Wide
-  Double Stage Bed
Two Tier-Optional
-  Tree

Notes:

- Minimum of 4 trees within property lines
- Distance between plants shall not exceed 3 feet in any bed and beds shall be a minimum of 3 feet wide
- Minimum of 85% of available perimeter to be covered
- Plants must be a minimum of 3-gallon plants
- Trees: typical palms (foxtail, royals, etc.) shall have a minimum of 10 feet of clear trunk
- Typical hard or soft wood trees shall have a minimum of 8 feet of trunk

Homeowner: _____	Date: _____
Contractor: _____	Date: _____
Landscape: _____	Date: _____

Exhibit #2 for Policy 600

Residential External Approved Colors (8/19/2023)

HOA Approved individual selection of color chart items published by Sherwin Williams COLORSnap chart's contents of 1,498 colors, published in 2019. 343 color hues are Approved and listed below. (pg. # 102 through #314). **Other Paint Manufacturing Companies may be used with these color selections.**

Sequence Line 1	Sequence Line 2	Sequence Line 3	Sequence Line 4
0002 (chelsea mauve)	6239 (upward)	7012 (creamy)	7627 (white heron)
1015 (skyline steel)	6245 (quicksilver)	7013 (ivory lace)	7628 (windfresh white)
1668 (pineapplecream)	6246 (north star)	7014 (elder white)	7631 (city loft)
6000 (snowball)	6247 (krypton)	7015 (repose gray)	7632 (modern gray)
6001 (grayish)	6252 (ice cube)	7016 (mindful gray)	7634 (pediment)
6002 (essential gray)	6253 (Olympus white)	7017 (dorian gray)	7636 (origami white)
6007 (smart white)	6254 (lazy gray)	7021 (simple white)	7637 (oyster white)
6008 (individual white)	6259 (spatial white)	7022 (alpaca)	7638 (jogging gray)
6009 (imagine)	6260 (unique gray)	7028 (incredible white)	7641 (colonnade gray)
6015 (vaguely mauve)	6261 (swanky gray)	7029 (agreeable gray)	7646 (first star)
6016 (chaise mauve)	6262 (mysterious mauve)	7030 (anew gray)	7647 (crushed ice)
6021 (dreamy white)	6267 (sensitive tint)	7035 (aesthetic white)	7648 (big chill)
6028 (cultured pearl)	6268 (veiled violet)	7036 (accessible beige)	7649 (silverplate)
6035 (gauzy white)	6274 (destiny)	7037 (balanced beige)	7651 (front porch)
6036 (angora)	6275 (fashionable gray)	7042 (shoji white)	7653 (silverpointe)
6037 (temperatetaupe)	6276 (mystical shade)	7043 (worldly gray)	7654 (lattice)
6042 (hush white)	6322 (intimate white)	7044 (amazing gray)	7656 (rhinestone)
6049 (gorgeous white)	6329 (faint coral)	7049 (nuance)	7657 (tinsmith)
6056 (polite white)	6336 (nearly peach)	7050 (useful gray)	7658 (gray clouds)
6063 (nice white)	6337 (spun sugar)	7051 (analytical gray)	7661 (reflection)
6070 (heron plume)	6343 (alluring white)	7056 (reserved white)	7662 (evening shadow)
6071 (popular gray)	6344 (peach fuzz)	7057 (silver strand)	7666 (fleur de sel)
6072 (versatile gray)	6350 (intricate ivory)	7058 (magnetic gray)	7667 (zircon)
6077 (everyday white)	6355 (sweet orange)	7063 (nebulous white)	7668 (march wind)
6084 (modest white)	6357 (choice cream)	7064 (passive)	7671 (on the rocks)
6091 (reliable white)	6358 (creamery)	7065 (argos)	7672 (knitting needles)
6092(lightweightbeige)	6364 (eggwhite)	7070 (site white)	7676 (paper lantern)
6094 (sensational sand)	6365 (cachet cream)	7071 (gray screen)	7678 (cottage cream)
6098 (pacer white)	6371 (vanillin)	7072 (online)	7679 (golden gate)
6099 (sand dollar)	6372 (inviting ivory)	7077 (original white)	7681 (tea light)
6100 (practical beige)	6378 (crisp linen)	7078 (minute mauve)	7683 (buff)
6101 (sands of time)	6379 (jersey cream)	7079 (ponder)	7684 (concord buff)
6105 (divine white)	6385 (dover white)	7080 (quest gray)	7685 (white raisin)
6106 (kilim beige)	6386 (napery)	7100 (arcade white)	7686 (hinoki)
6112 (bisquit)	6387 (compat. cream)	7101 (futon)	7687 (august moon)
6114 (bagel)	6388 (golden fleece)	7102 (white flourmill)	7688 (sundew)
6115 (totally tan)	6392 (vital yellow)	7103 (whitetail)	7689 (row house tan)
6116 (tatami tan)	6399 (chamomile)	7104 (cotton white)	7690 (townhill tan)

6126 (Navajo white)	6406 (ionic ivory)	7105 (paperwhite)	7692 (cupola yellow)
6127 (iviore)	6413 (restoration ivory)	7106 (honied white)	7693 (stonebriar)
6133 (antique white)	6420 (queen anne's lace)	7506 (loggia)	7694 (dromedary camel)
6134 (netsuke)	6427 (sprout)	7511 (bungalow beige)	7695 (mesa tan)
6135 (ecru)	6434 (spinach white)	7516 (kestrel white)	7696 (toasted pine nut)
6140 (moderate white)	6441 (white mint)	7517 (china doll)	7697 (safari)
6142 (ancient marble)	6455 (fleeting green)	7518 (beach house)	7698 (straw harvest)
6147 (panda white)	6462 (green trance)	7524 (dhurrie beige)	7699 (rustic city)
6148 (wool skein)	6476 (glimmer)	7526 (maison blanche)	7704 (tower tan)
6149 (relaxed khaki)	6497 (blue horizon)	7527 (Nantucket dune)	7711 (pueblo)
6154 (nacre)	6504 (sky high)	7528 (Windsor beige)	7712 (townhouse tan)
6155 (rice grain)	6511 (snowdrop)	7529 (sand beach)	7713 (tawney tan)
6156 (ramie)	6525 (rarified air)	7530 (Barcelona beige)	7714 (oak barrel)
6161(nonchalantwhite)	6610 (koral kicks)	7531 (canvas tan)	7716 (croissant)
6163 (grassland)	6613 (interactive cream)	7532 (urban putty)	7717 (Ligonier tan)
6168 (modern white)	6617 (blushing)	7536 (bittersweet stem)	7718 ((oak creek)
6169 (sedate gray)	6624 (peach blossom)	7537 (irish cream)	7719 (fresno cream)
6170 (techno gray)	6631 (naïve peach)	7538 (tamarind)	7720 (deer valley)
6171 (chatroom)	6638 (flattering peach)	7539 (cork wedge)	7721 (crescent cream)
6175 (sagey)	6644 (champagne)	7540 (artisan tan)	7722 (travertine)
6176 (liveable green)	6652 (flan)	7541 (Grecian gray)	7723 (colony buff)
6177 (softened green)	6658 (welcome white)	7542 (naturel)	7727 (koi pond)
6182 (ethereal white)	6659 (captivating cream)	7551 (greek villa)	7732 (lemongrass)
6183(conservativegray)	6665 (gardenia)	7552 (Bauhaus buff)	7736 (garden sage)
6184 (austere gray)	6666 (enjoyable yellow)	7553 (fragile beauty)	7738 (cargo pants)
6189 (opaline)	6672 (morning sun)	7554 (steamed milk)	7757 (highreflectivewhite)
6190 (filmy green)	6673 (banana cream)	7555 (patience)	8917 (shell white)
6191 (contented)	6679 (full moon)	7556 (crème)	9023 (dakota wheat)
6196 (frosty white)	6686 (lemon chiffon)	7557 (summer white)	9085 (touch of sand)
6197 (aloof gray)	6687 (lantern light)	7558 (medici ivory)	9086 (cool beige)
6198 (sensible hue)	6693 (lily)	7559 (décor white)	9087 (smoky beige)
6199 (rare gray)	6694 (glad yellow)	7560 (impressive ivory)	9094 (playa arenosa)
6203 (spare white)	6700 (daybreak)	7561 (lemon meringue)	9095 (ginger root)
6204 (sea salt)	6749 (embellished blue)	7562 (roman column)	9096 (beige intense)
6210 (windowpane)	6798 (iceberg)	7563 (restful white)	9101 (tres naturale)
6211 (rainwashed)	6876 (comical coral)	7564 (polar bear)	9101 (tres naturale)
6212 (quietude)	7000 (ibis white)	7565 (oyster bar)	9102 (quinona)
6217 (topsail)	7001 (marshmallow)	7566(westhighlandwhite)	9119 (dirty martini)
6218 (tradewind)	7002 (downey)	7568 (neutral ground)	9136 (lullaby)
6219 (rain)	7003 (toque white)	7569 (stucco)	9137 (niebla azul)
6224 (mountain air)	7004 (snowbound)	7570 (egret white)	9144 (moonmist)
6225 (sleepy blue)	7005 (pure white)	7571 (casa blanca)	9145 (sleepy hollow)

6226 (languid blue)	7006 (extra white)	7572 (lotus pod)	9165 (gossamer veil)
6231 (rock candy)	7007 ((ceilingbrightwhite)	7573 (eaglet beige)	9166 (drift of mist)
6232 (misty)	7008 (alabaster)	7574 (echelon ecru)	9173 (shitake)
6233 (samovar silver)	7009 (pearly white)	7575 (chopsticks)	9180 (aged white)
6234 (uncertain gray)	7010 (white duck)	7596 (only natural)	9186 (caramelized)
6238 (icicle)	7011 (natural choice)	7626 (Zurich white)	