

Sabal Springs Golf and Racquet Club

Rules and Regulations

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Sabal Springs Golf and Racquet Club Rules and Regulations

The guidelines for developing and refining the Rules & Regulations of the Sabal Springs Golf and Racquet Club Association are that they be:

1. - Necessary
2. - Reasonable
3. - Objective as opposed to subjective (open to interpretation)
4. - Enforceable
5. - Enforced by a specific responsible party
6. - Enforced in a timely and effective method
7. - Specific in identifying the penalty for non-compliance
8. - Specific for consideration of others

The following rules and regulations do not apply to the Golf and Restaurant facilities, unless otherwise specified.

1. Applicability

These rules and regulations shall be applicable to all of the Properties and Homeowners. Any rule or regulation in this document may be appealed, on an individual basis, to the Board of Directors.

2. Decorum/Behavior

All homeowners, residents, guests and visitors will honor and adhere to the appropriate decorum expected in each activity. This includes the obligation to be respectful of others who are seeking enjoyment at the same time. This includes discourteous conduct, disrespect shown to Association employees, community, volunteers, vendor employees, fellow owners and residents. Actions resulting in physical damage to Association property are not considered appropriate behaviors. It also includes adhering to the posted speed limit throughout the community.

A. The following behaviors are not allowed. They create an unsafe, hostile, or discriminatory environment and may lead to suspension of amenity use and fines.

1. Verbal Abuse: Yelling, swearing, name-calling, belittling comments,
2. Threats and Intimidation: Threatening statements, menacing gestures,
3. Bullying: Repeated mocking, exclusion, manipulative behavior,
4. Harassment: Discriminatory or demeaning behavior based on protected characteristics

B. Report every incident to the CAM or Board right away. The CAM or Board will investigate and decide one of the following: take no action, issue a written warning, or impose an amenity specific access restriction and/or fine under Bylaws 8.1 and Rules and Regulations 19.

C. The Association reserves the right to impose a suspension of access to the specific amenity where the inappropriate behavior occurred. This suspension may include all forms of use, visitation, or participation within that amenity. Examples of amenity-specific locations include:

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1. Pool and surrounding Pool deck,
2. Racquet area and bleachers,
3. Exercise Room,
4. Billard Room,
5. Restaurant, includes Event Hall and surrounding patio,
6. Golf Course, practice area and golf pro shop

D. For a first offense, a 15-day suspension and/or fine may be enforced for the inappropriate behavior occurring between March 1 to February 28.

E. Should a second offense take place within the same 12-month period, a 30-day suspension and/or a fine may be enforced for the inappropriate behavior.

3. 55 and Over Community

The Properties have been designated as housing for persons who are fifty-five (55) years of age or older, which, pursuant to applicable law, requires, among other things, that at least eighty percent (80%) of the Units and/or Lots in the Properties must be occupied by at least one person who is 55 years of age or older. Accordingly, each Owner, by acceptance of a deed or otherwise acquiring title to a Unit and/or Lot, shall be deemed to agree that each Unit and/or Lot shall, unless a waiver is issued by the Board, be occupied by at least one person who is 55 years of age or older. The Board shall issue a waiver only in the event that it determines that the issuance of the waiver is not likely to result in the community failing to qualify as housing for persons 55 years of age or older. In making its determination, the Board may look not just at present occupancy levels, but also of projected occupancy levels.

In order to ensure that the Properties qualify as housing for persons 55 years of age or older under the Federal Fair Housing Act (42 U.S.C. 3601, et. seq.), satisfy the occupancy and age verification requirements of Rule 100.307 of the U.S. Department of Housing and Urban Development (24 C.F.R 100.307), and comply with the requirements of the Florida Fair Housing Act (Chapter 760, Florida Statutes) and the rules and regulations of the Florida Commission on Human Relations, a survey of the residents of the Properties (as and to the extent required by applicable law) will be conducted not less often than every two (2) years by the Association. Each owner shall cooperate with the Association in its efforts to comply with the requirements of the above-mentioned acts, rules and regulations, and with all other applicable laws. Such cooperation shall include, but shall not be limited to, providing the Association, within ten (10) days after written request, such information (such as, but not limited to the identification of whether at least one resident of the Unit and/or Lot who is fifty-five (55) years of age or older and the current age or date of birth of such person, and signed surveys, sworn affidavits, certifications and other reliable, legally sufficient documentation as may be required from time to time by the Association. The

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Association shall have the authority, without requiring the vote of the Lot owners, to make any additional capital improvements upon the Common Areas necessary to provide facilities or services specifically designed to meet the requirements of the Fair Housing Act, as amended, or other applicable laws.

4. Children

Persons under the age of eighteen (18) years of age may not permanently reside in The Properties. Children under eighteen (18), may however visit, provided that such visit does not exceed forty-five (45) days in any one calendar year. Children may not use the Common Areas unless accompanied by an adult. Children under twelve (12) years of age may not use the swimming pool unless accompanied by an adult. Children under eighteen (18) years of age may not use the:

- A. Billiard Room
- B. Fitness Center
- C. Sauna
- D. Shuffleboard Courts
- E. Tennis Courts

unless accompanied by an adult.

5. Easements

Easements for installation and maintenance of utilities are reserved as shown on the recorded plats covering The Properties and as provided herein. Within these easements, no structure, planting or other material may be placed or permitted to remain that will interfere with or prevent the maintenance of utilities. The area of each Lot covered by an easement and all improvements in the area shall be maintained continuously by the Owner of the Lot, except as provided herein to the contrary and except for installations for which a public authority or utility company is responsible. The appropriate water and sewer authority, electric utility company, telephone company and the Homeowners Association shall have a perpetual, non-exclusive easement for the installation and maintenance, all underground, of water lines, sanitary sewers, storm drains, electric, telephone and security lines, cables and conduits, under and through the utility easements as shown on the plats. All utilities and lines within the subdivision, whether in street rights-of-way or utility easements, shall be installed and maintained underground.

6. Nuisances; Solicitations

No Owner shall use their home or permit it to be used in any manner, to make any disturbing noises in the Unit or on the Lot by himself or his family, servants, employees, agents, visitors or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Owners. No Owner shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio or sound amplifier or any other sound equipment in his Unit or on his Lot in such a manner as to disturb or

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annoy other residents (applying reasonable standards). No Owner shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents. The use of each home shall be consistent with existing laws and the governing documents, and occupants shall at all times conduct themselves in a peaceful and orderly manner. No solicitation will be allowed at any time within the community.

7. Garage Sales

No garage sales, estate sales, tag sales, or other similar activities are permitted to be conducted on the Lots or Common Areas without prior written approval of the Board of Directors.

8. Temporary Structures; Gas Cylinders

No structure of a temporary character, such as a trailer, tent, motor home or recreational vehicle, shall be permitted on The Properties at any time nor used at any time as a residence, except during repair or reconstruction. No gas tank, gas container or gas propane cylinder shall be permitted to be placed on or about the outside of any Unit or on or about any ancillary building, except for one (1) gas propane cylinder plus one (1) backup propane cylinder, not to exceed twenty (20) pounds, used in connection with a barbeque grill. In addition, residents are permitted to store propane gas cylinders in their garage, with a total combined weight not exceeding one hundred (100) pounds, intended for use in portable backup generators during power outages.

9. Recreational Vehicles

Definition: A recreational vehicle (RV) is any roadworthy vehicle, whether driven or towed, that has the usual accommodations of a home including a kitchen, bathroom, bedroom and living room. In North America, such vehicles have traditionally been classified as class A, B or C, if driven; as a travel trailer, fifth wheel trailer, pop-up trailer and slide-in camper, if towed. The primary purpose of such vehicles is traveling/camping. Van conversions with similar accommodations are included in this definition.

Lot owners in Sabal Springs may spend weeks or months in their RV at different times, thereby requiring a reasonable time to load and unload the vehicle.

Recreational vehicles will be permitted in the community subject to the following conditions:

- A. The RV must be owned/accessed by the lot owner or his/her immediate family. An owners' guest/visitor with an RV is NOT permitted to enter the community. Persons who have an approved lease for a property in Sabal Springs shall qualify as owners for the purpose of this provision.
- B. The RV must be properly licensed, registered and insured, and must be parked in the Lot owner's driveway without obstructing normal traffic or emergency vehicles. It may remain in the driveway for a maximum of two

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nights and must be removed from the community by twelve (12) noon of the third (3rd) day.

- C. In the event the RV cannot properly fit on the Lot owner's driveway, it may be parked at another community location, such as the Clubhouse parking area. This must occur only with the approval and direction of Gatehouse personnel. The RV may remain at this secondary location for two nights and must be removed from the community by twelve (12) noon of the third (3rd) day.
- D. Under no circumstances will anyone be permitted to live in the RV while it is in the community. An exception to this limitation may be made under extraordinary circumstances, such as a house fire or severe hurricane damage, with written approval of the Board of Directors.
- E. Should it be discovered that the RV is leaking undesirable effluent; the owner must immediately remove the vehicle from the community and clean up the leaked fluid.
- F. Work on the RV engine/chassis is prohibited unless the problem prevents the vehicle from leaving the community. In such a circumstance, the Gatehouse must be notified and informed of the owner's plan for correction.
- G. Owners must recognize and show regard for their neighbors and neighborhood while loading/unloading the RV. Trips in to and out from the community will be limited to two (2) round trips per month.
- H. The Board of Directors shall have the power to assess a fine in the amount allowed by law should owners be found in violation of these requirements. Should it become necessary for the RV to be towed for failure to comply with the requirements of this section, all such costs will be borne by the owner.

10. Pool and Spa

Definitions:

- A. Dawn (first appearance of light in the morning followed by sunrise)
- B. Dusk (the period of partial darkness between day and night)

Signage:

On the gate and/or upon entering the fenced pool area from the Clubhouse:
WARNING: NO LIFEGUARD ON DUTY
Residents and residents' guests only
POOL and SPA open from DAWN to DUSK
NO ANIMALS ALLOWED
NO bikes, roller blades, skateboards or golf spikes allowed
NO GLASS inside the fenced pool area

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SPA RULES

1. NO DIVING IN THE SPA
2. Shower before entering spa
3. NO GLASS in spa
4. No diapers of any type (Child or Adult)
5. No food or drinks in spa nor within 4 feet of the edge
6. Pregnant women, small children, people with health problems & people using alcohol, narcotics or other drugs that cause drowsiness should not use the spa without first consulting a doctor.
7. Maximum water temperature 104 °F.
8. Maximum use is 15 minutes (accurate clock must be visible from the spa & pool)
9. Emergency telephone located at top of stairs by gym
10. Call 911 in emergency – 3410 Clubview Drive, North Fort Myers
11. Children under 12 must have adult supervision
12. Bathing load is 12 persons
13. No Smoking allowed

POOL RULES

1. WARNING: NO LIFEGUARD ON DUTY
2. Pool Hours are from dawn to dusk
3. Shower before entering pool
4. No glass or animals in the fenced pool area
5. No diapers of any type (Child or Adult)
6. NO DIVING
7. NO RUNNING
8. No food or beverages in pool or within 4 feet of the pool edge
9. Emergency phone located at top of stairs by gym
10. Call 911 in emergency - 3410 Clubview Drive, North Fort Myers
11. Children under 12 must have adult supervision
12. Bathing load is 38 persons
13. No Smoking allowed

All persons using the swimming pool on the Common Areas shall do so at their own risk. All children, under twelve (12) years of age, must be accompanied by a responsible adult. Bathers must wear footwear and cover their bathing suits in any enclosed recreation facilities.

11. Pets, Livestock, Poultry, Wildlife.

- A. No reptiles, wildlife, livestock, poultry, or animals of any kind shall be raised, bred, or kept on any Lot.
- B. Owners may keep no more than two household pets provided they are not kept, bred, or maintained for any commercial purpose.

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- C. For purposes hereof, "household pets" shall mean cats, dogs, parakeets, and other animals that may be expressly permitted by the Board of Directors, if any. Nothing contained herein shall prohibit the keeping of fish or domestic (household type) birds as long as the latter are kept indoors.
- D. Pets are not allowed to become a nuisance or annoyance to any neighbor by reason of barking or otherwise.
- E. Specifically excluded and not permitted are any of the following dog breeds including without limitation: Doberman Pinchers, Pit Bulls, Rottweilers, or German Shepherds.
- F. All pets must be on a leash, in a container or carried when outside of the home.
- G. No dogs or other pets shall be permitted to have excretions on any common areas except areas designated by the Association.
- H. Owners shall be responsible for the clean-up after their pets.
- I. No pet is allowed on the Golf course.
- J. It is illegal to feed the wildlife including, but not limited to, alligators, ducks, birds, and other fauna in the community.
- K. Service and Support Animals
 - 1. Service and support animals are not considered pets (as defined and used herein) and will be handled on a case-by-case basis by the Board of Directors.
 - 2. By definition service animals are defined as 'animals individually trained to meet the needs of one person's disability.'
 - 3. Emotional support animals are defined as "animals that offers emotional support to a person with a disability.'
 - 4. Owners who require a service or support of an animal as prescribed by medical professional must provide to the Association a 'Certificate of Proof' that the owner does in fact require or needs a service or support animal.

The Board of Directors may also place additional restrictions on the privilege of keeping pets in the community.

12. Amenity/Activity Management

Recognizing that there are some existing groups organized for the benefit of the homeowners, and that there may be additional such groups in the future for other amenities/activities, the Board of Directors hereby grants under specific direction the authority and responsibility to carry out the management responsibilities for these amenities/activities. This delegation of authority and responsibility is subject to the submission of written guidelines by the requesting group for the review and approval by the Board of Directors. Sanctioning by the Board of Directors grants access to the Breeze digital newsletter. Access to the community email system and the television channels is made available to these groups but is monitored by the CAM or the Communications Chairperson for content. A listing of groups that have been

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recognized and sanctioned by the Board of Directors is posted on the community bulletin board and the community web site.

13. Transponders

Sabal Springs HOA offers vehicle access control for the Front and North gates using a passive RFID tag affixed to a vehicle windshield. To get a transponder you must call the front gate and make an appointment. At your appointment you pay by check (cash is not accepted) and provide proof of residency and vehicle ownership before the transponder will be applied to your windshield. All transponders are registered to your home address and vehicle license tag.

- A. New Residents must provide the warranty deed to your new property, your vehicle registration and your driver's license.
- B. Registered Permanent Guests need to provide a valid driver's license and vehicle registration.
- C. Renters must provide a copy of their HOA approved lease agreement, their vehicle registration and their driver's license.
- D. If you change vehicles (sell or buy another) or you change your license tag (such as a vanity plate) you need to notify the front gate of such changes.
- E. Rules
 - 1. One transponder per vehicle.
 - 2. No handheld transponders.
 - 3. No transponders on golf carts.
- F. Violations
 - 1. First Offense:
 - a. *Must reattach to the proper vehicle registered to the transponder.
 - b. Failure to comply will result in the transponder being deactivated for two weeks (14 days).
 - 2. Repeat Offense:

Further failure to comply with HOA rules will result in permanent deactivation of the transponder.

*If a transponder is removed from a windshield, it is not guaranteed to work when reapplied to another windshield. In such cases, you may need to buy a new transponder.

14. Commercial Trucks, Trailers, Boats

- A. No trucks, commercial vehicles, motor homes, or trailers of every other description, boats, boat trailers, horse trailers, unmuffled motorcycles or vans, shall be permitted to be parked or to be stored at any place on The Properties, nor in dedicated easement areas. This prohibition of parking shall not apply to temporary parking of trucks and commercial vehicles, such as for pickup and delivery and other commercial services, nor to passenger-type vans for personal use which are in acceptable condition (in the sole opinion of the Board, and which favorable opinion may be changed

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at any time). To ensure ready access by EMERGENCY VEHICLES, no on-street parking shall be permitted.

- B. Subject to applicable laws and ordinances, any vehicle parked in violation of these and other restrictions contained herein or in the rules and regulations now or hereafter adopted may be towed by the Association at the sole expense of the owner of such vehicle, if such vehicle remains in violation for a period of 24 hours from the time a notice of violation is placed on the vehicle. The Association shall not be liable to the owner of such vehicle for trespass, conversion or otherwise, nor guilty of any criminal act, by reason of such towing and once the notice is posted, neither its removal, nor failure of the owner to receive it for any other reason, shall be grounds for relief of any kind. For purposes of this paragraph, "vehicle" shall also mean boats and trailers. An affidavit of the person posting the aforesaid notice stating that it was properly posted shall be conclusive evidence of proper posting.
- C. A resident's work vehicle, which is not a commercial motor vehicle as defined in Florida Statute 320.01(25), is permitted to be parked in the property owner's driveway. Said vehicle must be registered with the HOA CAM for it to be an authorized work vehicle.

15. Non-Commercial Trucks

All pickup trucks must have a bed cover that conforms to the original equipment manufacturer (OEM) standards.

16. Household Garbage/Trash, Recycling and Horticultural Disposal

No garbage, refuse, trash or rubbish shall be deposited except as permitted by the Association. The requirements of the applicable authority for collection/disposal of household trash and garbage, recycled materials and horticulture may vary from time to time and must be followed. All containers for the storage and disposal of such material shall be kept in a clean and sanitary condition. Containers for garbage and trash must be of rigid plastic, not less than twenty (20) gallons nor more than sixty-four (64) gallons in capacity, and well-sealed. Recycled materials may be kept in the containers supplied by the applicable authority. Horticulture disposal may be placed in plastic bags or loose (up to 4 feet in length). All containers and materials must be placed out for collection no sooner than twenty-four (24) hours prior to their scheduled collection and must be removed within twenty-four (24) hours of that collection.

17. Architectural Review Committee (ARC)

The Architectural Review Committee (ARC) is assigned by the Board to approve proposed changes, updates, and modifications to any exterior aspect of a homeowners' home or property. All approvals will be in writing and no verbal approvals are allowed. Any work that has been started and/or completed prior to receiving ARC approval will be subjected to a violation in accordance with the Amended and Restated Bylaws, Section 8. Compliance, and Default; Remedies.

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Property Modification Procedure

- A. All outside changes, updates or modifications to homes and properties require ARC approval prior to any work being done, must meet Lee County code requirements while some proposals will require a Lee County permit. This includes, but is not limited to, painting, screening, windows, roof, doors, driveways, lanais, pools, (no above-ground pools allowed), hot tubs, swim spas, tree removal and landscaping. All forms are available from the HOA office or on the Sabal Springs website. Requests for structural additions to your home and driveway/walkway expansions must have a lot plat/survey attached and, if permitting is required, the modification must be approved by Lee County. Homeowner may be required to meet with the Architectural Review Committee (ARC) to help reduce possible misunderstandings prior to approval. Upon completion, homeowner must notify the HOA office so that, following a positive inspection of the modifications, in order that final approval may can be granted. Additionally, before and after pictures should be provided to the HOA office.
- B. Driveway expansions are not permitted beyond the outer edge of the garage walls, including any wings that border the edge of the driveway. Exceptions may be considered for homes with less than a two-car garage. For a one-car or 1.5-car garage, the maximum allowable driveway width expansion is 20 feet, and for a two-car garage, the maximum is 24 feet. This measurement begins at the outer garage wall. Approved materials for driveway expansion are pavers, concrete, or stamped concrete. Black top, gravel or asphalt driveways are not allowed. Any irrigation modifications required due to driveway expansion will be at the homeowner's expense. If the irrigation system needs to be relocated, it must be done by the HOA's landscaping/irrigation contractor or a qualified irrigation professional. Additionally, a 3"- 4" PVC pipe must be installed beneath newly installed driveways near the front easement line (usually 10 feet from the front property line).
- C. Roof replacement, regardless of materials used (tiles, asphalt shingles, or powdered coated steel that resemble tiles) must meet Lee County code requirements and the color must compliment the color of the house. If powdered coated steel is used it must be grounded. All roof additions must be gabled/trussed and finished with the same roofing material that is on the existing home.
- D. Lanai or patio installation or expansion must meet Lee County code requirements. A plot or survey plan must be included with the ARC application. All pools, hot tubs, swims spas etc. must be within a screened area. A slanted and gabled metal roof may be installed over a lanai, but it

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MUST be covered with the same material that is on the existing roof, or a canvas/vinyl material that has up to an 8" valance/overhang. Material and color must be approved by the ARC.

- E. Window replacement must have ARC approval, meet code requirements and the color must compliment the house. Window size, shape and muntins must remain the same. Window repairs do not require approval.
- F. Changes to house base colors (one color) and accent colors (up to three, including the garage door and main entry door) must be selected from the "Approved Color Palette" located in HOA office. These changes must also be approved by the House Painting Coordinator and/or the ARC (Architectural Review Committee). All existing paint colors on homes painted prior to introduction of the "Approved Color Palette" may be retained, even if the existing color is not on the new palette. Any changes to colors on trim, garage door, main entry door or driveway must also be approved by the House Painting Coordinator and/or the ARC. This applies to both new installations and replacements, which must be reviewed and approved by the ARC. Driveway colors must compliment the house color.
- G. All tree planting and removal must be approved by the ARC. Fruit trees must be dwarf varieties, with a maximum of two (2) per property. Removing a protected tree requires a Lee County permit, and new trees must not be on the Lee County/FL prohibited list. Tree stumps must be completely removed or cut flush with the ground and not be visible nor interfere with grass cutting. Trees and/or shrubs must be planted at least 10 feet from a perimeter fence and must comply with the setback rules as defined in the codes. If heavy equipment or trucks must be moved onto a lawn to aid in removal, all sprinkler heads must be marked, at the homeowners' expense before work is begun. Any damage to the lawn or sprinkler system during planting or removal must be repaired by the HOA's landscaping/irrigation contractor or another qualified irrigation specialist, also at the homeowner's expense.
- H. Satellite dishes and antennas require approval before installation and must be installed on a side of the home other than the front.
- I. All hard-wired outside lighting requires ARC approval prior to installation. No lights shall be placed in yards that would be intrusive to a neighbor's property. Lights must not exceed 60 watts (or equivalent). Motion detection lights must be set to turn off after 10 minutes. Solar powered security lighting and solar lighting motion detectors must comply with the aforementioned and require ARC approval. Small landscape solar lights are allowed without approval.

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- J. Fences, gazebos, and trellis (which includes arbors and pergolas) of any material, regardless of their intended use, are not permitted. One exception to this rule is that a homeowner may have no more than 2 trellises contained in a garden pot, not attached to or leaned against any wall or structure. The trellis may not be any more than 2 feet wide x 4 feet tall. These pots are not in addition to the 8 allowed, but can be 2 of the 8 pots allowed. These pots fall under the same standard for upkeep and removal in the current ARC rules and regulations. Electronic buried dog fences, section of fences used as decoration or edging are not allowed.
- K. Curbing around garden beds requires ARC approval and must complement the house color. Landscaping walls of decorative blocks are allowed to a maximum height of 12 inches including a capstone and also require ARC approval. Freestanding walls are not allowed. Landscape design changes require ARC approval. Landscaping must be located at least 10 feet from any perimeter fence/wall and are subject to the following setback requirements: two side yards of 3 feet each, a front yard setback of typically 10 feet, and a back yard setback of 6 feet. Existing plantings adjacent to the home or in established flower beds do not require ARC approval unless they involve a tree. Additionally, all plantings must exclude any species prohibited by Lee County/Florida. All removals of trees regardless of the location require ARC approval.
- L. Installation of propane gas tanks and water softener equipment requires ARC approval. Large propane (greater than 100 pounds) tanks are permitted only with the installation of a whole-house generator or gas appliances. Such tanks must be buried, and the property must be of sufficient size to accommodate the tank. All installations must comply with State of Florida and Lee County code requirements. Water filters must be inside the garage or buried within a garden next to the water line to the house ensuring they remain within the property boundaries. No gas tank, gas container, gas propane cylinder or water filter shall be permitted to be placed on or around the exterior of any house.
- M. Outdoor (non-holiday) Décor and Planters. The following are the limits on outdoor (non-holiday) décor/planters. This list does not include house numbers, small solar lights and US, military, or Florida state flags. Artificial flowers, trees and plants are not allowed.
 - 1. No more than 8 (4 in front, 4 in back) ornamental items to include statuary, gazing ball or other ornamental item and a garden flag within the landscaped area are allowed. All such items are to be put away if you are seasonal; for those who reside fulltime, such items must be put away during an impending hurricane for our area.

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2. A single bird bath or fountain is permitted and must be maintained so as not to foster mosquitoes.
 3. No more than 4 house wall décor items to include wall décor on the front of the house, above garage, back of the house and/or side wall to front lanai/porch entry (if it is not enclosed) are permitted. Such décor cannot represent political affiliations nor contain offensive phrases. All such items, if they are not secure, must be securely stored if you are seasonal before you leave and for those who reside fulltime, such items must be secure or securely stored during an impending hurricane for our area.
 4. No more than 8 decorative pots around the total perimeter of the house/flower beds are permitted. Pots shall be maintained (weedless, dead foliage/flowers removed) at all times. All pots that are deemed mobile (not buried) are to be securely stored if you are seasonal unless you have someone caring for them. Pots that can be deemed mobile (not buried) must be put away during an impending hurricane for our area whether you are full-time or seasonal.
- N. Holiday decorations. For holidays, other than winter holidays, decorations may be added to the exterior of homes and/or landscapes one week prior to and removed one week following the holiday. For winter holidays such as Christmas or Hanukkah, exterior decorative items may be added 30 days in advance of the holiday and removed within 14 days following the holiday. ALL construction and landscaping debris must be removed weekly.
- O. All construction and landscaping debris must be removed weekly.
- P. Porta potties are never allowed.
- Q. Solar/Photovoltaic Systems require an ARC approval. The Sabal Springs Homeowners Association encourages homeowners to seek energy saving devices to meet their needs; likewise, the ARC is committed to working with owners seeking energy saving solutions to achieve their goals. All systems must be installed on a roof, not mobile or portable, and in locations that minimize visibility from the front of the property unless such placement of the system impairs the operation of the solar collectors. Components, including framing and hardware, should blend in with the existing roof color or surrounding architecture, if possible. All wiring, conduits and supports must be concealed or routed in a manner that minimizes visibility. All ARC applications for solar/photovoltaic systems must include the following:

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- a. A description and picture of the proposed system and installation
 - b. A site plan and diagram showing the placement and dimensions of the proposed installation. The front slope of the roof of the house or garage may not be used, provided the location does not impair effective operation of the solar panels. Panels cannot overhang edge of roof and must be stationary.
 - c. Details on color, materials and finish sides and rear of the home.
1. Once the ARC approval has been granted, homeowners/contractor is responsible for obtaining any required county permits. A copy of the approved permit must be submitted to the ARC before installation begins.
 2. In Lee County, a Solar/Photovoltaic permit is required to add or modify any solar pool heater, solar hot water heater, rooftop HVAC collector, or any photovoltaic power system for any residential or commercial property. Please review the Solar-Photovoltaic System and Heaters Application and Permitting Guide at <https://www.leegov.com/dcd/PermittingDocs/Solar-Photovoltaic%20Guide.pdf#search=solar%20permitting>
 3. Once all inspections have passed, and all outstanding conditional documents and fees have been satisfied, a Certificate of Completion from Lee County must be submitted to the ARC for file.
 4. Homeowners are responsible for the maintenance and repair of all installations. Inoperable or damaged systems/installations must be repaired promptly or removed.
 5. Construction and access in areas outside of the homeowner property requires access granted by the neighboring property. Part of the ARC package (which must be completed) is the "Access and Property Damage Agreement Form". The property of the project homeowner agrees to and takes full legal and liability as stated:
The property owner will be fully responsible for all costs to repair and/or replace any damage to the Sabal Springs Golf and Racquet Club properties or bordering properties that may have incurred and include, but not limited to: street pavement, street curbing, utilities, communication lines, property drainage, property landscaping, irrigation system components, common area facilities or golf course property to the original condition prior to the construction. The total repair and/or replacement will be

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completed within thirty (30) days following the completion of the project and subject to the satisfaction of the Sabal Springs Golf and Racquet Club ARC and the bordering property owner(s) of the accessed and damaged property.

- R. Skid and Track Steer Equipment Usage. The operation of skid steers, track steers or any similar heavy construction equipment is prohibited unless specifically authorized by the ARC for maintenance or repair projects. Homeowners/contractors operating such equipment are fully responsible for any damages caused to the community roads or adjacent property during completion of a project.
- S. Installation of an Electric Vehicle (EV) outlet to the exterior of the home is allowed; however, any generator backup system for the EV outlet to be installed on the exterior of the home requires an ARC application.
- T. Deposit Fees. Members are required to submit a deposit fee for large ARC requests. A deposit fee, in the amount indicated, is required for the projects listed below. The deposit fee will be deposited and held in a line-item account. Upon completion of the ARC project to the satisfaction of ARC, the Member may request a return of such deposit (or remaining deposit if any funds were used toward Association remediation expenses), and a check will be issued to the homeowner returning the remaining deposit fee.
- Pool installations \$1,000
 - Solar installations \$1,000
 - Lanai installations \$1,000
 - Driveway installations \$1,000
 - Patio installations \$1,000

Setback Requirements

- A. Setback requirements for all properties in Lee County, Florida are determined by building codes developed by Lee County and passed on to the developer of Sabal Springs.
- B. Every property has boundaries defined by the developer. You can see the property layout by getting a Plat of Survey for your property. If you are fortunate to have a copy of the original building plans for your property it includes the original Plat of Survey.
- C. Inside each property line boundary there is a dotted line on all sides that represents the Easement for the property. This line is typically defined by four (4) setbacks: two side yard setbacks are typically three (3) feet each; the front yard setback is typically ten (10) feet and the back yard setback

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of the property is typically six (6) feet. The exact setback for a property can be found on the Plat of Survey under the legend section.

- D. The most common setbacks are UE (utility easement) and DE (drainage easement). The property owner cannot and should not build or plant anything inside an easement, meaning nothing allowed between the property line and the easement line. The only exceptions where something intrudes into an easement are driveways and air conditioner compressors. Any other intrusion has to be approved by the ARC Committee, including landscaping around mailboxes.

18. Compliance Committee

The Compliance Committee is assigned by the Board to periodically inspect properties to ensure a clean, well-cared for and attractive community

- A. Periodic inspections are conducted to maintain the appearance of the community and to ensure compliance. All sides of the property are required to be in compliance. If a complaint is made regardless of the side of the property, there will be an inspection and if issues are discovered regardless of the side of the property, a notice describing the issue will be sent.
- B. All pots and other lawn ornaments must be removed from yards and placed into a secure area before leaving home between June 1st and November 30th (Hurricane Season).
- C. Garbage and recycle containers must be stored in garage except 24 hours prior to scheduled pickup. Horticultural waste shall not be placed at curb until 24 hours prior to scheduled pickup.
- D. Planting beds are to remain free of weeds.
- E. Driveways and roofs must be kept clean.
- F. Plants/bushes around Fire Hydrants are prohibited (Ordinance 86-17) based upon North Fort Myers Fire Department and Code Enforcement Officer of Lee County.
- G. Plants/bushes around Utility boxes shall not conceal the entrance nor prevent power crews from opening boxes when necessary. Plants or figurines must not be placed on top of Utility boxes.

Enforcement

- A. Should a property be discovered to have a maintenance issue, a notice describing the issue is to be sent to the homeowner at the address last appearing in the Association's records or to the homeowner's physical address or to the e-mail address on record in the Association's records. The owner is then allowed a thirty (30) day grace period to remedy the situation.
- B. If the homeowner believes a maintenance notice was issued in error, an appeal of the notice may be filed by asking for a re-inspection of the property or by requesting a meeting with the compliance committee and/or

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the CAM to discuss the issue(s). An extension of the thirty (30) day grace period may be granted by the CAM and along with a minimum of three (3) Compliance committee members.

- C. If, after the thirty (30) day grace period, the maintenance issue remains uncorrected, a Second & Final Violation Notice is sent via certified mail to the homeowner at the address used for the original notice. This notice informs the homeowner of the remaining issue(s) and states that if the matter is not resolved within an additional fourteen (14) day period, the Association intends to exercise its authority granted by the governing documents of our community.

19. Fines

Fines are a component of our governing documents (Bylaws 8.1) that emphasize compliance. The Board of Directors may levy reasonable fines and/or suspensions against homeowners for failure to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association or who commit violations of Chapters 617 or 720, Florida Statutes. The subsequent fine schedule will be implemented according to the severity of the violation. Each fining level affords the association member the opportunity for appeal, requires Board recommendation for fining and shall be subject to Fining Committee hearing and final approval as outlined in the Association's Bylaw's and in accordance with Florida Statute 720.

- A. Level A – Fines shall meet this level for failure to comply with a singular general exterior home maintenance issue such as areas of weeds, overgrown plantings/trees and/or unkept landscapes and/or improper storage of trash cans/deck boxes/construction materials, etc. Also included are excessive ornamentations/flower pots and other items disallowed such as trellises, occasional disrepair of house or exterior yard decor and/or unclean appearance of home/landscape ornamentation. This level is afforded a 30 day follow up prior to referral to the board for fine recommendation. Fines shall be levied at \$100.00.
- B. Level B – Fines shall meet this level for one-time type violations such as;
- a. placing yard waste out when prohibited,
 - b. parking on lawns or in unauthorized locations,
 - c. excessive speeding/acceleration,
 - d. disrespectful member actions at board meetings, during use of amenities upon volunteers while carrying out various duties, including upon ARC and/or Compliance members,
 - e. unleashed pets
 - f. failure to follow rules regarding campers, motor homes and/or dumpsters/moving storage containers,
 - g. lack of truck bed covers,
 - h. unauthorized flags and political/offensive signs,

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- i. leaving potential projectiles out during hurricane season while away and/or if a hurricane is imminent regardless of being here or away
- j. failure to complete an ARC request for external property updates.

This level does not include a 30 day follow up but does include all other member safeguards such as opportunity for appeal, and hearing process as outlined in our Bylaws 8.0 COMPLIANCE & DEFAULT REMEDIES. This level of violation would immediately go to the Board for fine recommendation due to the nature of singular action of each violation. Fine shall be levied at \$150.00 per occurrence.

- C. Level C – In accordance with the Bylaws 8.5 Reoccurring Violations, this fining level is for second violations, if they recur in the same category within a 12-month period. This level of violation includes an opportunity for appeal, 30 day follow up, board recommendation and hearing opportunity. Fines shall be levied at \$500 per occurrence.
- D. Level D – This fining level is for ARC violations when a member fails to comply with the Governing Documents/ARC requirements such as, failing to follow the submitted ARC as submitted and/or failure to remove or replace changes made without ARC approval. Issues of home maintenance failures such as, prolonged lack of exterior maintenance resulting in significant deterioration of the property are included this level, which also allows an opportunity for appeal, a 30 day follow up, board recommendation and hearing process. A fine shall be levied at \$100 per day and shall NOT be limited to \$1000.00 unless the law requires such limit as per Bylaws 8.1, Fines and Suspensions and Florida Statute, Chapter 720, Homeowners' Associations, may exceed \$1000 as per our Bylaws 8.1 and FI Statute 720.

20. Common Areas

- A. No Owner may alter in any way, any portion of the Common Areas, including, but not limited to, landscaping, without obtaining the prior written consent of the ARC. No plantings or landscaping are permitted within ten (10) feet of the perimeter fences.
- B. Mailboxes. The Sabal Springs HOA owns, provides, and maintains all resident mailboxes, mailbox posts and lights. Mailboxes, posts, and post lights may not be changed nor painted by homeowners and they may not, at any time, have any items or objects attached to them, including items placed on them, or hung from them. If a homeowner needs repairs and/or replacements to any aspect of their mailboxes, they are responsible for submitting a work order request to the office for such maintenance. All landscaping around mailbox posts requires ARC approval.

21. Absent Owner During Hurricane

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An owner who plans to be absent during the hurricane season (June 1st through November 30th) must prepare the Unit and Lot prior to departure by designating a responsible firm or individual to care for the Unit and Lot, should the Unit suffer hurricane damage. The homeowner must furnish the Association with the name(s) of such firm or individual. A form for this purpose is available on the Sabal Springs website, in the HOA office and at the Gatehouse.

22. Hurricane Shutters

Hurricane shutters must be approved by the Architectural Committee. All shutters must be clear, white or match the color of the house.

23. Fences

No fence, wall or other structure shall be erected in the front yard, back yard or side yard setback areas. No plantings or landscaping within ten (10) feet of the perimeter fences.

24. Signs

No sign of any kind shall be displayed to the public view on the Properties, except for only three (3) signs of not more than one (1) square foot indicating the name of the resident, the house number, and a security system, if any. Additionally, two (2) signs of not more than five (5) square feet advertising the property for sale or for rent, which must be placed inside of plant bed, or any sign used by a contractor to advertise their firm during repair or reconstruction, which must be placed inside of a plant bed and removed on the day of work completion. No sign of any kind shall be permitted to be placed inside a window or on the outside walls of the home or on any fences on The Properties, nor on the Common Areas, nor on dedicated areas, entryways nor any vehicles within The Properties, except for events or activities endorsed by the Sabal Springs Homeowners Association. No political signs (except HOA Director election), whether partisan or non-partisan, will be permitted at any time.

25. Flags

In accordance with Florida Statute 720.304(2) (a), homeowners may at any time display one United States flag in a respectful manner from a home mounted flag holder or an approved flagpole. In addition to the United States Flag flown per Florida Statute 720.304 (2) (a) one official State of Florida flag or one official flag representing the United States Army, Navy, Air Force, Marines or Coast Guard, POW_MIA, or a first responder flag may be flown. A first responder flag may incorporate the design of any other flag permitted under this paragraph to form a combined flag. For purposes of this subsection, the term "first responder flag" means a flag that recognizes and honors the service of any of the following:

- A. Law enforcement officers as defined in s. 943.10(1).
- B. Firefighters as defined in s. 112.191(1).

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- C. Paramedics or emergency medical technicians as those terms are defined in s. 112.1911(1).
- D. Correctional officers as defined in s. 943.10(2).
- E. 911 public safety telecommunicators as defined in s. 401.465(1).
- F. Advanced practice registered nurses, licensed practical nurses, or registered nurses as those terms are defined in s. 464.003.
- G. Persons participating in a statewide urban search and rescue program developed by the Division of Emergency Management under s. 252.35.
- H. Federal law enforcement officers as defined in 18 U.S.C. s. 115(c)(1).

Flags may be displayed, so long as one flag is displayed in a respectful manner and so long as one flag is equal in size to or smaller than the United States flag, which may not be larger than 4 ½ feet by 6 feet. Unless otherwise permitted by law, the United States flag, the Florida flag, and all the U.S. Military flags must be displayed in accordance with Paragraph 6a of Title 4, United States Code which states that "it is the universal custom to display the United States flag from sunrise to sunset only on buildings or stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness." Permitted flags and banners, regardless of type, should remain serviceable, and not be faded, tattered or dirty. When severe weather is forecast, and/or a resident will be away from their home for an extended period, seven days or more, the Flag(s) must be taken down.

If a resident chooses not to display a United States, Florida or U.S. Military flag, then a single flag or banner pertaining to a holiday may be displayed from a house mounted flag holder or approved flag pole, but only for a period not to exceed seven (7) days during the time of the holiday, Special event (e.g., sports games, birthday, and anniversary) flags or banners are permitted for that day only. Notwithstanding the above, winter holiday flags or banners may be displayed starting from the Monday before Thanksgiving to January 10 each year. No other flags are permitted.

26. HOA Director Election Guidelines

These guidelines apply only to the time of year the HOA has an election, beginning on the date of the Final Notice mailing and up to HOA Director Election Day, generally early January to mid-February.

During this specific time period candidates for election may do the following:

- A. Go door-to-door soliciting to introduce themselves to the residents and hand out an invitation to a 'Meet The Candidate' event
- B. Erect a sign for the purpose of announcing a driveway event to meet one or more candidates
 - 1. Signs can be no larger than 3' x 4'

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2. Signs can be displayed two days in advance of the event date
 3. Can have two signs to be placed on each side of the driveway, adjacent to the street
 4. Signs must be removed after the event concludes
- C. Residents may NOT display a "Vote For (Candidate Name)" sign on golf carts.

27. Unit Air Conditioners and Reflective Materials

No air conditioning units may be mounted through windows or walls. No building shall have any aluminum foil placed in any window or glass door or any reflective substance or other materials (except standard window treatments), placed on any glass, except for those that may be approved by the Architectural Review Committee for energy conservation purposes.

Additional air conditioning may be installed for garages or additions where duct systems cannot be installed or are deemed to diminish the function of the main central air conditioning unit. Mini-Split Air conditioning units are allowed and an ARC application must be completed. The outdoor compressor unit must be located next to the side or rear exterior of the residence. All units must be placed on the ground and be secured on a concrete slab. Absolutely no window, wall mounted, sleeve type or roof mounted air conditioning units of any kind shall be permitted. Conduits and piping (if they are not installed on the interior wall) going up along the outside wall should be covered or painted to match the exterior of the home.

28. Visibility at Intersections

No obstruction to visibility at street intersections or Common Area intersections shall be permitted. Obstructing trees or bushes are subject to inspection, review and action by the Architectural Review Committee and/or the Community Association Manager.

29. Radio/TV Interference

No electronic equipment is permitted in or on any Unit or Lot which interferes with the television or radio reception of another Unit.

30. Garage Doors

Except for entering or leaving the garage, or while working in the yard, each garage door shall remain closed.

31. Drying Laundry

Clotheslines are only permitted if they are not visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or a community golf course. Otherwise, they are not permitted.

32. Vegetable Gardens

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Vegetable Gardens are only permitted if they are not visible from the parcel's frontage or an adjacent parcel, an adjacent common area, or a community golf course. Otherwise, they are not permitted.

33. Supervision of Association Employees

Employees of the Association are not to be sent out by Owners for personal errands. The Board of Directors shall be solely responsible for directing and supervising employees of the Association.

34. Motor Vehicles without Power; Repair

No motor vehicle which cannot operate on its own power shall remain on The Properties for more than twenty-four (24) hours, and no repair of such vehicles shall be made thereon. No portion of the Common Areas may be used for parking purposes, except those portions specifically designed and intended therefore.

35. Limitation on Fishing

Fishing shall only be permitted within The Properties as follows:

- A. From the banks of the lake located southwest of the main entrance;
- B. By an Owner from his Lot, if the Lot is located upon a lake;
- C. All fish must be thrown back.

36. Oil/Mining

No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in the Properties, nor on dedicated areas, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in the Properties. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any portion of the land subject to these restrictions.

37. Hunting/Firearms

No hunting or use of firearms shall be permitted anywhere in the Properties.

38. Golf Cart Path Usage

Golf cart paths are ONLY for individuals playing golf and are to be used only for those persons who have signed up to play golf in the pro shop during regular hours of operation AND FOR NO OTHER PURPOSE!

- A. Homeowners along the golf cart paths have an expectation of privacy and quiet enjoyment when the golf course is closed.
- B. Pets are never allowed on the golf course or golf cart paths.

39. Potential Home Buyers

Realtors must be knowledgeable of the Sabal Springs Homeowners Association, Inc. and their governing documents. The selling homeowner must provide a copy of each of the current governing documents of the association to the potential buyer. The buyer must also be advised that when the application to join the association is submitted, that buyer must sign a statement

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acknowledging receipt of those documents and agrees to abide by each and every item in the documents, in order to join the association. Submission of the form to the Association's Property Manager initiates the approval process and enables provision of an estoppel letter, which is required to close the sale. The current purchase application requires that it be submitted to the property management administrative office, along with a non-refundable processing fee and a non-refundable criminal background check fee per adult, not less than twenty (20) days prior to closing or occupancy. In addition, it states: "This application has been designed for protecting you and the current property owner. It is the desire of the present owners of the Association to welcome you to an environment in which pride in ownership and adherence to all Rules and Regulations will ensure an ideal private and community life." It also states: "Domestic pets are permitted only with Association approval. (PIT BULLS, ROTTWEILERS, DOBERMAN PINSCHERS AND GERMAN SHEPHERDS WILL NOT BE PERMITTED)"

40. Car Covers

No vehicle may be covered by any protective cloth, plastic, or vinyl material parked outside but may be covered if parked in the garage.

41. Moving and Storage Containers (aka PODS), Dumpster or Portable Dumpster

Lot Owners may use moving PODS for loading, unloading and storage purposes on their driveway, subject to the following conditions:

- A. A unit may be parked only on the lot owner driveway for a period of 7 days to load and unload as needed. In the event a resident needs more than 7 days they will need to get approval from the HOA office Community Association Manager (CAM) or Board of Directors (BOD).
- B. Persons who have an approved lease for a property in Sabal Springs shall qualify as owners for the purpose of this provision.
- C. The unit must be parked in the owner driveway without obstructing normal traffic or emergency vehicles.
- D. The Board of Directors shall have the power to assess a fine in the amount allowed by law should owners be found in violation of these requirements. Should it become necessary for the unit to be removed for failure to comply with the requirements of this section, all such costs will be borne by the owner.

42. Grandfather Clause

There shall be a defined period of one (1) year beginning on the date of passage of this document, during which a Lot owner may seek Homeowner Association approval of a condition, situation or circumstance perceived as non-compliant with these Rules and Regulations, but for which the Lot owner believes that prior approval had been obtained from the previous administration. The identification of such a matter may occur by:

- A. A Lot owner raising it voluntarily;

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- B. The Homeowners Association Architectural Committee in its observance of community conditions; or
- C. Any Lot owner who provides written notice to the Homeowners Association about a neighborhood condition, situation or circumstance.

This one (1) year period will be a ONE TIME ONLY opportunity to have a non-compliant situation considered for a grandfathered-in status. There is no guarantee that proper notice and review will assure approval. Upon reviewing the request for grandfathering, the Board of Directors may:

- A. Approve the request without conditions;
- B. Approve the request with conditions; or
- C. Disapprove the request.

Should a request be disapproved as a grandfathered matter, the Lot owner will be granted a reasonable period of time, but not more than twelve (12) months from the date of request disapproval, to correct the condition, situation or circumstance. The Board of Directors shall be empowered to assess in an amount allowed by law for each thirty (30) day period that the condition, situation or circumstance has gone uncorrected beyond one (1) year from the date of the Lot owner's request for grandfather status.

The intent of this provision is to recognize that there may be differences between historical practice and future expectations, and to assure that Lot owners have a reasonable and orderly review of such matters for appropriate disposition. This policy will be carried out pursuant to a procedure established and directed by the Board of Directors.

Approved by the Board of Directors on December 4, 2013
Revisions to Regulations 7 and 16 on July 18, 2017
Revisions to Regulation 12 on August 8, 2017
Revisions to Regulation 16 on November 8, 2017
Revisions to Regulation 12 on February 28, 2018
Revisions to Regulations 2,4,8,10,11,15,16,17,20,22,23,24, 31 and 34 on March 13, 2019
Revisions to Regulations, 2,3,4,5,6,9,13,16,24 and 33 on January 19, 2021

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Revisions to Regulations, 16 on February 3, 2022

Revision to regulations, new Section 13 and 24, Revision to sections 17, 18, 22 and 23, April 18, 2023

Revisions to Regulations, 9, 11, 14, 17, 29, 30, and 39, October 24, 2024

Revisions to Regulations, 17, December 17, 2024

Revisions to Regulations, 2 on March 18, 2025

Revisions to Regulations, 17, N on July 15, 2025

Revisions to Regulations, 8, 16, 17 N, 17 S, New Section 18, 23, 24, 26, October 21, 2025

Revisions to Regulations, 17 T, New Section 19, December 18, 2025

Revisions to Regulations, 2 A,B,C,D, 17 J and T, June 23, 2026