



BRIGHTWATER

Residential Design Guidelines

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Introduction

BRIGHTWATER COMMUNITY OVERVIEW

Brightwater is a family-oriented residential community offering a wide selection of housing types and price categories. Brightwater offers a variety of amenities including, a 5-acre crystal lagoon.

THE MASTER DEVELOPER

The Master Developer of Brightwater is North Brook Holdings, LLC.

Metro Development Group, LLC is the development manager.

RESPONSIBILITIES OF THE MASTER DEVELOPER

The Master Developer provides design and construction of the infrastructure network necessary to proceed with home construction. The infrastructure includes the following:

1. Installation of public roadways and streetlights.
2. Installation of domestic and fire water lines, sanitary sewers, and common stormwater management flood control systems.
3. A distribution system for telephone, CATV, and electric service.
4. Development of common spaces such as project entrances and landscape buffers, recreational features, and road rights-of-way.
5. Establishment of a Homeowners' Association. During the initial development, the Association will be managed by the Master Developer.
6. Creation of a Community Development District to finance, construct and maintain common areas, parks, recreational facilities, and other amenities.

Introduction

DESIGN GUIDELINES OVERVIEW

All homes proposed for construction in Brightwater are subject to the review and approval of the Brightwater Homeowners Association through its Architectural Review Board (“ARB”). The ARB will review and approve all aspects of new construction (and later modifications) of the home including landscaping, patios and decks, swimming pools, whirlpools or spas, screened enclosures, shutters, awnings, fences, accessory buildings, play structures, painting or other alteration of a dwelling including doors, windows and roof, and other exterior construction or outdoor ornamentation.

Design Guidelines are established to ensure and implement consistent and high-quality design standards. They will serve as a framework for design concepts and provide performance and quality standards that will guide the design and construction of the variety of housing types in Brightwater. The developer reserves the right to establish more restrictive Design Guidelines for individual neighborhoods within Brightwater.

No home may be started without the ARB’s final approval of the building plans and specifications. The plans and specifications must meet the minimum Design Review Submittal Requirements outlined in these documents. Notwithstanding these requirements, home builders that purchase lots directly from the Master Developer are eligible to receive advance approval of their house plans, alternate elevations, colors, materials, and landscaping plans (“Master Approval”) negating the need to obtain ARB approval for each home to be constructed. Such Master Approval will still require full compliance with all other aspects of the Design Guidelines unless otherwise specifically waived in writing by the ARB.

The Master Developer reserves the right to revise and update the design criteria as well as the performance and quality standards at any time in order to respond to future community requirements as well as to new product development and innovations within the home building industry.

Section One: Review Process

Architectural Review Board

The ARB shall consist of the Master Developer until all new homes within the project have been completed or the Master Developer elects to assign its ARB responsibilities to others.

Functions of the Board

1. The ARB will evaluate each of the housing units proposed for construction to assure conformity with the design criteria, performance and quality standards set forth in the Design Guidelines as well as compatibility with the adjoining sites and common spaces.
2. If conflicts arise between the submitted application and the Design Guidelines, the ARB shall have the sole discretion to interpret the standards and render a decision.
3. The ARB has the right to grant variances from the Design Guidelines in accordance with the Declaration of Covenants, Conditions and Restrictions ("CCR's").
4. The ARB has the right to monitor and oversee the design and construction process to ensure conformance with the approved plans and the standards set forth in the Design Guidelines.
5. The ARB shall review and respond to each submittal in writing. Unapproved submissions shall be returned to submitter for revision and re-submittal.

Section One: Review Process

Design Review Submittal Requirements

Any exterior modifications must be submitted to the Architectural Review Board shall include the following:

In order for each application to be complete, you must include:

- A copy of your property survey with the placement of your project highlighted
 - A color photo example
 - List of color and type of material used
 - A quote with specs from the contractor hired (if applicable).
1. Subsequent to the Master Approval or initial approval, a builder's or homeowner's submission for approval of any feature subject to these Guidelines, including but not limited to additions of a pool, screened enclosure, walks, patios, decks and landscaping, and revisions to colors, materials, and landscaping, shall require a review fee of \$30.00 or other amount as determined from time to time by the ARB.
 2. Notwithstanding the above formal submittal requirements, the ARB will accept and review, at no charge, informal applications, including hand-drawn sketches, if applicable, and provide comments as to general compliance with the Guidelines. The purpose of this informal review is to provide the applicant with a general sense of whether the proposed improvements are acceptable or not prior to incurring the expense of a more formal application. Regardless of the outcome of an informal review, no improvements may be implemented until the ARB has reviewed and approved a formal application made in accordance with these guidelines.
 3. All fees for design review are payable at the time of submittal to the Brightwater Master Homeowners Association. If no determination is made by the ARB within 30 days, the application shall be deemed disapproved.

The board reserves the right to take as many as 30 (30) days to approve or disapprove any submissions.

The Architectural Review Board (ARB) shall have exclusive jurisdiction over modifications, additions, or alterations made on or to existing structures in accordance with the CCR's, and the Design Guidelines. All modification requests must be submitted through the appropriate submittal link or emailed to the community management company: Brightwater@BreezeHome.com

Section One: Review Process

ORDINANCE AND STANDARDS COMPLIANCE

All homes constructed in Brightwater are designed, built, and sold by independent homebuilders who are not employees or agents of the Master Developer. As such, ARB approval does not substitute for, or ensure, compliance with the requirements of all public agencies having jurisdiction over the project, including but not limited to Lee County. Each builder and homeowner must comply with all zoning and building regulations, agreements and ordinances established by Lee County and applicable at the time of purchase and development.

Any changes required to comply with applicable municipal codes that are subsequent to the ARB's final approval must be resubmitted to the ARB for its approval. The committee may request a meeting to discuss modifications of the drawings or the specifications.

Section Two: Site Standards

The information provided in Section Two covers standards for all neighborhoods in Brightwater. For additional information concerning specific neighborhood standards, please consult Section Six.

SITE STANDARDS

The Master Developer has provided a master neighborhood-grading plan in addition to other planning and implementation guidelines and procedures, in an effort to minimize alteration to the land and impact to the ecosystem. Care shall be taken to preserve vegetation, topography and the natural grades and drainage systems. This philosophy must be followed at all levels of development.

All lot grading and top of foundation elevations must be planned and constructed in accordance with the Brightwater master grading plan and the Lee County lot grading ordinances. Any deviations from the master grading plans, for any lot, must be approved in writing, in advance.

Prior to commencing clearing and construction, a silt fence must be installed on both sides of lot and at rear of lot.

BUFFER AREAS - SCREEN PLANTING EASEMENTS

Easements have been provided to buffer some adjacent roadways. No buildings, fences, driveways, or permanent structures shall be constructed within screen planting easements.

TREE PRESERVATION

No trees greater than 4 inches in diameter at breast height may be removed without the express written approval of the Architectural Review Board. Locations, sizes, and species of all existing trees must be shown on lot surveys and building site plans submitted for design review. Lee County's tree preservation ordinance must also be followed.

Section Three: Home Construction Standards

The information provided in Section Three covers standards for all neighborhoods in Brightwater. For additional information concerning specific neighborhood standards, please consult Section Six.

MONOTONY CONTROLS

The house may not be the same color, or substantially the same color, as the houses directly on either side of your house or of the house directly across the street from your house. Housing types or styles should not be repetitive from lot to lot along the neighborhood street. Rather, a variety of houses are encouraged. The monotony controls exist to prevent duplicate houses from being built in close proximity to each other. Houses shall be required to have sufficient differences in both front elevation and color schemes which, in the opinion of the ARB, make them significantly different from each other. They are not designed to preclude all similarities between Properties.

The following situations are subject to the monotony code:

1. Two houses on each side of a proposed home that all face the same street.
2. The house directly across the street from a proposed home.
3. One house on each side of the house directly across the street from the proposed home.
4. On small, tight cul-de-sac circles, any house that faces or is diagonally across the cul-de-sac from a proposed home.

BUILDING LAYOUT AND WIDTHS

Housing units shall be sited and oriented to best take advantage of views and open space. View orientation towards other units shall be avoided wherever possible.

Staggering building setbacks from road R.O.W.'s should be utilized to provide variety and eliminate a regimented and monotonous streetscape. Staggering portions of the facades of individual units is also encouraged to achieve a similar effect.

The maximum widths of single-family detached residences and villas are determined by the side setback requirements that appear in SECTION SIX: BRIGHTWATER NEIGHBORHOODS. Generally, given the variety of lot sizes and housing product planned for Brightwater, it is expected that the majority of single-family houses will be built to the maximum width allowed on each lot. Houses up to 8 feet narrower than the maximum allowed width may be approved at the discretion of the ARB. In doing so, the ARB may require an enhanced front elevation and additional landscaping.

1. In addition to dimensional banding or other window enhancements on the windows on the front of the house, windows on the side and rear elevations must be, at a minimum, banded by scoring.
2. Additional landscaping is required at the front corners of the house to visually expand the front elevation.
3. Additional landscaping is required along both sides of the house.

Section Three: Home Construction Standards

BUILDING HEIGHTS

The height of single-family detached residences shall be a maximum of thirty-five (35) feet. Residences shall not be more than two-stories, however only single-story residences are allowed on corner lots unless a variance is otherwise granted by the ARB. Trees of suitable height shall be planted near the building to help provide the proper vertical scale relationship.

BUILDING MATERIALS AND COLOR

Exterior surfaces will be generally of natural materials that blend and are compatible with the natural Central Florida landscape. Wood, hardboard composition material and masonry such as brick, stone, split rock, or stucco may be used but are subject to approval by the ARB. The ARB may require a sample of any exterior materials. Prior to ordering and/or installing any materials, please consult the ARB to determine if a sample will be required for ARB review. No plywood, vinyl, T-111 or aluminum siding will be approved on any area of the house, however the ARB will consider new construction materials and technologies.

The color of exterior materials must be generally subdued to enhance the colors of the natural landscape. Earth tones, generally muted, are recommended, although occasionally accent colors used with restraint may be approved by the ARB.

A color sample must be submitted for all exterior colors proposed for the residence including roof, exterior walls, trims, doors, enclosures and structures for review and approval by the ARB prior to construction. Samples must be identified by the manufacturer's code. All gable ends shall be constructed of materials compatible to the house.

Section Three: Home Construction Standards

BUILDING AND STRUCTURE PROJECTIONS

All projections from a residence or structure including, but not limited to, vents, chimney flues, gutters, downspouts, fences, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project or shall be of a compatible color subject to the approval of the Architectural Review Board.

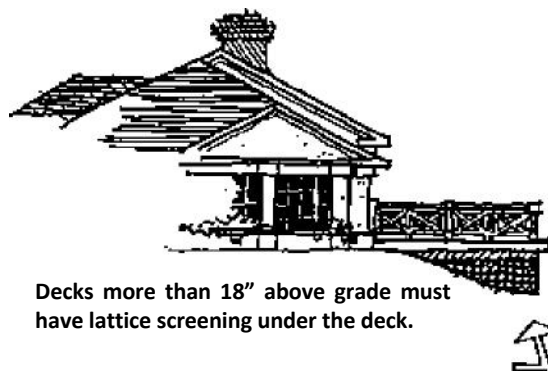
DECK/PATIO INSTALLATION SPECIFICATIONS

All proposed deck/patio installations must be submitted to and approved by the ARB prior to installation unless previously part of a Master Approval.

The following information must be included with each submittal:

1. Two copies of a final survey with the house footprint indicating the exact location, size, and distance from side and rear property lines of the proposed deck/patio installation. Hand-drawn sketches of lot boundaries are not acceptable.
2. No front yard patio, decks or lanai extensions are permitted.
3. The complete dimensioned construction details of the deck/patio including size, type of lumber and other materials, finish, style, height from ground to baseboard, and vertical elevation details of all railings, seats, privacy walls and stairs.
4. If relevant for patio enclosures, see also SCREENED ENCLOSURES.

Material Requirements: Approved deck and patio materials are pressure-treated pine, redwood, cypress, and ultra-violet resistant PVC. Patios and decks must be of concrete, brick, or interlocking paver materials.



Section Three: Home Construction Standards

Color Requirements: Wooden decks must be left natural or stained in clear or wood tone colors only. Painted decks must match the main exterior color of the house or be painted white. Submit a color sample for PVC decks. Patio concrete, paver or brick material colors should complement the house's main exterior color.

No deck/patio construction is allowed to extend into a screen planting easement, CDD drainage and/or Access Easement, any may not extend beyond each side plane of the house or required side setback. No deck shall be constructed within five (5) feet of a rear lot line. Decks more than 18" above grade must have lattice screening under the deck.

GARAGES AND PARKING

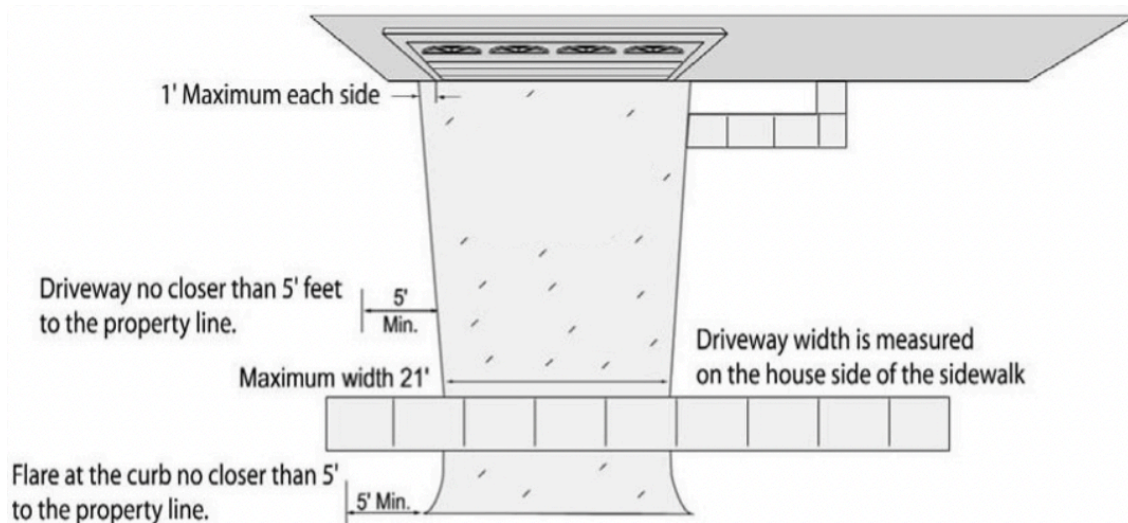
Driveways - Driveways may only be extended a maximum of one foot on each side of the driveway as measured at the house and the total driveway width shall in no case exceed the width of garage door(s) plus one (1) foot on either side. Additional exterior parking pads constructed of any material, whether in front, side or rear yards are strictly prohibited throughout Brightwater.

Homes constructed with three-car garages shall have driveway widths of no more than twenty-one (21) feet as measured on the house side of the sidewalk. The intent of this provision is to provide a "tapered" edge leading to the three-car garage to minimize driveway pavement adjacent to the sidewalk. Any proposed side-load or carriage-load garages and driveways will be subject to the review and approval of the ARB.

A minimum five (5) foot buffer between the edge of pavement and the property line must be provided. Flares at curb are required for ease of driver when entering driveway. Edge of driveway pavement (excluding standard or flares at the curb,) shall be at no time closer than five (5) feet to the property line.

All driveway surfaces may be broom-finished concrete, interlocking brick pavers, or stamped concrete. No mulch or blacktop asphalt driveways will be allowed. Approval of brick pavers or a stamped concrete driveway is contingent upon design and material approval by the ARB. The portion of the sidewalk that passes through the driveway must match the material used for the driveway so as to create a monolithic appearance.

Section Three: Home Construction Standards



Garage Doors - Garage doors shall be equipped with automatic garage door openers. All garage doors must be paneled and/or provide window relief. No exterior screens, nets, or coverings are permitted over garage doors. Retractable garage screen enclosures may be installed on the inside of the screen door, and not visible from the street when the garage door is closed, or visible when not in use.

Parking - No boats, trailers, commercial vehicles, or recreational vehicles of any kind shall be allowed to be stored outside the residence on the lot. Any of the prohibited vehicles described above may only be kept in the community if they are stored in the garage with the garage door closed.

MAILBOXES AND HOUSE NUMBERS

The builder and/or master developer is responsible for purchasing and installing the mailbox kiosks. Only one style, shape and color of dual mailboxes is permitted in Brightwater.

Section Three: Home Construction Standards

POOLS, SPAS AND ENCLOSURES

Pools, spas, hot tubs, decks and screen enclosures shall be located with respect to the main structure and shall not extend beyond the side walls of the home. Features such as existing trees, noise from pool equipment and views from adjacent properties can seriously impact the usage and enjoyment of pools and spas and shall be carefully considered before final placement is selected.

No swimming pools, spas or hot tubs shall be located above ground. However, above-ground hot tubs of a size that does not exceed 12' X 12', may be considered by the ARB, but only if the hot tub will be located entirely within a rear screen enclosure.

Swimming pools shall be designed to connect visually to the residence through landscaping and/or courtyard paving. Swimming pools shall not be permitted on the street side of the residence.

All pool and spa equipment shall be screened so that it is not visible from any street, common area or adjacent property. Screening or buffering providing 100% opacity may be accomplished by the use of walls or PVC fencing along with landscape materials.

Landscape materials alone may be utilized as long as there is 100% opacity.

Pools shall be enclosed by a screened enclosure or may be fenced with PVC fencing material. Fences must meet local ordinances and the design guideline requirements enumerated in Section Four.

The installation of pools at homes on corner lots is not prohibited. However, the installation of pools on corner lots will be considered by the ARB on a case-by-case basis.

Screened Enclosures:

All screened enclosures shall be constructed with charcoal screen material and bronze frames. Mill-finish aluminum, white frames, and black frames are not permitted. No aluminum roofing or sheet metal panels will be permitted. Flat roofs will not be allowed. Three (3) inches, (or greater,) insulated composite roofing systems are permitted. Pitch of screen roof or three (3) inch insulated composite roofing system shall be shown on preliminary plans and shall be subject to the approval of the ARB.

Screened enclosures cannot exceed one story without prior ARB approval. Screened enclosures must not be visible from the street in front of the residence. Existing rear lanais may be screened with charcoal screen and bronze frames. Front lanais, entryways, or other covered front areas of the house **may not** be screened. Retractable screen doors may be installed over the front entry door only and must match the color of the door frame.

Landscaping must be incorporated to help modulate and soften the overall appearance of the screened enclosure.

SIDEWALKS AND WALKWAYS

Entry walks to home must commence at the driveway and terminate at the front door/porch and not terminate at a public sidewalk. It shall be the responsibility of the homeowner to properly maintain sidewalks located within their property lines. No front walkway extensions are permitted

Section Four: Landscape Standards

LANDSCAPING

Landscape Architecture of each homesite is extremely important for the maintenance of a visually attractive community and investment protection of the homeowners. To ensure the overall beauty of the community, the ARB has the authority to approve or disapprove landscape plans for the single-family residential homesites.

It is the intent of the ARB to promote the use of mature landscape materials in sufficient abundance to establish aesthetically pleasing neighborhoods. The use of such materials provides Brightwater with the appearance of an established, enduring community. In addition, Lee County and the South Florida Water Management District promote the use of Xeriscape-type or "Florida Friendly Landscapes". These are "quality landscapes that conserve water, protect the environment, are adaptable to local conditions and are drought tolerant."

Guidelines:

A landscape plan and irrigation plan shall be prepared at a minimum scale of 1" = 20' and will be based upon the final site plan and architectural elevations of the residence. The landscape plan and irrigation plan shall be submitted to the ARB with Final Plans (when feasible) prior to construction activities on-site. The landscape and irrigation plan may be included in an application for Master Approval. All landscaping and irrigation shall be designed and installed in accordance with the "Lee County Landscaping and Irrigation Ordinance" and "ARB Landscape Guidelines."

Section Four: Landscape Standards

1. **Tree Requirements** - The quantities of canopy trees and under-story trees are based upon the standard lot size within a neighborhood and are located within SECTION SIX: BRIGHTWATER NEIGHBORHOODS.

Trees shall be nursery grown and not field collected. Winter-dug, balled, and burlap wrapped trees or containerized trees will be acceptable. No grow bag or bare root trees will be accepted. All trees and shrubs shall be Florida grade No.1, or better, according to the "Grades and Standards for Nursery Plants," Parts I and II, State of Florida, Department of Agriculture and shall conform to American Association of Nurserymen standards for nursery stock.

The minimum size for canopy trees is 4-inch caliper, 12-foot to 14-foot height (minimum) by 5-foot to 7-foot spread (minimum) with a full canopy and straight trunk. Understory trees shall be 10 feet to 12 feet in height by 5-foot to 6-foot spread typical, however smaller accent trees may be approved by the ARB upon review of the Landscape Plan. Trees shall be measured for caliper size five inches (5") above finished grade.

3. **Shrubs and Ground covering** - Although the majority of the landscaping will be placed in the front of the residence, the ARB will be looking for moderate landscaping in all rear yards, on the street side of corner lots, and along the sides of the home as well as any screened enclosures. Minimum size for shrubs shall be 3-gallon container size with a height of 24". Accent shrubs are recommended to be 7-gallon to 15-gallon container size. Minimum size for groundcover is a 1-gallon container and the minimum is a 4-inch pot for annuals.
4. **Spacing** - Spacing of trees and shrubs shall be based on good horticultural practice and industry standards allowing for future growth of the plant materials with the maximum spacing for most shrubs being 30 inches to 36 inches on center. Spacing for hedges and screens may be 24 inches to 30 inches on center. Typical spacing for ground covering is 18 inches on center with 24 inches maximum.
5. **Sod Requirements** - The lot shall be sodded with St. Augustine "Floritam." Corner lots must always have St. Augustine "Floritam" sod installed along the street sides of the lot. Argentine Bahia sod is recommended for use in swales and low areas retaining water in order to provide turf areas that are more drought tolerant and require less irrigation. Only solid sod shall be installed and no seeding, plugging, or sprigging will be allowed.

Section Four: Landscape Standards

6. **Mulch** – Various forms of traditional mulch including brown, black, and red, trip or double shredded as well as nuggets are allowed as landscaping accents. Mulch should be installed at a minimum of 3" layer. All colors of standard lava rock, as well as river rock, are permitted. River rock is defined as round stone in earth tones such as tans, creams, and browns no smaller than 1 inch in diameter and no larger than 8 inches in diameter. White stones, white pebbles, or marble chips of any kind are also permitted.
7. **Street trees** – Street trees shall be live oaks at a minimum size of 3-inch caliper and shall be measured for caliper size six inches (6") above finished grade, minimum 12-foot height, and minimum 5-foot spread with a full canopy and straight trunk. No low forks will be accepted on street trees. There shall be no tolerance with regard to under-sizing street trees. Undersized trees shall be removed and replaced as required by the ARB. Street trees shall be planted every forty linear feet (40') of roadway frontage or as mandated by the current Lee County Ordinance. Street trees may be replaced but MUST be replaced with one of the following: Live Oak, Winged Elm, Eagleston/Dahoon Holly, Florida Maple or Southern Magnolia. The replacement tree must be a minimum of 12 feet in height above grade, a minimum 5-foot spread with a full canopy, a straight trunk and a minimum 3" caliper trunk as measured 6" above finished grade after planting.
8. **Tree Removal** - No existing trees greater than four (4) inches in diameter at breast height shall be removed or cut without the approval of the ARB. Tree removal permits must be obtained in accordance with Lee County regulations. Builders and homeowners shall comply with the "Lee County Tree Protection and Restoration Ordinance."
9. **Prohibited Plant Material** - The following trees and shrubs are prohibited in Brightwater:

PROHIBITED PLANT MATERIAL:

<u>Botanical Name</u>	<u>Common Name</u>
Casuarina equisetifolia	Australian Pine
Melaleuca leucadendron	Punk Tree
Schinus terebinthifolius	Brazilian Pepper
Melia azedarach	Chinaberry
Dalbergia sissoo	Rosewood
Fruit Trees	

The use of citrus trees is discouraged and will be considered by the ARB on a case-by-case basis and only for installation in rear yards. A detailed plan must be submitted showing location, species, and size of citrus tree.

Other prohibited species: Any exotic flowering tree or exotic palm that is not cold tolerant. Such species may be allowed if it is placed in a portable container to be transported indoors by the homeowner during inclement weather.

Section Four: Landscape Standards

IRRIGATION

All residential homesites shall have installed an underground, fully automatic, 100% coverage irrigation system utilizing micro-irrigation for 50% of the on-site green space.

1. The "Florida Irrigation Society" (FIS) Standards (3rd Edition, February 1996, as amended), which is incorporated herein by reference, should be used for all irrigation design and installation procedures, except where the requirements of the Lee County Ordinances supersede the FIS standards.
2. Irrigation of landscaping on all residential homesites shall be accomplished using potable water. NOTE: Well water may be used for irrigation purposes on all common areas owned by either the CDD or the HOA. Strict adherence to Brightwater irrigation guidelines and Lee County rules regarding usage is required. Check proposed plant materials for compatibility when reclaimed water is being used for irrigation.
3. In accordance with the Lee County Ordinances, a maximum of fifty percent (50%) of the on-site green-space (landscaping and turf grass areas) shall be allowed to utilize irrigation techniques other than micro-irrigation. The irrigation system shall be designed to accommodate separate landscape plant zones based on differing water requirements. Sprays and rotors shall not be combined on the same irrigation zone. Turf areas shall be on separate irrigation zones from other landscape plant zones.
4. All systems for residential homesites shall be designed to avoid over-spray, runoff, or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways, structures, or water features. Narrow areas such as planting beds along the sides or rear of the home shall not be irrigated unless micro-irrigation is utilized. It is recommended that street trees and canopy trees be provided with micro-irrigation coverage on a separate zone for optimum controlled watering time.
5. Irrigation control equipment shall include an operable and functioning automatic irrigation controller (time-clock) having program flexibility such as repeat cycles and multiple program capabilities. Automatic irrigation controller(s) shall have battery back-up to retain the time and irrigation program(s). Automatic irrigation control systems shall be equipped with an operable and functioning rain sensor device with automatic shut-off capability. The rain sensor device shall be placed where it is exposed to unobstructed natural rainfall.

Section Four: Landscape Standards

LANDSCAPE & IRRIGATION MAINTENANCE

1. It shall be the responsibility of the homeowner to properly maintain all trees including street trees, shrubs, ground covering, turf and irrigation. The landscape and irrigation system shall be maintained and managed to ensure efficient water use and to prevent wasteful practices. No over spray of walks, streets or adjacent property is allowed on residential homesites. Homeowners shall comply with watering times as mandated by Brightwater, the South Florida Water Management District and Lee County.
2. In the event that any tree, shrub, groundcover or turf area exhibits signs of decline or pest infestation, the homeowner shall take immediate action to remedy the problem. If the trees, plant materials or turf dies, then the homeowner shall immediately remove the dead material and replace with new material to meet the specifications of the original landscape plan. The homeowner may propose a substitute to the ARB for the material being replaced.
3. Homeowners are responsible for regular maintenance of the irrigation system on their lots. Irrigation maintenance includes, but is not limited to: resetting the automatic controller according to the season; cleaning irrigation filters; testing and calibrating the rain sensor device; monitoring, adjusting and repairing irrigation equipment to ensure that the efficiency of the system is maintained. Grass should be cut away from spray and rotor heads (re-setting as necessary) for optimum spray pattern and trajectory.
4. Landscape Maintenance includes, but is not limited to:
 - a. Removing guy-wires and supports from trees and palms after establishment of the root zone.
 - b. Replenishing mulch in order to maintain a 3" depth after compaction.
 - c. Fertilization and soil amendments for landscaping and turf according to industry standard practices for optimum growth and longevity.
 - d. Pruning of plant material on a monthly basis and cutting of turf grasses on a weekly basis at a height recommended by landscape professionals.
 - e. Homeowners on ponds must mow banks to water's edge. Homeowners may NOT mow in wetland, conservation, or preservation areas.

Section Four: Landscape Standards

FENCING

The design criteria for fencing has been established to allow a more uniform and pleasing look throughout each neighborhood. To preserve the views of neighboring homes, fence styles and heights are restricted.

All proposed fence installations must be submitted to and approved by the ARB prior to installation unless already the subject of a Master Approval. Fence location shall be submitted along with the Site Plan and will be reviewed with the Site Plan. The Site Plan will not be approved without showing the fence location. Fences may not be placed over any Community Development District (CDD) drainage and/or access easements or any utility easements.

The following are guidelines for fences within Brightwater neighborhoods:

Fence Specifications:

1. Fencing shall be Tan/Almond color solid T&G style PVC fence that is constructed from high-quality materials, stabilizers, and modifiers throughout the entire extruded profile. No PVC solid smooth panel, co-extrusions or vinyl-clad wood products will be permitted.
2. Six (6) foot "privacy" fencing, shall be as shown in EXHIBIT C. All post caps are to be "traditional" style caps.
3. Four (4) foot "containment" fencing shall be straight picket design with three (3) inch wide pickets and two (2) to three (3) inch spacing between pickets. Traditional-style post caps are required. (See EXHIBIT C for example.) The ARB will also consider the use of black powder-coated aluminum as per the specifications shown on Exhibit C.

Locations for Containment Fencing:

1. Containment fencing is permitted on any homesite.
2. Side yard containment fencing shall begin a minimum of fifteen (15) feet behind the front plane of the home as measured from the front corner of the house on the side the fence is being installed.
3. If the fence is visible to other Brightwater homesites or common areas, landscape buffering will be required per ARB guidelines. In any case, rear-yard containment fences must be screened from view from the street with landscaping.

Section Four: Landscape Standards

Locations for Privacy Fencing:

1. Privacy fencing allowed as side and rear yard fencing:
 - a. Rear yard privacy fences are permitted primarily where one homesite adjoins another homesite back-to-back or a homesite is located along the outer perimeter of Brightwater. Rear yard privacy fences are specifically prohibited on homesites where the rear yard abuts any form of open space, including but not limited to ponds, parks, buffers, trails, wetlands, and conservation areas.
 - b. All homesites may have privacy fences as side yard fencing.
 - c. Side yard privacy fencing shall begin a minimum of fifteen (15) feet behind the front plane of the home as measured from the front corner of the house on the side the fence is being installed. If the home site is not eligible for rear yard privacy fencing, the privacy fence shall transition from privacy to containment-style fencing and the transition shall take place over the last six (6) foot section of the side privacy fence and shall slope from six (6) feet to four (4) feet to intersect with the style of four (4) foot tall picket fence to be used along the back-fence line abutting the common space. If the fence is visible to other homesites, roadways or common areas, landscape buffering is required on the exterior side of the fence to soften its appearance.
2. Fence locations on corner lots may be further restricted due to side yard visibility constraints, side yard setback restrictions, and the location of homes on adjoining property. Side yard fences on corner lots MUST be located to the inside of the innermost boundary of any utility, technology or other easements located on the lot. Side yard fencing on corner lots must be set back at least ten (10) feet from the public sidewalk abutting the side of the lot. Corner lots will be handled on a case-by-case basis. You may request specific information on corner lot setbacks prior to submittal of a plan.
3. If the fence is visible to other Brightwater homesites, roadways, or common areas, landscape buffering will be required per ARB guidelines.

Locations of Both Privacy and Containment Fencing:

1. No fences will be permitted in the front yard.
2. Fences may not be erected on any side or rear CDD access or drainage easements. Fences must be erected to the inside of the innermost boundary of those easements
3. Fences may not be erected over any utility or technology easements.
4. Fence requirements in Brightwater may be more restrictive than those contained in Lee County's fence ordinance. The Brightwater fencing design guidelines will prevail in such instances.

The ARB reserves the right to modify fencing requirements within each neighborhood.

Section Four: Landscape Standards

EXTERIOR LIGHTING

Any exterior house lighting for aesthetic purposes shall generally be kept close to the exterior wall of the house. Lighting fixtures shall be carefully oriented to avoid directing light towards adjacent property and the street. No light trespass will be permitted onto adjacent properties. No colored light sources shall be allowed unless seasonal or temporary in nature. The ARB will have final approval on all exterior lighting as to the number of lights, lumens, and placement.

SCREENING AND BUFFERING

Water softeners, sprinkler controls, trash containers and other similar utilitarian devices must be fully screened from view and not visible from streets, adjoining property, and common areas. Screening or buffering may be accomplished through the use of fencing, (if the fencing is at least fifteen (15) feet back from the front corner of the house,) and/or with landscape materials of sufficient size and quantity to achieve 100% opacity of the equipment being screened.

Air conditioning units shall be shielded and hidden so that they are not readily visible from the common areas or adjacent parcels. No window or through-wall air conditioning units shall be installed in any residential unit.

WALLS

Walls will be under the scrutiny of the ARB to comply with design compatibility and shall be in keeping with the architectural style and materials used in the neighborhood. Approval of walls by the ARB will be on a case-by-case basis.

Retaining walls will be faced with the same material as the structure it is in contact with or shall be made of compatible materials if it is a freestanding retaining wall. It is recommended that walls be constructed of solid masonry.

No walls will be permitted in the front yard.

Section Five: Other Standards

ACCESSORY BUILDINGS

Gazebos, pergolas, firepits, screen enclosures, and other freestanding structures including but not limited to pools, patios outdoor kitchens, etc. must be approved in writing by the ARB prior to construction. All such structures must be in the rear yard and must be located so as not to extend beyond the side planes of the house and a minimum of five (5) feet from any lot line. No storage sheds, pool houses, greenhouses, or other types of outbuildings are permitted.

The following items must be supplied for submittal to the ARB:

1. One copy of a final survey indicating the location of the house on the lot with the proposed accessory building in relationship to the existing house and all adjacent property lines. The survey must be drawn to scale and be fully dimensioned.
2. A color photo, brochure or scaled drawing depicting the new facility.
3. A description of the exterior of the building specifying roofing, siding and trim materials and colors.
4. Two copies of a landscaping plan indicating the specific plants proposed as landscape screening, including height, and spacing at installation, height at maturity, quantity, and species. Also, plant locations must be indicated on the final survey.

ANTENNAS & SATELLITE DISHES

All exterior antennas and all satellite dishes in excess of one meter in diameter are prohibited in Brightwater. For satellite dishes less than one meter in diameter, prior to installation homeowners shall submit detailed plans for review and approval. Plans of all proposed installations shall be properly scaled and dimensioned. The ARB approval shall be consistent with FCC rules implementing Section 207 of the Telecommunications Act. The requirements in EXHIBIT A will guide the ARB and homeowners in planning and reviewing the siting of all satellite dish and microwave antenna installations and are established to assure the safest possible location and operation of satellite dishes while preserving and enhancing reasonable and consistent aesthetic standards.

ENERGY SAVING DEVICES

Solar Panels, clotheslines, and clothes poles for the outdoor drying of clothes and other energy-saving devices are permitted only in strict accordance with the relevant federal and state statutes.

GARBAGE CONTAINERS

Garbage containers shall be stored inside the garage or shall be fully screened from view. Containers are only permitted in the front yard on trash or recycling collection day.

Section Five: Other Standards

FLAGS

Freestanding flagpoles are permitted in accordance with the provisions of Florida Statutes Chapter 720.304.(2). The American flag may also be displayed on a pole mounted on the front of a house. Flag be no larger than four and one half (4 ½) feet by Six (6) feet. The flag must be neat, tidy and not frayed or faded. A flag representing either the United States Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force, MIA, or State of Florida may also be flown on a freestanding permanent flagpole under the United States flag so long as it is of a size equal to or smaller than the United States flag. A flag representing either the United States Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force or MIA, may also be flown on a removable house-mounted flagpole under the United States flag so long as it is of a size equal to or smaller than the United States flag.

PREPARATIONS FOR INCLEMENT WEATHER

At times, the National Weather Service will issue alerts and warnings for our area regarding tropical storms or hurricanes. Residents are urged to take all possible precautions to secure homes and property. Many local publications are available providing checklists and information for hurricane preparedness.

Storm shutters, plywood, or tape to protect windows and sliding glass doors, may be installed two (2) days before an impending storm. The timing is based upon the National Weather Service or Hurricane Center's projected time of arrival of a storm. Protective devices should be removed within five (5) days after a storm has passed through the area. No permanent window shutters or accordion-style shutters are permitted.

PROPANE TANKS

The installation of propane tanks is subject to the approval of the ARB.

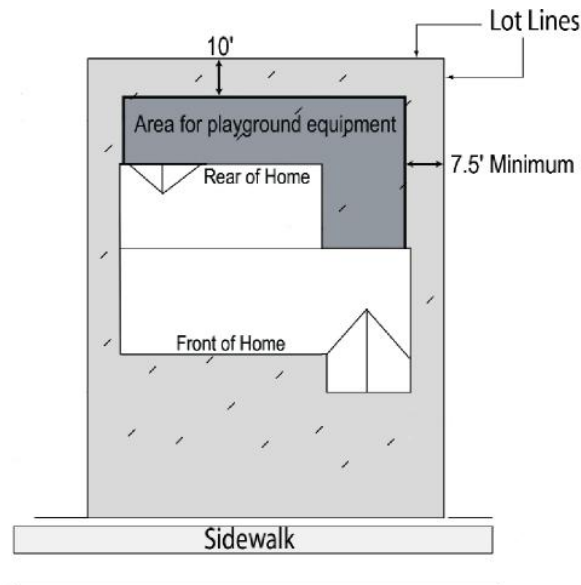
Generally, all propane tanks shall be buried in front yards if the lot size permits, however, if front yard cannot accommodate the tank it may be buried in the side or rear yard. The homeowner is responsible for contacting the utility-locating service prior to digging. Tanks must be located outside of easements and any gauges or other devices appearing aboveground must be screened in the front and on the sides by landscaping. The builder and/or homeowner shall be responsible for any damage to streets, sidewalks, landscaping or irrigation systems, and underground utilities, i.e. electric lines, telephone lines, cable television lines, potable water lines, reclaimed water lines, sanitary sewer lines, storm sewer lines and inlets during installation of tanks or during gas delivery or servicing of tanks.

The builder and/or homeowner shall be responsible for any surcharges imposed by any utility company due to the installation of propane gas service to the home. The builder and/or homeowner are responsible for contracting with reputable, insured propane gas companies.

Section Five: Other Standards

RECREATIONAL ITEMS

Play equipment shall be allowed but will be considered on a case-by-case basis. All play equipment must be submitted and be approved by the ARB prior to installation. Play equipment shall be located in rear yards only and must not be visible from the street. The equipment must be located at least seven and a half feet (7.5') from side property lines. Equipment must be located at least ten feet (10') from the rear property line. Care must be taken in placement of equipment so that the views of neighboring residents are not affected. Screening with an approved fence or landscaping is required.



Basketball Standard Installation Specifications:

All proposed basketball standard installations must be submitted to and approved by the ARB prior to installation.

The only type of basketball standard approved for Brightwater includes a backboard made of clear acrylic in a rectangular or fan shape. Only black metal poles are allowed and must be installed in a location based on one of the following: 1) at a minimum of 15 feet from the lot side of the public sidewalk and along the outside edge of your driveway or 2) rear yard installations may be approved on a case-by-case basis. The backboard may be installed directly on the face of the garage above the garage door on side-load garages only. No other front yard and no side yard locations will be allowed. Portable basketball standards are allowed but must meet the same color and location standards as permanently installed standards.

Note: Clear backboards and black poles tend to blend into their surroundings and are less noticeable, providing a neat, uniform appearance throughout the entire community.

Section Five: Other Standards

Information Needed with Submittals

One copy of a final survey must be submitted with your house footprint indicating the exact location of the proposed play equipment or basketball standard on your lot. Also identify any nearby flowers or bushes on neighboring lots which could be impacted by your installation and identify how you will protect them.

Submit the complete details of your proposed basketball standard including photographs or catalog cut sheets of the exact make and model you propose to install.

Temporary Storage Containers

PODS and other temporary storage containers are allowed subject to the following conditions:

- a.) There must be only one storage container at a residence at any time.
- b.) The storage container must not be placed on the sidewalk or on any roadway.
- c.) Containers may not remain at a residence longer than ten days.

Tennis Courts

Tennis courts are not allowed on residential homesites.

Section Six: Brightwater Neighborhoods

BRIGHTWATER NEIGHBORHOOD MAP

Section Six: Brightwater Neighborhoods

LOT LAYOUT & SETBACK REQUIREMENTS

STRUCTURE MINIMUM SETBACKS

NEIGHBORHOOD	FRONT SETBACK TO HOME	FRONT SETBACK TO GARAGE	SIDE SETBACKS	SIDE YARD SETBACK FOR CORNER LOT	REAR SETBACK
All single-family home neighborhoods	12'	20'	5'	5'	20'

Notwithstanding the above minimums, front setbacks from road R.O.W.'s should be staggered to provide variety and create a less regimented and monotonous streetscape.

POOL/ENCLOSURE SETBACKS

NEIGHBORHOOD	SIDE SETBACK	REAR SETBACK
All single-family home neighborhoods	Must match the structure	5'

Section Six: Brightwater Neighborhoods

MINIMUM SQUARE FOOTAGE

Square footage is limited to heated and air-conditioned space, exclusive of porches, garages, and decks. Housing units shall have the following minimum and maximum square footage requirements:

LOT SIZE	MINIMUM SQUARE FOOTAGE	MAXIMUM SQUARE FOOTAGE
50'	1,700 square feet	2,700 square feet
60'	2,400 square feet	3,200 square feet
70'	2,800 square feet	6,000 square feet

Notwithstanding the above limits, the Master Developer reserves the right to adjust the allowable square footage by up to 200 square feet for each lot size on a case-by-case basis.

The Developer also reserves the right to further adjust the allowable square footage limits, including eliminating any square footage requirements, for any neighborhoods that are determined to be distinctly different from the traditional product being offered elsewhere in Brightwater. Examples of neighborhoods that could be considered distinct in this regard include those with any of the following characteristics:

- Gated
- Maintenance free
- Separate homeowners' association
- Upgraded architectural requirements such as tile roofs or stone exteriors
- Attached product
- Consumer targeted product

Section Six: Brightwater Neighborhoods

TREE REQUIREMENTS

Street Trees - Each Builder shall submit a master street tree plan for the applicable neighborhood for approval by the ARB. See **SECTION FOUR: LANDSCAPE STANDARDS**, for additional requirements and specifications for street trees.

Canopy Trees and Understory Trees - Within the Brightwater neighborhoods, there are minimum requirements for canopy trees and under-story trees on each lot.

LOT SIZE	CANOPY TREE REQUIREMENT	UNDERSTORY TREE REQUIREMENT
55'	Two	One
65'	Two	One
75'	Three	One

Palms may count toward the requirements at the ratio of three (3) palms (10' clear trunk) grouped together per one (1) canopy tree. Additional palms may be planted on-site, however, they will not count towards meeting the canopy tree requirement.

Existing trees may count toward meeting the minimum requirements.

Street trees along roadway DO NOT count toward meeting the minimum requirements.

Minimum size for canopy trees is 4-inch caliper, 14-foot to 16-foot height (minimum) by 6-foot to 7-foot spread (minimum) with a full canopy and straight trunk. Under-story trees shall be 10 feet to 12 feet in height by 5-foot to 6-foot spread typical, however smaller accent trees may be approved by the ARB upon review of the Landscape Plan. Trees shall be measured for caliper size six inches (6") above finished grade.

See **SECTION FOUR: LANDSCAPE STANDARDS**, for additional tree specifications.

Exhibit A

ANTENNA & SATELLITE DISH SPECIFICATIONS

The following guidelines are being promulgated by the ARB pursuant to the Brightwater Homeowners Association's Declaration of Covenants, Conditions and Restrictions with respect to the installation of satellite and microwave dish antennas ("dishes") in Brightwater.

The following provisions will control the installation of all satellite dish and microwave antennas in Brightwater. To avoid confusion, homeowners shall submit plans for all proposed satellite dish installations to the ARB for review, prior to installation. All other exterior radio and television antennas are prohibited.

SITING:

1. No more than one dish shall be installed on any Lot.
2. The maximum dish diameter shall be one meter or less with 18" being the preferred size.
3. If a home is situated so that signals cannot be received by a dish placed in one of the preferred locations described below, the ARB will consider suggestions from the homeowner for alternate locations.
4. Preferred Installation Locations:
 - 4.1. Dishes shall be installed only in rear or side yard areas.
 - 4.2. Dishes shall not be located within a front yard on any Lot, nor mounted to the front wall of any home, nor located within screen planting easements on any Lot.
 - 4.3. Dishes shall not be mounted on the roof or second story of any home unless in the written opinion of the satellite dish installing company, the resident may not receive the desired reception in any other first floor location.
 - 4.4. Dishes shall be located so as not to be visible from the front street and, on corner lots, the side street.
 - 4.5. Dishes shall be mounted only as follows:
 - 4.5.1. On the rear wall of the house at or below the top line of the tallest first floor window but in no event more than ten feet above grade, measured from the top of the dish (dishes over 18" must be no more than 4' above grade) or

Exhibit A

- 4.5.2. On the side of the house, no more than 4' above grade as measured from top of dish to grade, no more than 2' from the house and be screened from all adjacent properties and streets **or**
- 4.5.3. On a deck or a patio located in a rear or side yard not more than four feet above the deck or patio floor but in no event more than 10' above grade (measured from the top of the dish).
- 4.6. Dishes may be freestanding in the side yard but shall not be more than four feet above grade (measured from top of dish to grade). Side yard dishes shall be adequately screened from the front street, side street and neighboring houses.
- 5. Color: To minimize visibility, dishes shall be a color that closely matches the field color of the residence located on the lot. Neutral colors such as gray, beige or off-white are preferred.

SUBMISSION PACKAGES SHOULD INCLUDE:

- 1. If possible, please submit a fully dimensioned and drawn-to-scale layout of the contemplated installation on a final survey of the Lot which also shows:
 - 1.1. Distances between the dish and all property lines.
 - 1.2. If mounted on a deck or patio, dimensions of the deck or patio indicating the exact dish location, height above grade and distances to the edge of deck or patio.
 - 1.3. If freestanding, the location of the dish and screening specifying the total height of the installation from grade to top of dish and distance to the residence and any other structures located on the Lot.
- 2. Elevation drawings for the dish as it will be installed showing the diameter and total maximum height of the proposed dish and its mounting standard on home, on deck or patio, or if freestanding, its distance above grade.
- 3. If mounted on rear or side of the residence, the elevation of residence should be shown indicating the location of the dish installation including the height above grade and distances to the corners of the house.
- 4. Submittal should be accompanied by the completed Modifications Submittal Form. You will receive a written notification of the ARB's review comments.

Exhibit A

NOTE: The foregoing requirements are established to assure the safest possible location and operation of satellite dishes within Brightwater while preserving and enhancing reasonable and consistent aesthetic standards. To the extent that any of the foregoing requirements and guidelines are found to be invalid or unenforceable, pursuant to current or future Federal Communications Commission (FCC) laws or regulations, such finding shall not affect the other provisions hereof and these regulations and guidelines shall be construed as if such invalid or unenforceable provisions had never been contained herein.

Exhibit B

Architectural Request

To submit an architectural request, visit:

<https://office.smartwebs.com/Arc/SWForms/index.cshtml#/forms/a7cb5492-6893-ec11-8122-000c2903e046>

At the bottom of the page select Begin Application and follow the prompted directions to complete, then select Submit Application. Once processed, you will get a confirmation email.

You will receive continued communication, via email, as your request is reviewed.

If you have trouble access the link, please contact your community management company at:

Brightwater@BreezeHome.com

Exhibit C

Fence Specifications

The approved privacy fence standard for all Brightwater neighborhoods is solid-wall almond color PVC fence. Both fencing types shall be constructed from high-quality materials, stabilizers, and modifiers throughout the entire extruded profile. No PVC co-extrusions or vinyl-clad wood products will be permitted. The approved containment fence is 48" high with straight pickets. To submit an architectural request,

All fences must be approved by the ARB.

**SEE SKETCH OF APPROVED FENCING TYPES
ON THE FOLLOWING PAGE**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXHIBIT C

PVC ALMOND WITH TRADITIONAL POST CAPS:

ALMOND PVC FENCE OPEN STYLE



APPROVED PRIVACY FENCE



EXHIBIT C

APPROVED OPEN STYLE CONTAINMENT FENCE

The 3-channel aluminum fence below is the approved alternate forty-eight inch (48") high containment fence that may be allowed. This style has straight pickets with traditional-style post caps.

- a. Pickets shall be 5/8" x 5/8" space 3 7/8" apart.
- b. Channels shall be 1" x 1"
- c. Posts shall be 2" x 2" on 72" centers.

