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Architectural Control Criteria

As approved by the Cascades Architectural Control Board and updated from time to time.

ANY AND ALL RULES WRITTEN IN THE FOLLOWING SECTIONS APPLY EQUALLY TO ALL OTHER SECTIONS WHERE APPLICABLE.

For matters not specifically addressed or identified as pertaining to the prohibitions of the Community-Wide Standards (published in the Declaration and the Architectural Control Criteria), the Board of Directors shall have the final judgment whether an unprecedented request qualifies as being in compliance with the Community-Wide Standards.

For any homeowner request submitted for review, once approved, the owners shall have 120 days to complete the exterior change. The approval for any work not completed by this time shall expire and the owner would be required to resubmit the request for renewed approval.

Landscaping

CALL BEFORE YOU DIG 1-800-432-4770

Planting of Annual Flowers in original or approved beds does not require approval of the Architectural Control Board.

Landscaping borders shall be made only of masonry material. The border shall be installed and maintained in a straight or curved line, plum and level or plum and parallel to the ground that it lays on. The height of the border shall not exceed its width as measured from and at ground level. The color shall closely match the color of the pavers in the driveway. The border shall not interfere with the drainage and continuous connection of borders between lots is prohibited. Curbing around trees if on the lot line shall have a 6" space in the curbing provided on the lot line to allow for drainage. A sample of the border material may be submitted with the request. In no case shall borders or stepping stones be placed closer than 12" from the lot line.

Relocation or additions to the irrigation system for landscaping purposes must be done by the Association irrigation contractor. All costs are the responsibility of the homeowner. Under no circumstances shall concrete be poured over the irrigation lines.

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The following trees and or plants shall not be planted in the Cascades: citrus, banana, plantain, pecan, walnut, apples, peach, pear, avocado, kiwi and guava trees. This list will be added to as need dictates.

Plant species should be drought tolerant and capable of thriving in high pH soil. No plants on the invasive species list will be approved.

No work may be started until approval is given.

The proposal must be submitted with a house plot plan showing the changes.

Mulch shall be wood chips, bark chips or other natural products. Rock or stones shall be in the color tones of brown, red or color similar to driveway pavers. Mulch, rock or stones shall not be white, off white or grey. Rock or stones shall not be less than one half inch in size. A sample may be required.

Drainage projects shall be done by a licensed, bonded and insured contractor experienced in drainage projects and give references of their work in drainage work and proof of insurance. This contractor must work and coordinate with our irrigation contractor thru out the job. Any and all changes to the Cascades irrigation system shall be done by our irrigation contractor or a licensed irrigation contractor. All excavation trenches must be left open for inspection and approval by the Cascades irrigation contractor. Drawings of proposed work shall be submitted with the request. In no case shall the drainage water be diverted directly to the lakes. All trenches shall be covered with sod. All costs shall be the responsibility of the homeowner including the costs of the Cascades irrigation contractor. The homeowner shall submit with their request a letter from the Cascades irrigation contractor showing an agreement between the homeowner and the Cascades irrigation contractor for the work to be done. If the work done proves to be creating a standing water problem to their neighbor or common ground the homeowner shall be responsible for all costs to correct this created problem.

Sabal palms and queen palms shall not be replaced without review and recommendation by the Landscape Committee. Sabal palms and queen palms remain as the signature plants of the Cascades. Replacement of sabal palms and queen palms with foxtails is acceptable with a minimum of size restrictions or 25 gallon, 10-12 feet in height. The Association is responsible for their maintenance. Exceptions are permitted for those palms that die due to gana derma and other fungal diseases.

Large Rocks: if installation of large rocks damages the irrigation system, the owner will be responsible for costs associated with the repair and for relocation.

87 No tree shall be planted closer to the curb of the street than the trees that were
88 planted by Levitt or Levitt's subcontractor as determined within each series of
89 homes.

90
91 Any homeowners ACB request to remove a hard wood tree and replace it with
92 another species must be accompanied with written approval by the Division of
93 Environmental Sciences of Lee County following the owner's submission of a
94 Vegetation Removal Permit Application. These forms can be obtained from the
95 Property Manager. The tree in question must be replaced by another hard wood
96 tree as per the Division of Environmental Sciences of Lee County's rules. If the tree
97 that is removed is in the front yard the replacement tree must be installed in the
98 front yard. If the tree that is removed is in the back yard the replacement tree must
99 be planted in the back yard. This is to insure that the original neighborhood visual
100 appearance that was intended by the Landscape Architect is maintained. The
101 homeowner will be responsible for all costs associated with the removal,
102 replacement and permit fees.

103 Any request to plant or relocate a hardwood tree must be accompanied by a written
104 letter from a licensed arborist that approves the new location. Chris Erickson of
105 Horizons Tree Service tel. 239-462-2816 has agreed to provide this service at no
106 charge or use a licensed Arborist of your own choosing. If the tree is that is to be
107 relocated is in the front yard and the Arborist states that it should not be planted in
108 the front yard then the tree will be allowed to be planted in another part of your lot
109 within your lot lines.

110
111 No plantings are to be placed closer than 18" from the homeowner's lot line that
112 runs between homes except around air conditioners or pool equipment.

113
114 Temporary planting containers or potted plants are allowed inside the original
115 Levitt planting beds, along the walkway to the front door and under the coach
116 lights. Figurines, garden statues, and bird baths are only permitted in the original
117 Levitt installed planting beds. Bird feeders are not permitted at all.

118
119 No artificial flowers, shrubs or trees are allowed in areas that are visible from the
120 Cascades streets.

121
122 If the neighbor's property is to be used for access to perform the work a "Limited
123 Access Agreement" shall be completed and included with the request to make the
124 change. A copy of this agreement form is included on the last page of the application
125 forms.

126 127 Gardens

128
129 CALL BEFORE YOU DIG 1-800-432-4770

131 Any garden planting must be on the homeowner's lot in a location not visible from
132 the street. Garden planting on common areas is not permitted.

133
134 Landscaping rule of no planting closer than 18" from the homeowner's lot line
135 applies.

136
137 A plot plan and drawing should be submitted with the ACB application for a
138 garden, complete with a list of plants to be planted. (Tomatoes, herbs, peppers, etc.)

139
140 Garden plantings are the sole responsibility of the homeowner. The HOA will not
141 trim, clean up or treat for insects. If the homeowner later decides they do not want
142 a garden, they are responsible for clean up and restoring the plot to original yard
143 condition.

144
145 No compost piles are allowed on homeowner's property.

146
147 **Lanai , Cage, Building Extensions, Pools, Front Entrance Enclosures or**
148 **Driveway alterations**

149
150 Any addition to the existing building or enclosure of any part or all of an existing
151 lanai shall be constructed as follows. All windows, sliding doors, screening,
152 swimming pool enclosures, lanai additions or extensions shall be built of material
153 and color to match the Levitt installed windows including the glass or screens. Use
154 of any plastic, fiberglass, plexiglas or similar product is prohibited. Any knee walls
155 or walls shall be constructed of concrete block, stucco covered, and painted to match
156 the existing outside walls or shall be framed, sheeted, stucco covered, and painted to
157 match the existing outside walls. Any roof shall be constructed of the same material,
158 style and color to match the Levitt installed roofing. Only white frames are
159 permitted for windows and screening. All requests shall include a plot plan and
160 elevation drawings in full detail.

161
162 Under no circumstances shall concrete be poured over or pavers placed over
163 irrigation lines for lanai, patio room additions or cage extensions. Relocation of or
164 removal of irrigation lines and sprinkler heads must be done by a licensed and
165 insured contractor. Before backfilling work shall be inspected by the association's
166 irrigation contractor. The inspection fee is \$60.00/hr as of June 2009 and subject to
167 change. All costs are the responsibility of the homeowner. Homeowners who use an
168 irrigation company other than the Association contractor must provide a copy of the
169 companies Florida license and insurance when submitting their request.

170
171 The homeowner or their contractor is responsible for acquiring permits.

172
173 The request must be submitted with a house plot plan and elevation drawings
174 showing the changes.

175

176 Any front screen enclosure shall be without knee walls or glass and consist of
177 framing and screening designed to match the Levitt-installed framing and
178 screening. Enclosure shall not extend beyond the existing tile roof line. White
179 colored aluminum (not bronze) shall be used for the frame.

180

181 For lanai enclosures, only glass or impact glass is acceptable; plastic, plexiglas,
182 fiberglass or similar product are not permitted.

183

184 All requests for the installation of a pool must include a plot plan showing all
185 dimensions, plumbing, electric wiring, construction detail of the pool, pool deck
186 material and detail of the construction of the pool deck. All requests must include a
187 copy of the Florida license and insurance of the installing contractor and their sub-
188 contractors if any. Pools must be in-ground construction. Hot tubs or spas may be
189 in-ground or above ground within the boundaries of the cage. Pool equipment
190 should be located between houses adjacent to stucco walls and not by the neighbor's
191 lanai.

192

193 All alterations to the driveway such as widening shall be done with pavers that in all
194 ways exactly match the existing driveway pavers. If the alteration is to widen the
195 driveway the existing border must be relocated to the outside of the widened area
196 and the space left between the newly relocated boarder and the existing pavers must
197 be filled with new pavers to produce an exact look of the existing paver layout.
198 Proper subsurface material must be properly installed and cement installed on the
199 outside of the border. All irrigation equipment must be relocated by a licensed
200 irrigation contractor and be inspected by the Cascades irrigation contractor. A
201 drawing showing all dimensions must be included with the request to change the
202 driveway. No driveway shall be widened wider that the width of the garage.

203

204 If the neighbor's property is to be used for access to perform the work a "Limited
205 Access Agreement" shall be completed and included with the request to make the
206 change. A copy of this agreement form is included on the last page of the application
207 forms.

208

209 Hurricane Shutters

210

211 The following are the only types of storm shutters that have been authorized for or
212 permitted on some or all location on the houses in the Cascades; (1) steel or
213 aluminum panels or any type of storm shutters provided by the Developer at the
214 time of the purchase of the house; (2) accordion shutters approved by the ACB; (3)
215 roll-down shutters approved by the ACB; and (4) clear storm panels approved by
216 the ACB. In no case can Plexiglas , plastic, fiberglass, non-stuccoed wood or sheet
217 metal be permanently installed to fill in the voids where the shutters do not cover.

218

219 All shutters on any given elevation shall be of the same color except for a clear type
220 hurricane shutter that is custom fitted covering the transom area above the doors.

221
222 **Shutter selection is the responsibility and choice of the homeowner subject to**
223 **approval by the ACB. Approval by the ACB does not constitute endorsement of**
224 **warranty or guarantee regarding the effectiveness of the shutters for prevention or**
225 **reduction of storm damage.**

226
227 **Application must include a copy of the contract with the installer. Contract should**
228 **include detail about shutter size, color and locations on the home.**

229
230 **Homeowner or their contractor is responsible for acquiring permits.**

231
232 **If the neighbor's property is to be used for access to perform the work a "Limited**
233 **Access Agreement" shall be completed and included with the request to make the**
234 **change. A copy of this agreement form is included on the last page of the application**
235 **forms.**

236 237 **Satellite Dish**

238
239 **Diameter of the dish is 36" maximum and should be muted color such as gray.**

240
241 **Dish shall not be installed on the front or front half of the sides of the house unless**
242 **demonstrated that the front half or front of the house is the only site where**
243 **reception can be achieved.**

244
245 **Homeowner or their contractor is responsible for acquiring permits.**

246 247 **House Painting**

248
249 **"The original color schemes that the developer used for all the homes in the**
250 **Cascades and any repainting of the exterior or all the homes in the Cascades must**
251 **be done in accordance with the original colors as applied by Levitt"(2/19/2008)P,**
252 **became the first part of Architectural Control Criteria approved by the Board of**
253 **Directors for the Cascades who served as the Architectural Control Board at that**
254 **time (an Architectural Control Board was created in June 2008). Because there are**
255 **houses in the Cascades that were originally painted either**

- 256 **1) As per the documentation of colors that the original owner bought.**
257 **2) A different color than the documentation but within the color schemes that**
258 **the developer allowed.**
259 **3) As per the documentation colors or a different color scheme within the color**
260 **scheme allowed but with a third color for the garage door and/or front**
261 **entrance door.**

262
263
264 **The present owner shall be allowed to repaint their house the color that was on the**
265 **documentation that Levitt gave them or if the color that Levitt painted was different**

266 than the Levitt documentation, they can paint their house the actual color that
267 Levitt applied. If a third color was painted on the garage door and/or the front
268 entrance door these would be allowed to remain that third color or painted the color
269 as per the Levitt color schemes. No exceptions.

270

271 For any owner considering repainting the exterior of their home an ACB form must
272 be submitted.

273

274 Finish may be flat, satin or any finish in between for painting the exterior which
275 includes the main trim and accent. Entrance doors and garage door may be satin or
276 semi-gloss finish.

277

278 House numbers, like the mailboxes, shall remain in the same size, color and material
279 as originally installed by the developer.

280

281 Homeowner or their contractor is responsible for acquiring permits.

282

283 Paint must be applied by a brush or roller. If the paint is applied by a licensed and
284 insured painting contractor an airless sprayer may be permitted. A copy of the
285 painting contractor's license and insurance must be submitted with the
286 homeowner's request to paint the exterior. If copies of the license and insurance are
287 not submitted spraying is not approved. A copy of the contract shall be attached to
288 all homeowner requests.

289

290 Exterior of Home

291

292 Gutters being added to any home on a lake must be designed in such a way to divert
293 all storm water to the front (street side) of the home in order to prevent further lake
294 bank erosion.

295

296 Any home's surface façade that faces the street shall be void of decorative items.
297 This applies to front and side for corner lots.

298

299 Wall décor on the exterior of homes shall be restricted so that no façade parallel to
300 the street shall be used for wall décor and no facades between homes. Exceptions
301 will be permitted for trellises or lattices that support plant life.

302

303 Any screening on garage doors is prohibited (pursuant to the Board of Directors
304 motion on 12/12/06).

305

306 Barricades: defined as a chain, rope, tape or any other device (metal, wood or
307 plastic) cannot be used to block access to a homeowner's driveway. The only
308 exception would be in the event when driveway pavers are newly sealed. The
309 barricade can be used temporarily to prevent driving on wet pavers.

310

311 No temporary or permanent items such as planting containers or statues may be
312 placed on homeowner's driveways. Only licensed motor vehicles, golf carts or
313 handicapped mobility scooters may be parked in driveways.

314
315 House numbers, like the mailboxes, shall remain in the same size, color and material
316 as originally installed by the developer

317
318 **Other**

319
320 No A/C units may be installed through the wall or in any window.

321
322 For any requests for installation of solar heating panels, please provide a copy of the
323 proposal/contract showing the dimensions and location(s) and layout of the
324 installation.

325
326 Requests to change front exterior light fixtures shall be accompanied by a picture or
327 manufacture cut sheet giving maximum wattage. No spot lights, HID, sodium vapor
328 or yard lights are allowed.

329
330 **Installation of propane tanks** shall comply with the specifications of the National
331 Fire Protection Association- NFPA 58, Appendix 1. This will require all tanks to be
332 a minimum of 10 feet from a source of ignition i.e. air conditioners, pool electrical
333 equipment, driveways, patios and lanais. All tanks that are 125 to 500 gallons shall
334 be located a minimum of 10 feet from any house or part thereof. All tanks that are
335 larger than 1200 gallons must be located 25 feet minimum from any house or part
336 thereof. The owner of the tank must submit with their request a letter from their
337 next door neighbors stating they have been informed so that the neighbor can call
338 their insurance company to determine if this presents a problem with their
339 insurance company i.e. increase in premium or loss of coverage. In any event the
340 installation must not present an eye sore for the community and shall have a
341 containment wall around it as laid out in the documents and built to NFPA
342 standards. The above rule does not apply to outdoor BBQ grills that use small tanks
343 i.e. 20lbs and 30 lbs.

344
345 **Installation of any permanent generator** shall not be installed adjacent to a
346 neighbor's lanai or present an eyesore.

347
348 **All installations of audio or visual alarms** on any residence shall be connected to a
349 monitored alarm system that if unanswered will create a Sheriff visit to investigate
350 the cause.

351
352 **All installations of lighting between houses** that are motion sensor controlled shall
353 be maintained to prevent false on off cycles that create a nuisance to their neighbor.
354

355 **All installations of cameras mounted outside of any home must receive ACB**
356 **approval. The request must show all cameras, their viewing area and location**
357 **dimensions. No camera shall be viewing a neighbor's bedroom window, lanai, front**
358 **entrance, driveway or bathroom window. The requesting homeowner must be**
359 **present during the ACB meeting that is considering for approval their request for**
360 **camera installation**

361

362

363 **Flags-USA and State of Florida approved types Flag Poles and Home**
364 **Structure Mounted Flags.**

365

366 **Any homeowner may erect a freestanding flagpole, ground supported, on any**
367 **portion of the homeowner's real property. The flagpole shall not be more than 20**
368 **feet high and not obstruct sightlines at intersections. It shall not be erected within**
369 **or upon an easement.**

370

371 **The flagpole should be made of steel or aluminum material and have silver or**
372 **brushed silver/aluminum finish. Footings for the flagpole should comply with the**
373 **flagpole manufactures structural recommendations and not be visible above the**
374 **surrounding grade.**

375

376 **The homeowner may display in a respectful manner from the flagpole, one official**
377 **United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display**
378 **one official flag of the State of Florida or the United States Army, Navy, Air Force,**
379 **Marines Corps, Coast Guard or a POW-MIA flag. Each additional flag must be**
380 **equal in size to or smaller than the United States Flag.**

381

382 **Any homeowner may mount hardware on their main home structure to display one**
383 **portable, removable United States flag, United States Army, Navy, Air Force,**
384 **Marine Corp, Coast Guard or a POW-MIA flag not larger than 4 ½ feet by 6 feet, in**
385 **a respectful manner.**

386

387 **The request for installing flags or flag poles must be submitted with a house plot**
388 **showing location. Homeowner is responsible for all structural installations.**
389 **Flagpole footing maintenance and flagpole maintenance is the homeowner's**
390 **responsibility.**

391

392

393

394 **Other Flags, Banners and Pennants**

395

396 **Homeowners may display one portable, removable flag, banner or pennant, not**
397 **larger than 4 ½ feet by 6 feet, representing schools or sports teams. These flags,**
398 **banners or pennants shall only be displayed for 24 hours surrounding a sporting or**
399 **school event. Mounting hardware for these portable flags, banners and pennants**

400 can be attached to the main home structure or if less than 4 ½ square feet in size
401 placed in the original Levitt planting bed.

402

403 **Banners and pennants other than for sport teams or schools, mounted on metal,**
404 **plastic or wooden supports and placed in the homeowners yards, shall be restricted**
405 **to the homeowners original Levitt installed planting beds These banners and**
406 **pennants shall be no more than 4 1/2 square feet and be removable.**

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