

Paloma Community Association
Application for approval to lease
 c/o Vesta Property Services
 27180 Bay Landing Drive, Suite 4
 Bonita Springs, FL 34135
 Phone: 239-947-4552 Fax: 239-495-1518

Term of Lease _____ to _____	
Owner Name _____	
Address _____	
Owner's Cell Phone _____	Daytime Phone _____ E-mail _____
Signature of Owner: _____ Date _____	

APPLICANT IS AN ACTIVE MEMBER OF THE UNITED STATES ARMED FORCES? ____ YES ____ NO

Name of Primary Applicant: _____

Please list all occupants over the age of 18 below:

(2) _____ (3) _____
 (4) _____ (5) _____

Current Address _____

City _____ State _____ Zip _____

Contact Phone Numbers: _____

Email Address: _____

Vehicle Make/Model: _____ YR _____ Color _____ Lic # _____

Vehicle Make/Model: _____ YR _____ Color _____ Lic # _____

Vehicle Make/Model: _____ YR _____ Color _____ Lic # _____

No lease shall be for a term of less than ninety (90) days. No home may be leased more than four (4) times in any calendar year unless otherwise approved by the association in the case of hardship.

NOTE: Homeowners are required to provide one or two proximity cards for their tenant's use. Tenants are not permitted to obtain their own proximity cards. Tenants may purchase RFID gate stickers for their vehicles if they would like to use the Resident lane at the front gate. Stickers are \$30 each, and tenants may contact PalomaGateStickers@gmail.com to make arrangements to obtain stickers.

**Paloma Community Association
Application for approval to lease**

A copy of the lease agreement, signed "Rules and Regulations to be followed by all Renters" and checks or money orders in the amount of \$100.00 (application fee) made payable to Paloma Community Association **MUST** be attached to this application and sent to the Association c/o Vesta Property Services, 27180 Bay Landing Drive, Suite 4, Bonita Springs, FL 34135. Phone: 239-947-4552 Fax: 239-495-1518. Approval will not be granted if application is incomplete.

The information described above must be submitted at least twenty (20) days prior to the intended closing date or starting lease date.

I/We declare the foregoing information to be true and correct. I/We understand the application fee is non-refundable. I/We am/are aware of and agree to abide by the Declaration of Covenants, Conditions, and Restrictions of the Association and acknowledge that the association may terminate a lease upon default by the tenant in observing any of the provisions in the documents. I/We acknowledge receipt of a copy of the Rules and Regulations. I/We understand the necessary confidential information will remain confidential by the association's officers and/or the association's designee.

AUTHORIZATION: I/We hereby authorize Vesta Property Services and/or Paloma Community Association to verify all information contained on the application

Date _____ Applicant Signature: _____

Co-applicant Signature: _____

Applicant do not write below this line

Application Approved By: _____ Date _____

Application Disapproved By: _____ Date _____

Application completed: Yes () No () Application Fees Submitted: Yes () No: () Check# _____

Lease attached _____

Information verification completed by: _____

Resident Registration Form

☐ New ☐ Update ☐ Delete

Community Name: **Paloma – Bonita Springs**

Owner / Tenant Name: ☐ Owner ☐ Tenant

Owner / Tenant Name: ☐ Owner ☐ Tenant

Rental Term: Start Date: End Date:

Primary Phone: Alternate Phone:

Community Street Address:

Email Address:

VEHICLE INFORMATION:

FOR PALOMA HOA USE:

COLOR	MAKE	MODEL	STATE	PLATE #	STICKER #	DATE ACTIVE	DATE DISABLED

Gated Communities with an Envera Virtual Gate Guard Kiosk:

Once your form has been processed, a MyEnvera account will be created for you. Your username and password will then be emailed (if provided) or mailed to you. It is required for you to access your account online at www.myenvera.com or through our Smartphone App (available on both Android and iPhone). The Help section will explain the essentials of the system and how you may interact with it. In addition to MyEnvera, you may also schedule guests over the phone by calling Customer Service at (877) 936-8372.

**** Residents of Paloma – Bonita Springs should refer to the “Entrance Gate” section on www.palomafl.com for more information about Paloma’s gate system (eg. how to register your guests and deliveries) and policies for the Gate Stickers assigned to residents’ vehicles.**

FOR PALOMA HOA USE:	PROXIMITY CARD #S:

The information above will remain confidential and will be used solely for the purpose stated. It is the responsibility of the resident to keep the above information current. Please advise us with any changes, additions or deletions by logging on to your account at www.myenvera.com, or by calling our office (877) 936-8372, by fax (941) 556-0737, or by emailing customerservice@enverasystems.com.

FOR ENVERA USE ONLY:		Credential Type:		(F)ob	(S)ticker	(C)ard	(MT)Metal Tag
#1	()	#2	()	#3	()	#4	()

Paloma Community Association

Architectural Control Committee (“ACC”) Guidelines and

Community Rules and Restrictions (revised as of February 2021)

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*Applies only to single family and villa homes; carriage home owners are not permitted to make such changes or is a limited common element or common element of Paloma Grande Association.

Section 1 - GENERAL NOTES

This manual has been adopted for the purpose of establishing general guidelines for the community and does not supersede or replace the Association's governing documents or Federal, state or local laws, codes, ordinances, rules or regulations.

This manual is subject to amendment from time to time. Also, because of changing circumstances, technologies and/or legislation, matters prohibited or approved in the past may not necessarily be prohibited or approved in the future.

While this manual is intended to establish consistency of appearance within the community, it should be remembered that because of factors such as location, neighborhood characteristics and proximity to common areas, lakes, roads and the like, various properties may be treated differently in order to reflect such factors.

The provisions in this manual will be effective upon ratification by the HOA Board.

Section 1.1 - NON ACC RELATED ITEMS —*items not requiring ACC notification or approval (single family and villa homes only)*

- A. General repairs to roofs, driveways and exterior facades when using materials matching those existing to put the exterior back to original construction or ACC-approved appearance.
- B. Replacing or changing small bushes, perennials and plants that occur within an existing planting bed of less than 1-5 plantings from the Plant Selection Guide are not considered a landscaping change and does not require ACC approval.
- C. Commercially manufactured hose reels and hose hangers. If mounted on the exterior wall of the home these must be on a side or rear wall of the home-cannot be mounted on the front wall of the home.

Section 2 - ACC PROCESS

- A. Requests for architectural changes and modifications are to be documented on the Paloma Community Association ACC Committee Application and Approval Form ("ACC Application Form"). The form is available on the community website (www.palomafll.com).
- B. The ACC will generally meet on the third Wednesday of the month, but may change the date as necessary at the call of the Chairperson, to carry out its duties and functions.
- C. The ACC will meet with similar formalities and notice requirements as required for HOA Board meetings, unless otherwise permitted by law. Notice of meetings should be posted 48 hours in advance at the Amenity Center and on the community website. Any owner wishing to appear before the ACC may do so. These meetings will be open to all owners.
- D. All complete requests requiring ACC approval must be submitted to the ACC no later than seven (7) days prior to the next scheduled ACC meeting in order for the members to adequately review

the request and assess the need for additional information or clarification. Requests received later than the seven (7) days may be deferred to the next subsequent meeting.

- E. As may be necessary, a member or members of the ACC may review the requests to identify requests that may need more information or a site visit for clarification, in order to verify that the request is in compliance with the guidelines. Any forms considered incomplete, or where additional information is required, is the sole discretion of the ACC; any additional information requests will be submitted to the applicant within four (4) days of the meeting date.
- F. The ACC may, at its discretion, defer consideration of requests which are not complete in the initial submittal or which require further information.
- G. A security deposit may be required as determined by the ACC to ensure compliance with the proposed upgrade.
- H. Records of all ACC Application Forms will be kept under ACC control and maintained by the property manager. The following is a suggested set of steps owners should take in preparing an application for consideration:
 - 1. Planning: If deemed appropriate by the owner, the owner should secure the services of an architect, designer, landscaper, contractor or other expert to accomplish the changes desired. Seeking professional advice on the work to be done is left to the discretion of the owner. The ACC may require that certain types of requests can only be reviewed by the ACC if supporting materials from an appropriate professional have been provided. The owner, with or without the assistance of a professional, may be required to outline a plan or concept for the changes and obtain a written design plan for such changes.
 - 2. Preliminary Review: Sometimes it may be advisable to schedule a preliminary review of the owner's conceptual ideas and drawings with a member or members of the ACC. While not required, if the owner would like to review the proposed plans with an ACC member or members prior to a formal submittal, he or she may do so by contacting the property manager to set up a time to meet.
 - 3. Final Review: As part of the ACC Application Form, the owner must include all applicable full working drawings, site improvement plans, site grading and landscape plans. No work may be started until approval is received from the ACC. All changes must begin within six (6) months of the final ACC approval and shall be completed in a most expeditious timeframe as determined by the ACC.
 - 4. The property manager will provide via email, US Mail or hand delivery, a copy of the ACC Application Form to the applicant with the notation of either approval or denial (with comments, if necessary). The applicant will generally have three alternatives if the ACC denies a request: (i) accept the decision; (ii) modify the application to comply with the reasons for the denial; or (iii) appeal the decision, in writing, to the HOA Board within thirty (30) days of the date of the ACC's decision.
 - 5. As stated in the Association's governing documents, no approval hereunder shall constitute a warranty or approval as to, and neither the Association nor any member or representative thereof shall be liable for, the safety, soundness, workmanship, materials or usefulness for any purpose of any improvement or alteration nor as to its compliance with governmental or industry codes or standards.
 - 6. All necessary permits and compliance with all Federal, state and local ordinances are the responsibility of the owner.

7. Any changes from the original request should be submitted to the ACC for approval prior to implementing the change.
8. The HOA Board, the ACC and the property manager reserve the right to inspect the project to ensure requests/changes are being implemented to specifications. The owner may be responsible for modifications or removal of the changes should there be non-compliance with the approved ACC Application Form; any such modifications will be at the owner's expense.
9. ENFORCEMENT - Any decisions of the ACC shall be enforced by the HOA Board. Follow-up visits may be made to ensure that the work complies with that which was approved by the ACC. Failure by the owner or occupant to follow the approved ACC Application Form may result in a letter to the owner informing him/her of the situation and actions necessary to bring the work into accordance with ACC guidelines. The HOA Board has the right to pursue other remedies, including fines, liens, etc., and the HOA may move to immediate enforcement without an opportunity to cure depending on the facts and circumstances of each violation.

Section 2.1 - Disclaimer –The HOA and the ACC do not assume liability for the following

- A. The structural adequacy, capacity or safety features of the proposed improvement or variance.
- B. Soil erosion or incompatible or unstable soil conditions.
- C. Acquiring necessary permits from state and local authorities, and compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
- D. Performance or quality of work of any contractor or subcontractor.
- E. Hazardous waste compliance.
- F. Items not under the purview of the ACC or the HOA.

Section 3 - Air Conditioners

- A. Window units are not permitted.

Section 4 - Amenity Center

A. Club House

1. Reservation form is required for all private events and functions. See The Paloma Clubhouse Reservation Form for terms and conditions. The form is available on the community website (www.palomafll.com).
2. Supplies (paper plates, cups, napkins etc.) in the Club House are for Paloma events only.
3. Residents are required to furnish their own supplies for daily use and private events.
4. Paloma events take precedence over private events.
5. Footwear is required in the Club House at all times.

6. No wet bathing suits are permitted in the Club House with the exception of the restrooms.
7. Furniture, if moved, shall be returned to the original state after the event.
8. Children under 18 are not permitted in the Club House without an adult.
9. Animals are not permitted in the Club House, other than an assistance or emotional support animal as defined by applicable fair housing laws. Animals must be under direct control of their owners at all times.
10. Under no circumstances should any cooking be permitted in the Club House with the exception of the microwave oven. This includes indoor grills, heating plates, oil fryers, etc. Warming trays are permitted for Paloma events and private functions (no open flames).
11. The office in the Club House is for HOA use only unless prior approval is provided by the HOA.
12. The Club House is closed between 12 am and 6 am.
13. Exterior doors are not to be propped open for any reason.
14. Lights are to be turned off when the Club House is not in use.
15. The Amenity Center is under video surveillance.

B. Pool

1. COMPLIANCE REQUIRED TO THE POSTED POOL RULES PER THE FLORIDA DEPARTMENT OF HEALTH.
2. Animals are not permitted in the pool area, other than an assistance animal or emotional support animal service animal as defined by applicable fair housing laws. Animals must be under direct control of their owners at all times and may never be allowed in the water.
3. No persons with diapers are permitted in the pool.

C. Fitness Center

1. The Fitness Center is for Paloma residents and guests only and is for exercise use only – proper key card access is required.
2. Appropriate athletic attire must be worn. Shirts shorts/pants and closed toes shoes are required. No bathing suits, flip-flops or sandals are permitted.
3. Limit the use of cardio machines to thirty (30) minutes, when others are waiting.
4. Exercise equipment must be wiped clean with disinfectant after each participant's use. This includes cardio equipment, free weights and weight machines.
5. Do not drop free-weights or slam weights - please re-rack weights after use.
6. Please use headphones for all personal music devices.
7. Personal phone calls should be taken outside the Fitness Center.
8. All beverages must be in non-glass containers with a lid or cap. Alcohol beverages of any kind are not permitted.

9. No persons under the age of 16 years of age are not permitted in the fitness center or permitted to use the exercise equipment unless accompanied by an adult.
10. Do not open windows and raise the blinds.
11. If you are the last person to leave the center, please turn off TVs, fans, music and lights.
12. Violations of any of these rules by residents or guests may result in suspended privileges and/or fines to the owner.
13. Animals are not permitted in Fitness Center, other than an assistance or emotional support animal as defined by applicable fair housing laws. Animals must be under direct control of their owners at all times.
14. Users of the Fitness Center acknowledge that they assume all responsibility for any injury incurred while using the Fitness Center and its equipment. Please direct questions to Vesta Property Services at 239-947-4552.
15. The Fitness Center is under video surveillance.

D. Tennis Courts

1. Tennis Club has first priority for tennis court use for the posted times.
2. Tennis courts are on a first come, first serve basis.
3. Tennis courts are for tennis use only.
4. No tennis play is allowed after 9 pm.
5. When others are waiting, please limit your play to one hour.

E. Bocce Court

1. Bocce court use is on a first come, first serve basis.
2. Bocce court is for bocce use only.
3. Balls can be found in the Amenity Center Office.
4. Bocce play is not permitted after dark.
5. When others are waiting, please limit your play to one hour.

F. Amenity Center and Mailbox Kiosk Parking

1. Parking at the Amenity Center is for Amenity Center use only.
2. Mailbox Kiosk parking (2 dedicated spaces) is for mail delivery and pickup only.
3. Limited overnight visitor parking is permitted with pre-approval of the HOA. The approval process will be posted to the www.palomaf1.com website.
4. Parking is only allowed in designed parking spaces. Parking at the entrance is for drop-off only as a safety concern.
5. No camper, RV or any commercial vehicle storage is permitted in the Amenity Center parking lot.

Section 5 - Antennas & Satellite Dishes*

(Requires ACC approval)

- A. Exterior antennas used for AM/FM radio, amateur ("Ham") radio, CB radio, Digital Audio Radio Services ("DARS") or antennas used as part of a hub to relay signals among multiple locations are not permitted.
- B. Satellite dishes with a diameter of thirty nine inches (39") or less may be installed subject to the following:
 - 1. Dish must be installed at least eight feet (8') above the finished floor of the home.
 - 2. The preferred location for dishes is on the rear wall of the home or on a sidewall within 6 feet (6') from the rear of the home.
 - 3. Dishes may not be installed in common areas.
 - 4. Cables required for installation, which are exposed on outside walls and more than three feet (3') in length, shall be painted to match the existing building color.
 - 5. Installation of more than one dish will be considered in the circumstance that a single dish is insufficient to provide an acceptable signal. In such situations, a letter from the satellite service company documenting the need for a second dish.

Section 6 - Awnings *

(Requires ACC approval)

- A. Only retractable roll-out awnings encased on rear of home are permitted.
- B. Prior to installation the owner must submit an ACC Application Form with a survey showing location and sample of fabric. Colors must be consistent with the color scheme of the houses in the adjacent area.
- C. Awnings need periodic cleaning and eventually replacement. If required, the HOA will alert the owner when this needs to be done.

Section 7 - Basketball Hoops

- A. No permanently installed basketball hoops are permitted on residential lots.
- B. Portable basketball assemblies are permitted in driveways but must be kept in good aesthetic condition. Assemblies are to be kept in place as designed with water or sand in the base and at no time should they be weighed down by placing sand or concrete bags, weights, bicycles or other objects on the base to keep in place.
- C. When not in use, portable basketball hoops must be stored in the garage or on the side of the homes as long as it does not impede lawn maintenance.
- D. Hoops shall not cause a nuisance.

Section 8 - Clothes Drying

- A. No garments, rugs or any other materials may be hung or exposed from the windows or from the front façade of any home. Further, no outside clothesline or other facilities for drying or airing clothes shall be erected on any lot.

Section 9 - Community Access

- A. Paloma is a restricted access community with dual entry access for residents and visitors.
- B. The use of the resident lane requires the purchase of a RFID Sticker. These stickers are not transferrable from one vehicle to another and must be installed by a Paloma Community Association Representative.
- C. Only one vehicle entry is permitted at a time; no tailgating is permitted. This applies to a resident's visitors as well.
- D. Damage to any part of the restricted access system, which will include but may not be limited to the swing gates, barrier arms, cameras and kiosk, is the responsibility of the resident. Residents are also responsible for any damages done by their visitors.
- E. Damages may also result in the suspension of access via the resident lane and fines. Details on the gates and how to sign up and get entrance credentials can be found at www.palomafl.com/p/Entrance-Gate.

Section 10 - Driveways, Walkways & Roofs*

(Requires ACC approval)

- A. Surfaces must be consistent with original materials and colors.
- B. Walkways from the driveway to the front door, front and rear patios and porches should be properly maintained.
- C. Driveways should remain free from oil, gas and other stains.
- D. Periodic cleaning of driveways and roofs is required. If required, the HOA will alert the owner when this needs to be done.
- E. Widening of driveways require ACC approval.

Section 11- Easements

- A. Easements are used to provide non-owners with rights of ingress, egress, utilities, lake maintenance, landscaping, sidewalks, property maintenance, storm drains, drainage, or other reasons over a specific portion of another's land. Most owners of Single Family Homes or Villas have easements on their property. These easements can be seen in your survey. It is the owner's responsibility to understand what easements you have on your property and where they are located. If any structures have been constructed on these easements, you may have to remove them at your expense, if they block the intended use of the easement.

- B. The ACC will not approve any projects that will encroach on an easement or block an easement.

Section 12 - Exterior House Lighting*

(Requires ACC approval)

- A. Changing any installed exterior light fixture or adding additional light fixtures requires ACC approval and that they are black or bronze. A picture or schematic of the fixture and a copy of the survey showing the locations should be included with the ACC Application Form.

Section 13 - Fences*

(Requires ACC approval)

- A. An ACC Application Form with a survey showing the fence location must be submitted to the ACC for approval prior to installation. All local permits are the responsibility of the resident. Due consideration must be given to all easements.
- B. All fencing shall be four feet (4') to six feet (6') in height. Gates must be a minimum of fifty four inches (54") wide. No invisible fences are allowed.
- C. Lake Lots
1. No fences are permitted
- D. Non- Lake Lots
1. Black or bronze aluminum fencing or white solid PVC fencing
 2. Houses that are along a canal can have a rear lot fence to the property line. Fences should not be installed on any easement and will be removed at the resident's expense should the easement need to be serviced. There needs to be access gates on both sides of the lot that will allow enough space for entry by the landscape contractor and emergency responders.
- E. Corner Lots
1. Black or bronze aluminum fencing.
 2. May not extend beyond the side plane of the house.
 3. Fences must be set in at least three feet (3') from the sidewalk on the side of the property facing the street.
 4. There must be at least one gate- a minimum of fifty four inches (54") wide.
- F. Swimming Pool Fence
1. Black or bronze aluminum fencing is permitted to be installed at perimeter of the pool deck, but not perimeter of the property.
- G. Fences and gates need to be kept in good usable condition at all times. Fences and other objects may not be may not be installed, placed or used in any way that prevents access to Association maintenance vendors. .

Section 14 - Flag Poles & Flags*

(Requires ACC approval)

- A. No flags or banners other than a flag permitted by Chapter 720.304 of Florida Statutes or other Federal, state or local law is allowed. Reasonable standards for size and placement may be adopted by the HOA Board.
- B. Flag poles as also allowed per the statute still will require approval by the ACC.
- C. Small flags in yards are décor in nature and, therefore, are permitted with quantity limitations (per the rules on yard décor in landscaping section).

Section 15 - Garages

- A. Garage conversions are not permitted.
- B. Garage doors should be kept closed when garage is not in use.
- C. Garage doors should be periodically cleaned, painted and maintained. Damaged or unsightly doors may be required to be cleaned, repaired, painted or replaced at the discretion of the HOA Board, ACC or Community Association Manager.
- D. Garages with front facing windows should be fitted with appropriate window treatments (see Windows & Window Coverings).

Section 16 - Generators & Solar Panels*

(Requires ACC approval)

- A. All permanent generators shall be approved by the ACC provided they comply with the following conditions:
 - 1. City permit must be obtained prior to submission of an ACC Application with a copy attached.
 - 2. They must use propane fuel; no gas or diesel units will be allowed. Propane tanks must be buried within your lot line.
 - 3. The generator must be six feet (6') from the front of the structure and the exhaust must be five feet from any door or window or air intake opening. Installation must comply with all applicable Building Codes
 - 4. The generator shall not be placed in an easement, and shall conform to any side or rear setback as required by the City of Bonita Springs and/or Lee County
 - 5. They must be incorporated into your shrub beds and cannot be seen from the street. The unit cannot interfere with the landscaper's access between properties.
 - 6. The generator shall only be used in emergency situations such as power outages, except the generator may be used periodically in accordance with the manufactures recommendation for proper operation and maintenance between the hours of 10am and 4pm only.

B. Permanently installed solar panels are permitted on the roof

1. The installation plans will show the location on the roof where the solar system is to be installed. Include the size of the solar system and total area of the proposed system installed on the roof for approved by the ACC, before work can begin. The highest point of a solar panel array will be lower than the ridge of the roof where it is attached. Photos of the roof area where the array will be mounted, material to be used and/or manufacturer's description of the system, photos and/or pictures of the system should be submitted. Panels shall be installed on the rear or side elevation of the home and roof, with limited visibility from the street so long as the solar system is able to properly function on said elevation.
2. Freestanding solar panels are not permitted. Other solar system designs will be reviewed by the ACC
3. All components of the solar system should be integrated into the design of the home.
4. Nothing in this provision shall be construed to limit any rights granted to the owner under Section 163.04, Florida Statutes.

Section 17 - Gutters & Downspouts*

(Requires ACC approval)

- A. Gutters and downspouts shall remain same color as originally installed.
- B. Additional gutters and downspouts are to match the color of existing gutters and downspouts on the home or match the color used on gutters and downspouts in the adjacent area.
- C. For lake lots, water from side and rear downspouts must have a drainage system that prevent erosion. Any downspout or gutter which exists and damages the Association's lake banks or other common areas in the opinion of a licensed professional shall be deemed a violation. Owners must take appropriate action to ensure that downspouts and gutters are installed to prevent damage.
- D. System should not infringe on neighboring properties, but systems may be combined.

Section 18 - House Colors*

(Requires ACC approval)

- A. Villa colors shall remain as original colors selected for the community per the DR Horton "Exterior Color Schemes" (can be located on www.palomafll.com). Any paint color change to the body needs ACC approval and agreement of both owners.
- B. Single Family Home colors can be changed. Any paint color change to the body needs ACC approval and must be a color from the exterior color schemes and can't be the exact same color as the neighbors to the right or to the left.
- C. If the original color is no longer available, a new color selection must be different from the color of the house on either side.
- D. The DR Horton "Exterior Color Schemes" has three categories for each scheme (body, trim and accent.) Owners are permitted to interchange trim and accent colors (Doors and Decorative Accents) but color

choices must be used as indicated by the category (for example a trim color cannot be used on the body).

- E. Paint shall not have mildew or irrigation staining.
- F. Paint shall not be chipped or peeling.
- G. ACC approval must be obtained prior to painting front doors or garage doors a new color. Color must be consistent with the color scheme within the community. Front and side entry doors can only be painted one of the accent colors listed in the DR Horton "Exterior Color Schemes"

Section 19 - Irrigation System

- A. Per the governing document, the irrigation system is the responsibility of the HOA and the HOA is responsible for its maintenance. Irrigation modification must be done via an ACC request and must be done by the HOA's irrigation vendor.
- B. Residents are allowed to clean their spray heads, add risers and adjust their spray heads to change the direction of coverage.
- C. They are not allowed to cut into or modify the pipe system that provides water to their system or modify any of the controllers that might be located on your property
- D. All irrigation related issues should be reported to the irrigation vendor. Their contact information is on the Paloma website www.palomafl.com

Section 20 - Lakes

- A. Irrigation from common area waterways is not permitted.
- B. All lakes are permitted through South Florida Water Management District for water management purposes and may not be used for recreational purposes. No swimming or boating is allowed. Use of remote control boats, toys or other items is also prohibited. Fishing is allowed, but only behind your own property or on the unbuilt section of lake 3. Catch and release is required.
- C. No personal property may be kept on the lakes or on the lake banks. Any property on the lakes or lake banks is subject to removal without any notice and at the expense of the owner.
- D. Any signs located on the lake banks relating to use of the lake are property of the Association and may not be removed, damaged or altered in any way. Persons removing, damaging or otherwise altering a sign will be liable to the Association for the expense of replacing the sign.
- E. No construction debris, lawn clippings, vegetation, trash or other items may be deposited in the lakes or on lake banks.

Section 21 - Landscaping & Plant Materials*

(May require ACC approval)

- A. Replacing or changing small bushes, perennials and plants that occur within an existing planting bed of 1-5 plantings is not considered a landscaping change and, therefore, does not require ACC

approval as long as the plantings are consistent with the Association's approved list of plants (see Plant Selection Guide on palomafl.com). The Association's Plant Selection Guide is hereby incorporated by references as though fully set forth in these Guidelines.

- B. **Under no circumstances should any tree be removed without ACC approval.**
- C. Hardwood trees are not permitted to be removed without approval by the ACC and the city of Bonita Springs. Removal will only be allowed due to the tree causing potential structural damage to a home or other landscape. Trimming of the tree and root barrier remedies must be attempted first. A replacement hardwood tree on the owner's lot will be required. Live oak trees are protected and if one is removed another live oak must be replaced on the same lot.
- D. All landscaping shall be contained in mulched beds (color must be dark brown).
 - 1. Inside the property perimeter wall, beds can only have brown plant-based mulch and must be consistent with the Association's mulch application. No other colors or plant materials are permitted (for example: pine needles, rubber mulch, etc.).
 - 2. Limited rock use is allowed around lanais, pool enclosures and exterior walls of a home to prevent soil erosion and/or mulch wash out. 6 inch (6") mulch beds are required between rock bed and grass for mowing purposes.
 - 3. Plant beds on the sides and rear of a home can have no more than twenty four inches (24") of rock along the home or lanai.
 - 4. No border rock or edging along plant beds is permitted where ample space is not available to lawn mowing, which requires a fifty four inch (54") clearance.
 - 5. No border rock or edging along driveways (beyond plant beds, lanais, pool enclosures and the walls of the home) is allowed.
 - 6. Color of rock must be either black or tan and must be beach pebble or river stone in style. A sample of the rock must be submitted with the ACC Application Form.
 - 7. Drainage stone, lava rock, white stone or gravel of any kind is not permitted. The HOA may use these materials to stabilize erosion of the lake beds.
- E. Landscape edging and borders must be brick, stone or concrete and must match the color of the home and/or driveway. No wood, plastic/rubber or metal is permitted. Edging cannot interfere with lawn mowing which requires a fifty four inch (54") clearance.
- F. Owners may be responsible for maintenance and upkeep of all additional landscaping (i.e., that are planted by the owner).
- G. Landscaping shall not be planted in the right of way or any public utility or lake maintenance easement. Planting in such areas is at the owner's risk. If utilities need to be installed or repaired, it is within the right of the installing entity to remove the plants with no responsibility to replace them or to compensate the owner.
- H. When installing new landscaping in any area other than an existing plant bed or when installing a new plant bed, owner is required to have all public and private utilities located and flagged prior to digging. Any resultant damage will be the owner's obligation.
- I. Landscape Lighting and Decorative Structures
(May Require ACC approval)

1. All landscaping lighting must be in a landscaping bed and be at least six inches (6") from the grass line.
2. Wiring shall be buried and out of sight.
3. Owner may be required to assume responsibility for maintaining lawn directly surrounding decorative structures if the installation of such features creates an undue burden on the lawn maintenance company
4. Transformers shall be obscured from view by landscaping.
5. Such lighting and structures must not be a nuisance to neighbors.
6. Ponds are not permitted.
7. Planters, pots and landscaping art are permitted within landscaping beds as long as there is no more than six (6) pieces and that they are no larger than twenty four inches (24") in height and width. Items can be ceramic, resin or stone and must be Floridian, Spanish or SWFL coastal in design. No furniture or wood items are permitted in the landscaping beds.
8. Installation of planters and pots over twenty four inches (24") in height and width requires ACC approval.
9. Outdoor decorative fountains and water bubblers may be installed in the yards of single-family homes and villas must be placed within ten feet (10') of the home with prior approval of the ACC. The ACC Application Form shall include a picture of the fountain, dimensions and a drawing of the site indicating the location of the fountain.
10. Items not securely anchored to the ground are to be removed to safe storage in the event of an impending storm.
11. Feeding birds and other wildlife, within the community, are prohibited in an effort to keep rodents and other undesirable animals away from our homes.
12. Storage containers outside homes and lanais are not permitted.

J. PLANT MATERIALS & Trees

(Planting of new trees requires ACC approval)

1. Most varieties of trees are permitted; however rapid growing and/or invasive varieties are prohibited. (See Plant Selection Guide posted on www.palomafll.com). The Association's Plant Selection Guide is hereby incorporated by references as though fully set forth in these Guidelines.
2. Trees shall not be a nuisance due to insects or rodents.
3. Fruit trees are prohibited, as they attract insects and rodents.
4. No trees may be planted in or encroach onto the lake maintenance easement or drainage area.

K. Hedges

(Planting of new hedges requires ACC approval)

1. Hedges are only permitted for privacy of a patio or lanai enclosure and may not extend beyond said patio and lanai enclosure as this impeded lawn service. Hedges must be placed within 3 feet of the patio or lanai enclosure.
2. Most varieties of hedging are permitted, however rapid growing and/or invasive varieties are

prohibited.

3. If you are on the do no trim list, hedges shall be trimmed in tandem with the HOA trim schedule to avoid being a nuisance to neighboring properties.
4. Hedges shall not be a nuisance due to insects or rodents.
5. Hedging must be planted inside property lines by at least eighteen inches (18").
6. On corner lots, hedging must be set back at least five feet (5') from sidewalks and/or roadways and can't be planted down to the lake maintenance easement.
7. No hedging may be planted in or encroach onto the lake maintenance easement or drainage area.
8. Hedging should be maintained at a height no higher than six feet (6'). Any hedges larger than six feet (6') will not be maintained by the HOA.

L. Plants and Flowers

1. No artificial vegetation, including grass and plants, is permitted.
2. Most varieties of plants and flowers are permitted (see Plant Selection Guide posted on www.palomafl.com). The Association's Plant Selection Guide is hereby incorporated by references as though fully set forth in these Guidelines.
3. No landscaping may be planted in or encroach onto the lake maintenance easement or drainage area.
4. Planting of flowers and many shrub types often do not do well when planted too close to a tree base. The maintenance of such plantings will be the responsibility of the owner.

Section 22 - Mailboxes*

- A. All mailboxes shall be uniform in type, color and design as provided by the builder. All owners must maintain the boxes in good condition.
- B. The color of the mailboxes must remain black, with a satin or semi-gloss finish. The numbers must remain gold and use the standard font Times New Roman.
- C. New boxes, repairs and new numbers can be ordered from The Beautiful Mailbox Company at 1-800-856-6983.

Section 23 - Nuisances

- A. Music may not be played at a level that can be heard from an adjacent home or from the street.
- B. No owner shall create an annoyance to the neighborhood. Loud, disturbing and unnecessary noises will not be tolerated and may be reported to the Lee County Sheriff's Office. Activities that may constitute a noise disturbance include, but are not limited to, the following:
 1. Loud music, television or parties.

2. Sounding of horns and whistles for an unreasonable period of time, other than as a danger warning.
 3. Yelling, shouting, singing, etc., other than at normal conversation levels, after 11 pm or before 8 am.
 4. Barking, howling, whining or screeching of animals.
 5. Basketball or other outdoor activities after 9 pm or before 8 am.
- C. Rodents and insects shall be controlled.
 - D. Firearms, pellet and BB guns shall not be discharged within the community.
 - E. Fireworks are not permitted within the community, as noted in ARTICLE IX, Section 3 of our Declaration.
 - F. Garage or yard sales are not permitted, except as a community event.

Section 24 - Open Houses

- A. Open houses, whether by realtors or by 'Home for sale by owner' are subject to the current open house policy which is posted to the www.palomafl.com website.
- B. The open house policy defines which days open houses can be held, the times that they can be held and the signage requirements and limitations.
- C. There is a realtor's package that is also on our website. Please make sure that your realtor gets a copy of this package,

Section 25 - Parking

- A. Resident parking on the streets is not allowed, since it may interfere with emergency vehicles, mail delivery, garbage collection, recycling or lawn debris collection. If you have special circumstance for parking on the street, please seek guidance from the Community Association Manager.
- B. If you have special circumstance for parking overnight, please seek guidance from the Community Association Manager as mentioned in the Amenity Center and mailbox kiosk parking (Section 4F).
- C. Florida law requires that no parking is allowed within fifteen (15') feet of a fire hydrant.
- D. Parked vehicles must face the same direction as traffic.
- E. Parking on sidewalks, lawns, grassed areas, vacant lots or common areas is not permitted.
- F. Vehicles in driveways may not block sidewalks and may not be parked sideways.
- G. The HOA Board or the Community Association Manager has the authority to tow vehicles which are in violation of the rules and restrictions at the vehicle owner's expense.

- H. Vehicle owner will be responsible for expense of repairs required to any property damaged as a result of parking in violation of these rules and restrictions (for example, grass, sprinkler heads, etc.).
- I. Car covers are prohibited while the car is parked outside of an enclosed garage and license plates must be visible and current.

Section 26 - Patios & Lanais*

(Requires ACC approval)

- A. Wood decks are not permitted.
- B. No patios or lanais can be constructed over an easement.
- C. Patios and lanais are not permitted on the sides and on the fronts of a house.
- D. Patios and lanais (horizontal walking surfaces) shall be constructed of pavers.
- E. Materials shall be consistent in color and type with those used in the construction of the house.
- F. Structure shall not extend beyond the side plane of the house.
- G. Structure shall not encroach on any lake, drainage or utility easements.
- H. Owner is responsible for having all public and private utilities located prior to commencing construction. Owners that proceed with construction without having utility lines located will be responsible for costs associated with damage to any such line.
- I. Per the governing document, the irrigation system is the responsibility of the HOA and the HOA is responsible for its maintenance. Irrigation modifications must be done via an ACC request and must be done by the HOA's irrigation vendor.

Section 27 - Pets

- A. A maximum of two (2) dogs or two (2) cats per home is permitted.
- B. American Pit Bull Terriers, American Staffordshire Terriers or a dog that is a mix of either breed are strictly prohibited. Other breeds may be prohibited if the HOA Board finds them to be vicious or dangerous to the safety of the residents. If a dispute arises between the HOA and the resident, the HOA will require a DNA test at a facility of its choosing and will cover the cost of the test.
- C. Pets must be leashed or under direct physical control at all times when they are not in a fully enclosed patio or yard.
- D. Owners must pick up after pets in both common areas as well on individually owned lots or be subject to fine. Bags must not be placed in the drains, lakes or public receptacles.
- E. Pets may not be left unattended in the garage.

Section 28 - Pools & Pool Equipment*

(Installation requires ACC approval)

A. Swimming Pools & Spas

1. No portion of pool, pool deck or enclosure may extend beyond the plane of the house.
2. No portion of pool, pool deck or enclosure may encroach on any easement.
3. Above ground pools are not permitted.
4. Non-permanent spas (hot tubs) are not permitted unless they are within the enclosed lanai portion of the dwelling.
5. The resident is responsible for having all public and private utility lines located prior to commencing construction. Residents that proceed with construction without having utility lines located will be responsible for costs associated with damage to any such line.
6. Per the governing document, the irrigation system is the responsibility of the HOA and the HOA is responsible for its maintenance. Irrigation modifications must be done via an ACC Application Form and must be done by the HOA's irrigation vendor.
7. A survey showing a scaled drawing of pool/spa and pool equipment should be attached to the ACC Application Form. It is suggested that the owner receive approval from the ACC prior to applying for permits.
8. A refundable security deposit is required at the time of the ACC Application Form. Pools require a deposit of \$1,500, lanai extensions \$500 and patios \$250. Owners must get their neighbors' written consent to use their property and the HOA's written consent regarding the use of the common elements for construction access.

B. Pool Equipment (gas tanks, heaters and pumps)

1. Landscaping or an equipment enclosure fence, at least 3 feet (3') high, shall be used to obscure pool equipment from view and noise.
2. Type of landscaping to be used should be identified in the ACC Application Form.
3. Gas/propane tanks shall be stored in an inside enclosure and obscured from view.
4. Propane tanks must be buried within your lot lines and need to conform to local building codes.
5. Pool equipment needs to be installed on the rear side of the pool as there is a 5 foot (5') requirement between the pool equipment and the property line.

Section 29 - Screen Enclosures & Doors*

(Installation requires ACC approval)

- A. These shall not extend beyond the plane of the house nor encroach on any easement, including lake maintenance easement.
- B. Black or bronze aluminum framing must be used, with charcoal color screening.
- C. These shall not have flat aluminum covered roof.
- D. Screen enclosures must have Mansard design roof/ceiling.

- E. Landscaping may be required as a condition of ACC approval, particularly on corner lots.

Section 30 – Seasonal Holiday Decorations

- A. Displays must not be installed prior to November 1st and must be removed annually, no later than January 21st.
- B. Hooks, nails or other devices should not be placed on a tree or other landscaping for purpose of hanging lights or other decoration as this is harmful to the health of the plant.
- C. Displays should remain in landscaping beds only. Any displays outside a landscaping bed must be removed prior to regular lawn maintenance.

Section 31 - Security Cameras*

(Requires ACC approval)

- A. Cameras installation locations must comply with state statutes (FL 810.145).
- B. Cameras on the side of the home need ACC approval to ensure privacy of the adjacent neighbors

Section 32 - Sidewalks

- A. Sidewalks are a common element and belong to the HOA.
- B. Sidewalks shall not be painted or stained.
- C. Sidewalks are never to be altered except as originally installed or for widening of the driveway.

Section 33 - Signs

- A. One “For Sale” or “For Rent” sign may be displayed in the front yard of a Single Family and Villa home but must be placed within a landscaped bed to ensure that lawn mowing is not disrupted. Signs must be per the Paloma brand standard.
- B. See the Paloma signage example (see sample on Paloma website) and reference also to Article IX (Section 5) of the Declaration of Covenants.
- C. No other signs (including political action signage) are permitted.

Section 34 - Storage Sheds & Tents

- A. Storage sheds and tents are prohibited.

Section 35 - Storm Shutters*

(Requires ACC approval)

- A. Roll-down and sliding models shall match wall color or adjoining window or door frame. White or off-white is the only color option for carriage homes. Installation of storm shades must be on the inside of the lanai opening screens for carriage homes.
- B. Accordion panel shutters shall match wall color or adjoining window or door frame. White or off-white is the only color option for carriage homes.
- C. Galvanized panels which were provided by the builder can be in place no earlier than seven days prior to a storm or warning issued by the National Hurricane Center and must be removed within fourteen days after the storm has left the area.
- D. Roll-down and accordion panel shutters may be closed on the enclosed portion of the lanai which is covered by the roof for an extended period (i.e., off-season). However, the use of roll-down and accordion panel shutters on other windows and doors must follow the rules listed above in C. for galvanized panels.
- E. Bahama shutters are not permitted.
- F. Clear shutters may remain up throughout the designated hurricane season (June 1st - November 30th).
- G. Shutters may not be used for security purposes.

Section 36 - Swing Sets and Playground Equipment

- A. Tree houses and trampolines are not permitted. The Association's insurance policy will not cover any injury or damage caused by the use of unauthorized play equipment.
- B. No swing set or play equipment with a height taller than fifteen feet (15') is permitted.
- C. Play equipment shall be located within the side planes and in the rear of the house.
- D. Play equipment shall be properly maintained and kept in good repair. Swing sets or play equipment that are in disrepair, unclean or a nuisance may need to be removed from the property at the discretion of the HOA Board or property manager after proper notification to the owner.
- E. It is recommended that any swing set or play equipment that is not portable be installed in a mulch bed to accommodate lawn maintenance. Neither the HOA nor the landscape contractor will be responsible for equipment damaged in the course of routine lawn maintenance. Owner is responsible for replacing grass upon removing the swing set or play equipment.
- F. Equipment shall not be placed closer than 10 feet (10') from any property line.
- G. Swing sets and play equipment are only permitted on non-lake lots.
- H. Use of portable play or recreational equipment is permitted but must be stored indoors after dusk.

Section 37 - Trash Containers

- A. All trash must be placed in containers with lids. Bags and loose trash are not permitted.
- B. No trash containers can be put out any earlier than 5 pm the day prior to collection pick-up.
- C. Containers must be brought in no later than twelve (12) hours after collection pick-up. Trash containers and horticultural debris must be stored out of view.
- D. Trash containers and horticultural debris may not be stored at the side or rear of the house unless obscured from view by approved landscaping or fencing.
- E. Disposal of large items may require coordination with the local waste hauler prior to setting at the curb for pick-up.

Section 38 - Vehicles

- A. No recreational vehicles, trailers or mobile homes are permitted to be stored within the community unless they can be stored in a garage, with the garage door closed at all times.
- B. Commercial vehicles must be kept in a garage at all times.
- C. ATVs, golf carts, 4-wheelers and similar vehicles may not be driven anywhere within the community.
- D. The speed limit throughout the community is twenty (20) miles per hour

Section 39 - Villa Roofs*

(Villa roof replacement requires ACC approval)

- A. Replacement of Villa roofs is the owner's responsibility per the community documents.
- B. All roof replacements or modifications require ACC approval.
- C. Replacement roofs must match the tiles originally installed. All existing roof colors and materials are hereby approved and any replacement tiles must match an existing roof color or substantially similar to the existing roof color. In any event, a Villa roof has to have the same tiles installed on both sides of the Villa roof.
- D. In the event a roof needs to be replaced, both sides of the Villa roof must match and if one side is done, the replacement must not be noticeably different on visual inspection.
- E. Villa owners fund a reserve for Villa roof repairs. Each owner contributes \$100 per year to this reserve and the reserve is funded for twenty (20) years. So the total reserve amount for each Villa is \$2,000 through the year 2034. The maximum repair reimbursement for any Villa will be limited to a \$2,000 cumulative total, through the year 2034, and after that amount the owner must bear the cost of future repairs.
- F. Repairs are defined by the Association's attorney as 'any part of the roof that is damaged and falls short of replacement'.

- G. Villa owners will be reimbursed for repairs not caused by roof modifications or poor quality workmanship or defective construction. Repair reimbursement must be supported with two estimates and be pre-approved by the HOA, in advance of the repair.

Section 40 - Watercraft

- A. The only place a boat, canoe, kayak or other watercraft may be kept within the community is within the garage of the owner. The garage door must be able to close completely so that the watercraft is not visible from the street.
- B. Watercraft parked in the street, Amenity Center, vacant lot or any other area may be towed at the owner's expense. Overnight parking in an emergency is permitted for one night.
- C. Boats, canoes, kayaks and other watercraft are not permitted on the lakes.
- D. Boat houses or docks are not permitted.

Section 41 - Windows & Window Coverings

- A. Window coverings shall consist of curtains/drapes, blinds or other traditional window covering. Sheets, newspaper, aluminum foil, bags and other similar items are not permitted.
- B. Broken windows and broken window coverings shall be promptly repaired or replaced. Non-compliance may result in further action by the HOA Board, ACC or the property manager.
- C. No exterior window covering are allowed.
- D. Tinting shall be a non-reflective, non-mirror finish.