

KEYWAY PLACE HOMEOWNERS' ASSOCIATION
A Deed Restricted Community

9904 Sheltering Spruce Street
Englewood, FL 34223

ARCHITECTURAL GUIDELINES and REGULATIONS
Prepared by the Architectural Review Committee

Approved by the Board of Directors
Date

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Article 1. Architectural Review Committee Mission Statement

The charge to the Architectural Review Committee is to ensure the overall value of the community by preserving its architectural integrity, harmonious design, and aesthetic principles through careful consideration of the ‘Community-Wide Standards’ as set forth in the Declaration of Covenants, Conditions and Restrictions.

Article 2. Rule Making Authority

The authorization for the establishment of the Architectural Review Committee and the vested powers given to it are set forth under FL 720.3035, Declaration Article IV, and Architectural Control in the Covenants of Keyway Place.

Furthermore, it states: “No structure or thing shall be placed, erected or installed upon any Lot, and no improvements or other work (including, without limitation, staking, clearing, excavation, grading, and other site work, exterior alterations or additions, or planting or removal of landscaping) shall take place within the Community, except in compliance with this Article and the Architectural Guidelines.” Consequently, for any changes, an Architectural Review Committee Request Form must be submitted to and approved in writing by the ARC.

Any owner may remodel, paint, or redecorate the interior of any structure on his or her Lot without approval of the ARC. Synonyms for the word “Modification”: (the making of a limited change in something) include but are not limited to alteration, change, difference, redoing, refashioning, remaking, remodeling, revamping, review, revise, revision, reworking, and variation.

The ARC and the BOD created the Architectural Guidelines and Regulations approved by the BOD to assist owners who wish to perform landscaping and /or exterior architectural changes. **Should any case arise where these guidelines conflict with any applicable law, rule, or code by any enforcing agency having jurisdiction, the law, rule, or code shall prevail in that order over these guidelines.**

Article 3. Composition of the Architectural Review Committee

The Architectural Review Committee (hereinafter referred to as the ARC) shall consist of no less than three (3) members to a maximum of five (5) members as well as two (2) alternates, all of whom are appointed by the Board of Directors. Alternates attend all meetings and may vote in the absence of a regular member.

Article 4. Procedures for Submitting a Request

There are two processes for approval of homeowners’ requests for landscape and/or exterior architectural changes – a) Fast Track and b) Standard. In both cases, ARC tries to minimize the length of time from submission to decision. To make sure requests can be acted on expeditiously, homeowners should make sure that all requested information is submitted along with a signed request form. Homeowners can contact KWP’s Management Company with any questions prior to submitting a request.

All Fast Tract and ARC Request Forms must be signed and dated by owners to be considered. Applications that are incomplete or lacking required documents will not be accepted by the ARC Committee. Once completed, owners may resubmit Request Forms for approval in either process.

There are no conditional approvals.

a. **Fast Track**

The Fast Track process enables KWP's Management Company to approve a Request, assuming all required information and documentation is submitted, without waiting for an ARC meeting. When possible, Fast Track items are identified in this document. A complete list of Fast Track items, including the specific conditions that must be met, are detailed in the Request for Fast Track Approval application form that can be found on the KWP website or requested from the KWP Management Company. Once a complete, signed application is received, Fast Track requests can be approved within three (3) business days.

Fast Track is intended to provide a shortcut to approval for projects that do not change the exterior aesthetic or that conform to specific standards identified in this document or in the ARC Application Checklist.

b. **Standard Process (for all other requests)**

Owners requesting landscape and/or exterior architectural changes not identified as eligible for Fast Track approval should submit a signed ARC Request Form along with all required documentation. This form is available from the management company of Keyway Place HOA or on the KWP webpage. All applications must be submitted through the KWP Management Company.

The ARC Request Form includes a guide to required documentation for a variety of projects. Any questions about what needs to be submitted with the Request Form should be directed to the KWP Management Company.

Owners who plan changes that require the approval of Sarasota County (or any other governmental agency) must have approval of the ARC prior to seeking governmental permits from the appropriate agency. County permits are acquired from the Permitting Section of the Sarasota County Planning Department. If the County permitting process requires changes from what was originally approved by the ARC, then the Owner is required to resubmit plan to the ARC for an updated approval.

An ARC Request Form must include at a minimum an 8 1/2'' by 11'' sheet of paper either carefully printed or typed that provides a detailed description of the proposed change, addition, or installation. When applicable, requests must be accompanied by a copy of an owner's Plot & Site Plan¹ (Survey) and, if possible, a photo showing the exact location of the project. Plans and specifications should minimally show dimensions, structural design, exterior elevations, exterior

¹ Each homeowner received an 8 1/2 by 14 Plot & Site Plan as part of their closing documentation. A scale drawing may be submitted for the Plot & Site Plan in the event an owner cannot locate the original document.

materials and colors, landscaping, drainage, exterior lighting, irrigations, and other features of proposed construction or other activity as the ARC deems relevant.

All Standard ARC Request Forms must be received by the KWP Management Company no later than seven (7) business days prior to the scheduled ARC meeting to allow committee members time to review the Request and to visit the site, if necessary, prior to meeting deliberations. ARC Request Forms received less than seven (7) business days prior to the ARC meeting will be held for review and consideration at the next scheduled ARC meeting. Owners will be notified promptly by the KWP Management Company if their request is on hold.

Also available on the KWP website is a guide to required documentation for a variety of projects. Questions about what needs to be submitted with the Request Form should be directed to the KWP Management Company.

Article 5. Architectural Review Committee Meetings

The ARC meets monthly to discuss submitted requests. In months when no requests have been submitted, the ARC Committee may choose not to meet. The ARC Committee has the option to conduct online meetings or to vote via email, when necessary, Meeting dates, times and agenda will be published at the mailbox and pool bulletin boards and sent by email at least 48 hours prior. Applicants expecting a decision must check the scheduled meeting day and time if they want to be present.

Public comments are invited at the beginning of the meeting and are limited to allow time for final evaluation of Requests. Speakers will be allowed up to three (3) minutes and must inform the KWP Management Company of their intention to speak and indicate their topic before the meeting.

When considering a Request Form, ARC deliberations will be guided by:

- State and County laws,
- KWP Declaration of Covenants, Conditions and Restrictions,
- KWP Articles of Incorporation,
- KWP By-Laws,
- KWP Initial Restrictions and Rules. and
- KWP Architectural Guidelines and Regulations.

Article 6. Air Conditioners, Awnings, Jalousies, Slatted Windows, Tubular Skylights

- a. Air conditioners - mounted in windows or in walls of homes in Keyway Place are NOT permitted. In case of an emergency, such as equipment failure or extended power outages, a window unit may be installed temporarily. In these cases, the KWP Board of Directors should be notified.
- b. Central Air conditioner units may be re-located with ARC approval and a valid Sarasota permit. **Express Permits** are NOT accepted. (Sarasota County does not conduct a site plan

review before issuing Express Permits.) HVAC mechanical equipment, including concrete pads are not permitted in easements.

- c. Outdoor awnings outside the lanai, jalousies, and slatted windows are NOT permitted.
- d. Solar Collectors (Skylights) and vent requirements are described in Declaration Section 3.12.1.9

Article 7. Barbeque Grills

Barbeque equipment and other related equipment (e.g., smokers, etc.) shall be kept in the lanai, or at an appropriate place at the rear or rear side of the dwelling, covered, and screened from street view by enclosing shrubbery. Small concrete slabs, pavers or bricks of the appropriate size for the footprint of the barbeque equipment but no larger than 36 inches in depth, subject to ARC approval, are permitted beneath the equipment and within existing mulch area.

Article 8. Exterior Decorative Objects

All exterior decorative objects in front, side and back yards, whether natural or man-made, require ARC approval via the submission of an ARC Request Form prior to installation. Approval will be based on the following:

- a. The ARC will evaluate all additional proposed exterior decorative objects solely in terms of design, execution and general esthetic appropriateness in order to make sure they harmonize with the Community Wide Standard and fit to the general look of neighbored properties.
- b. The ARC will consider the following criteria: location, color, design, intrusiveness, materials, relationship to the environment, safety, significance, size, scale, quantity and taste. Items generally considered as vulgar and/or obscene are not permitted.
- c. Garden statues and similar decorative items are not to exceed 4 feet in height and 2 feet in length. Garden flags should not be larger than 12.5” by 18”.
- d. Planter pots should not exceed seven (7) gallons in volume.
- e. Water features are allowed on front porches and lanais only.
 - An artificial area of water, or a structure with water flowing through it, built into the ground, which is intended to enhance the landscape shall be small in scale and not exceed 15 inches in height and utilize a re-circulating water system from a concealed water storage tank. No koi ponds are allowed. Direct plumbing connections are not permitted. This feature must be maintained by the homeowner, and must be treated to remain clean, algae free, rodent free, and discourage a haven for mosquitos.
 - A self- contained stand-alone water feature (i.e.: waterfall), designed to run independently with no water source, intended to enhance exterior area by making it more

interesting and attractive through sound, design, and appearance shall be allowed provided it does not exceed 50” tall, 30” deep, and 36” wide. This feature must be maintained by the homeowner, and must be treated to remain clean, algae free, rodent free, and discourage a haven for mosquitos. It may NOT approach onto the sidewalk or walkway. It must be installed to the manufacturer’s specifications and directions.

- f. Lanai and front porch artwork do not require ARC approval. All other wall art requires ARC approval. Artwork must be secured to outside walls. Pictures of the art, the size of the wall art and a description of how it will be secured must be included with the Request Forms.

Keyway Place HOA will not be liable for any damage to decorative or other items by its vendors or employees. Owners and residents fully understand that they are placing those items at their own risk and will not be reimbursed if they are damaged for any reason.

Article 9. Front Entryway, Screen Doors, and Garage Screens

- a. Front entryways and doors may be enclosed with screens and screen doors with ARC approval. The following conditions must be met and must be discussed in the submitted Request Form:

- Structural framing material must be bronze or white aluminum consistent with the original building design.
- Screen material must be black/charcoal in color consistent with the original building design.
- An elevation of the enclosure screen door design must be included as part of the Request.
- If a building permit is required, fabrication must be installed by a qualified and licensed applicator whose business name and address should be included in the Request.
- Enclosure of the front entryway with glass, acrylic or polycarbonate material is not permitted.
- Replacement of the front door with a glass insert door will be approved if the door color will remain the same. ARC approval is required prior of making such change.
- Front porches and enclosed front porches may NOT be used for storage.

- b. Garage Screens shall be limited to those with vertical open and close features to preserve architectural uniformity throughout the community. Horizontal screens are prohibited.

- Screen fabric and frame must match the garage door and frame colors as closely as possible.
- If a building permit is required, fabrication must be installed by a qualified and licensed applicator whose business name and address should be included in the Request.

Article 10. Rain Gutters

Under some conditions (see below) homeowners may submit a Fast Track request for original installation or additions to existing rain gutters; otherwise, the Standard Process for approval must be used.

- a. Requests for white gutters and splashguards and downspouts that are white or the same color as the house can be submitted via the Fast Track process. Any variance from this requires the Standard Procedure be utilized. A signed request with appropriate documentation is required in either process.
- b. Gutters and downspouts are constructed of aluminum.
- c. Gutters shall be seamless 5" or 6" material.
- d. Downspouts should be placed on grass in such way that will not interfere with the mowing procedure of the property.
- e. No rain Chains permitted.
- f. No rain barrels permitted.

Keyway place HOA will not be liable for any damage by its vendors or employees.

Article 11. Hurricane Protection of Windows and Lanais

Florida has set standards for storm protection products, but some manufacturers do not undergo specific testing to see if their systems meet these standards Contractors installing hurricane shutters on homes must obtain a County Permit and must use products meeting state building codes. Owners who intend to install products themselves must also obtain a County building permit and submit it to the ARC prior to installing approved products.

The ARC Architectural Guidelines and Regulations are predicated on the State laws that deal with the application of hurricane protection materials and approves applications of hurricane protections that meet or exceed the "Miami-Dade Specifications."

1. Accepted Methods of Hurricane Protection

- a. Hurricane Resistant Windows can be approved using the Fast Track process if there are of similar style and color of existing windows. In all other cases, an ARC Request Form must be submitted that includes, at a minimum, style, color, picture of proposed windows, contractor and permit.
- b. Bolted panels, accordion shutters, rollup shutters, and fabric protections meeting Miami-Dade specifications and harmonious with the designed appearance of the house and community are permitted by the ARC.

Requests for shutters that are white, beige or bronze can be submitted via the Fast Track process.

Any other request may use the Standard Process and a Request Form and appropriate documentation must be submitted.

2. Unallowable Methods of Hurricane Prevention

- a. Permanent installation of shutters, clear plastic panels, bars, or other similar materials for security or hurricane protection purposes are not permitted.
- b. Bermuda shutters and colonial shutters are hinged shutter protections, mounted at the sides or above windows. The ARC does not permit Bermuda or colonial shutters in view of their lack of conformity with the architectural design of KWP homes.
- c. Film that is applied to windowpanes is marketed as a hurricane protection although it is not generally viewed as a protection from general hurricane damage (blow out). The film effectively prevents the formation of flying shards when windows are broken by wind or blown objects. Extremely reflective silver films which have an exterior reflectivity of 58% or greater and are commonly referred to as “mirror” films are not permitted.

Article 12. Landscaping

The objective of the landscaping guideline is the maintenance of an orderly and a harmonious community. Owners must comply with the Florida-Friendly Landscaping™ Plant Guide which can be found on KWP’s website, as an app for your phone or at the University of Florida’s Extension Service’s website.

- a. ARC approval **is not** required to plant annuals, perennial plants and small shrubs in the original or previously-approved expanded mulched areas of their property. Only plants that are included in the most recently published Florida Friendly Landscaping Guide will be allowed in these areas.
- a. Changes by owners to the layout or footprint of any landscaping is not permitted without ARC approval. Homeowners should use the Standard Process to submit a request for such changes.
- b. Owners may not remove, replace, or relocate trees, including those within the mulch area, without ARC approval. This protects homeowners from violating Sarasota County laws that protect some trees and plants. Removal of those trees and plants be subject to a County-imposed fine. For ARC approval, a request for such work must be in line with Sarasota County guidelines. Using the Standard Process, owners should submit a signed Request Form with required documentation including a copy of written approval from Sarasota County. An email from the County would be acceptable.
- c. Homeowners may plant additional trees, bushes, etc. Before proceeding with any changes or additions, owners follow the Standard Process and submit an ARC Request Form (see Covenant 12- 1-a). The form should indicate the name, number and location of the plantings

on a copy of the Plot & Site Plan. The ARC retains the right to deny certain plantings because they are inappropriate, unsightly, invasive, or create undesirable environmental conditions. For example, Banyan trees, Ficus trees (rubber plants), fruit bearing trees and plants, and vegetables are not permitted outside of lanais.

- d. Trees and planting beds should be of reasonable size and scaled in relation to the site. They must respect the rights of neighboring properties, community easements, and the needs of efficient mowing. Maximum height of selected trees shall not exceed the expected full growth height of surrounding trees.

Planting beds are defined as owner-created plots where original turf is removed and a place for planting is established. Owners are permitted latitude in designing new planting beds but require ARC approval. Mulch and planting beds cannot be expanded into drainage easements.

- e. Owners are not permitted to connect to or modify the existing irrigation system by themselves. The ARC may approve irrigation changes only when the Request Form includes the name and license number of the contractor who will do the required work. Any such changes must be coordinated with KWP's Landscaping Contractor.
- f. Only Saint Augustine and Bahia type of grass is permitted in community lawns.
- g. Mulch in front and side planting beds shall not differ from Association's chosen color, **Florida Brown**. Additionally, only natural mulch can be used in front and side yards.
- h. Mulch beds cannot be expanded into drainage easements.
- i. No artificial plants are permitted in front yards.
- j. No compost piles or compost devices permitted.

Article 14. Reserved

Article 15. Vines

Spreading Vines that adhere to walls and creep without control are NOT permitted. For all other vines, ARC approval is required. All vines should be included in the Florida Friendly Landscaping Guide. Homeowners should consider the following guidelines when submitting a Request Form.

- a. Hanging basket vines (ivies, etc.) may grow down from small pots (12" or less in width) that are secured to walls along entranceways at a height of approximately five (5) feet.
- b. Trellises with vines are permitted at the home entrance on the approach sidewalls, and along the side or rear walls of the home.
- c. Trellises in high winds can be a threat to persons and property. Therefore, trellises require

safe and secure anchoring and mounting that prevents them from being blown about. The permitted anchoring is to secure the trellises in the earth and to securely mount them to a wall with brackets. The trellis must be removed from the wall for painting.

- d. The height of trellises is limited to six (6) feet. The number of vines and trellises is limited to three (3) per wall.
- e. Owners are responsible for well-trimmed pruning of vines and maintenance of trellises, so they continually present an attractive presence to the community.
- f. Arch-structures that an individual can walk through are not permitted.
- g. Using the Standard Procedure, a completed Request Form must also include the common and scientific names of all vines for which approval is requested. Proposed vines should be listed in the Florida Friendly Landscaping Guide.

Article 16. Lanais, Lanai Extensions and Enclosures

a. Lanais

Most homes in Keyway Place come with lanais built on the foundation slab and under the home roof and are enclosed by an aluminum structure that supports the screen material.

ARC approval, using the Standard Process, is required prior to starting any lanai construction. The lanai framing must be constructed of bronze or white aluminum with charcoal screening. All materials are to be consistent with the house and area standards and shall not extend beyond the width of the rear of the dwelling or into any easement areas.

Owners replacing any existing part of the lanai (screening, frame) using the same color materials can apply for Fast Track approval. Other changes or additions must go through the standard ARC Request approval process.

The ARC prohibits the use of lanais for storage.

b. Lanai Extensions

Owners wishing to extend their lanais are required to obtain ARC preliminary approval first and then necessary County permitting. (See Article 4 above). Owners are required to submit the County permit with all appropriate documents (i.e., ARC Request Form, contractor's construction plan, a copy of the Plot & Site Plan, a specification of the materials, and the contractor's name and address) for final ARC approval

c. Enclosures

The part of the lanai under the original home roof structure may be enclosed; no other enclosure is permitted.

Materials that may be used to enclose that section of the lanai are glass, acrylic, composite, or polycarbonate. No other materials are permitted. A sliding or outward swinging hinged door of identical material is required in order to maintain a second means of egress. Maintenance of these panel materials is the responsibility of the owner.

Since the interior walls of lanai enclosures are generally visible from the outside of the structure and thus subject to approval under Article 5 of the Declaration the interior walls of enclosed lanais should be either white or the same color as the exterior walls of the unit.

Article 17. Exterior Lighting

All lighting requires ARC approval; there are limited opportunities to use the Fast Tract Process as described below. These guidelines are provided to assist homeowners in selecting lighting. Because the effects of any proposed light may be difficult to assess prior to installation, the ARC reserves the right to require correction of lighting if it found to cause an adverse impact or raise a safety concern.

a. House Lighting

Visible light fixtures that are part of the original house exterior may not be altered. Replacement of existing lighting must be in the style and scale of the original lighting fixtures. Submittals for replacement must include the fixture location, number, style, fixture color and lamp color (clear or white) and wattage. Due to the strong winds that are experienced in Florida, fixtures suspended from chains or other devices that can blow about are only allowed as follows; A single hanging light fixture may be installed at the front entryway of any home with the height set to avoid conflict with the front door swing. In addition, the chain length shall be limited to ensure that the arc of swing is clear of the door, transom glazing, side walls and, if installed, entry screening.

Wall wash lighting of exterior walls is prohibited.

b. Garage “Coach” Lights

Replacement of Garage “Coach” Lights require ARC approval. If replacement is the same, the Fast Track process can be used. Any changes to the garage coach lights require ARC approval through the Standard Process including submission of a Request Form.

c. Landscape Lighting

Landscape Lighting requires ARC approval using the standard process.

Lighting that improves footing, navigation or security (path lighting) may be approved, but with conditions. Recommended path light fixtures include solar and low voltage, ground-mounted styles that may be wholly or partially concealed by plantings. Electric bulbs used in path fixtures located in front and at the side of the house must be either clear or white. Colored bulbs are not allowed. All wires must be installed at least one-foot underground.

Proposed lighting shall not be approved if it has an adverse visual impact on any other property, due

to location, color, wattage. The quantity of fixtures, style, color and spacing will be considered in the decisions by the ARC.

Lighting that illuminates plants in planting beds, for example, low lights on palm trees, is permitted when aimed away from the view of neighbors or passersby.

Lighting that illuminates either neighboring common areas or neighboring property is NOT permitted, including motion lights.

The use of landscape lighting to illuminate signs, statues, yard art, etc. is NOT allowed.

Temporary lightings or industrial lightings that are not solely landscape lightings designed for this specific purpose are NOT allowed. -

Article 18. Maintenance of Property

Owners are responsible for general maintenance of their lots. This responsibility includes, but is not limited to, keeping buildings and structures in good condition and repair, removing all debris, pet excrement, and unsightly materials from the grounds.

The Keyway Place HOA contracts with a landscaping maintenance company for the care of all lawns and plantings in the areas of initially installed landscaping, as shown on each lot's recorded site plan. Owners are responsible for year-round maintenance of all added plantings in the side or back (trees, shrubs, and planted beds of flowers or grasses). This includes watering, weeding, pruning, fertilizing, mulching, disease prevention, treatment of diseased plantings, and removal of dead plants.

Article 19. Painting

Keyway Place owners repainting their home without changing colors or using a color scheme found in the KWP color palette may use the Fast Track approval process for ARC approval. Each main house color includes a selection of coordinated trim colors that should be used.

Homeowners interested in using a color not included on the KWP color pallet need ARC approval.

KWP color palettes can be found on the KWP website or may be requested from KWP's management company.

Article 20. Pavers, Tile, and Landscape Edging

a. Pavers/Tiles

Pavers or Tiles are permitted from the front entrance to the driveway. The original sidewalk may be removed and pavers or simulated concrete pavers may be installed.

A small paving area may be installed outside the lanai to accommodate an outward swinging door.

Lanai doorway pads may not project more than six inches beyond the width of the door swing or exceed 36x34 inches in total. Color of the thresholds should match the roof or the lanai. Color Palettes may be found on the KWP website or requested from KWP's Management Company.

b. Landscape Edging

Black polyethylene plastic edging and other edging materials (such as brick) are permitted between mulch edge and grass if installed at grade level and it does not interfere with mowing, lawn maintenance or drainage at adjacent properties. An ARC Request Form should be submitted for approval. Ongoing maintenance of such edging is the responsibility of homeowners. Any damage to the edging during regular lawn maintenance is the responsibility of homeowners. Brick edging must be in conformance with the HOA approved color palettes.

c. Prohibitions

Edging whose height interferes with lawn maintenance and that may cause lawnmower damage

Article 21. Pools and Spas

Pools and Spas are allowed with ARC approval. All pool requests must use the Standard Process.

Only in-ground swimming pools are approved. Pools must be located in the rear of the property and be enclosed by a pool cage or lanai extension. A County permit is required for all pool installations. Submittals for pools must include a copy of the Plot & Site Plan showing the placement of the pool, the plumbing, and the lanai specifications. The Submittal Form must show the location of the outside mechanical pool equipment and how it will be screened from view by landscaping or white vinyl fencing.

Pool mechanical equipment, including plumbing, filters, pump, etc. must not be placed in easements.

The pool cage (lanai) framing must be constructed of brown (Bronze) or white aluminum with charcoal screening. All materials are to be consistent with the house and area standards and shall not extend beyond the width of the rear of the dwelling or into any easement areas. ARC written design approval is required prior to starting any pool work.

Article 22. Generators for Home Power

Power generators must be maintained for safety and prevention of excess noise. If gasoline is used to power them, attention must be given to safe fuel storage in an approved container. Please refer to Fire Department and County Regulations.

a. Permanent Generators are not allowed.

b. Portable Generators

Portable generators purchased to maintain power for lighting and refrigeration are permitted during

emergencies only. Operation of a portable generator must be completely outside of the building envelope.

Generators may be kept in use until community power is restored.

Homeowners should note that portable generators that rely on an extension cord connection to an appliance must pass through a doorway or window, which compromises the home security. Any electrical panel modified to accept a direct portable generator plug-in must be done per Sarasota County permit by a licensed electrician.

Article 23. Roofing

All owners must present a Request Form to the ARC for roof work before major non-emergency maintenance or replacement of roofs commences. Submission should follow the Standard Process and must describe the material, style, and color of the work and include the contractor’s name and address.

County approval of roof replacement is required. If the County permitting process requires changes from what was originally approved by the ARC, then the owner shall seek ARC “re-approval”. Roofing material, style, and color must match the original installation as nearly as possible. Refer to KWP Color Palettes which may be found on the KWP website or requested from KWP’s Management Company.

Article 24.

Reserved.

Article 25. Solar Energy

Owners seeking to use solar energy devices are limited to roof placements and must submit an ARC Request form and receive an ARC approval before installation. The Standard approval process should be used.

The ARC will affirm locations for mounting solar energy devices on the roof within an orientation to the South or within 45 degrees east or west of due south provided that such determination does not impair the effective operation of the solar collectors. The ARC may impose requirements on shape, location, and extent of the solar panels that may nominally influence the system’s operating efficiency or installation cost.

In general, the ARC prefers locations that minimize the visibility of the installation while accomplishing the objective of the owner

Article 26

Reserved

Article 27. Bird Feeders and Bird Baths

1. Bird Feeders

Bird feeders are permitted and require ARC approval using the Standard Process. The following conditions will be considered by the ARC when acting on Requests pertaining to birdfeeders.

- a. Some of our visiting bird species are protected under State, County and Federal regulations. These regulations do not permit feeding or molesting wildlife. Doing so attracts nuisance and undesirable wildlife species such as rats, raccoons, etc. Feeding must be intended primarily for songbirds (other than water fowl) is allowed with ARC approval. The sole purpose of the following restrictions is to ensure that none of our owners have to endure any aggravations caused by nuisance animals attracted to the bird feed.
 - b. A maximum of two (2) feeders and one nectar feeder are allowed per residence.
 - c. Bird Feeders must be squirrel proof and be designed to minimize bird feed from reaching the ground so as to not attract ground feeding animals.
 - d. Feeders shall be placed a minimum of five (5) feet and a maximum of 8 feet above the ground and either hung in a tree on the owner's lot or mounted on a pole with a baffle in a mulched bed area on the owner's lot.
 - e. Placing bird seed on the ground or feeding other wildlife is not allowed.
 - f. Bird feeders must be maintained in a neat and orderly fashion, including but not limited to, periodic removal of excess or fallen seed and/or repairs necessary to lawn or bed area below the feeder. If maintenance does not occur owners will be required to remove the feeder.
 - g. Owners understand that the HOA may require temporary or permanent removal of feeders if it becomes a nuisance issue with other wildlife such as rats, bears etc. No bird feeder shall be grandfathered to remain on a lot if the conditions listed are not complied with.
2. Bird Baths are allowed only with ARC approval. Homeowners should follow the Standard Process when submitting a request.

Article 28. Garage Heat Control

Ventilation panels in the door, replacement of glass lights within the door panels, roof vents and installation of louvered exhaust ports in the garage wall are NOT allowed.

Air Conditioning Systems:

- a. Permanent AC units are not allowed in garages.

- b. Portable AC Units - A portable AC unit may be installed within the garage interior provided it is directly connected to the exterior via a 4 or 5-inch wall mounted, rigid heat dissipation dryer vent along with a ½-inch PVC condensation drainpipe. Flex ducting is not allowed. The owner must submit a Request for Architectural Approval with requisite attachments detailing the location, vertically and horizontally, of each penetration. Penetrations must be fully concealed with landscape shrubbery.

Article 29. Garage “Coach” Lights

Any changes to the garage coach lights require ARC approval. Requests for lights that are the same or similar in style and color may use the Fast Track process. All other requests should use the Standard Process.

Article 30. Irrigation Modifications

Due to irrigation pump limitations, no resident is allowed to add additional sprinkler heads or misters without approval from the ARC. Any request for changes to the irrigation system must be accompanied by information on the licensed contractor that will do the required work and evidence of coordination with KWP’s Landscaping Company should be included.

Article 31. Border Fences and Hedges

Fences and Hedges are only allowed with ARC approval. Homeowners should use the Standard Process when submitting requests.

Walls are NOT permitted.