

Valencia Bonita Homeowners Association, Inc.

RECEIVED: _____

BY: _____

**APPLICATION FOR ARCHITECTURAL REVIEW
GENERATOR**

Please Note: There is a refundable security deposit of **\$500** required for this project. Make check payable to: Valencia Bonita HOA. **Emailed applications are not accepted.** Completed applications with check(s) and wet signatures must be hand-delivered or mailed to: Clubhouse Valencia Bonita HOA, 16621 Valencia Bonita Blvd. Bonita Springs, FL 34135.

Owner Name: _____

Local Address: _____ **Lot #** _____

Email Address: _____ **Phone:** _____

Alternate Address: _____

The ARC has 45 days from receipt of the application to complete the preliminary review

If you or a contractor working for you plan to dig anywhere on your lot for any reason, you or the contractor must first call the underground utility locate company (Sunshine811 – 811 or sunshine811.com) to have them locate and mark all the underground utilities near the location of the proposed digging to ensure that everyone is aware of any gas and other utility lines that may be located in the area where the digging will take place.

**ALL APPLICATIONS MUST BE SUBMITTED BY THE HOMEOWNER
EMAIL/ELECTRONIC SUBMISSIONS ARE NOT ACCEPTED**

If you have any questions regarding this application please email:
ARC@valenciabonitahoa.org

2023-12-26

Valencia Bonita Homeowners Association, Inc.
ARCHITECTURAL REVIEW CHECKLIST

GENERATORS

This checklist must be completed by the Owner and their contractor, and submitted to the Architectural Review Committee ("Committee") for review and approval.

ALL ITEMS BELOW APPLY TO THIS APPLICATION

- a.** One (1) complete set of all plans, specifications, drawings and other supporting documents for the planned Improvement prepared by an architect, landscape architect, engineer or other person determined by the Committee to be qualified.
- b.** Lot survey showing the location of the generator and pad in relation to the Home and Lot boundaries, clearly marked and drawn to scale. The use of engineered, pre-cast concrete pads is strongly recommended in lieu of poured concrete pads. In the event a poured pad is used the homeowner **MUST** notify the ARC to inspect the forms prior to the concrete being poured.
- c.** Location of all existing pool, generator, and air conditioning equipment for the Lot and adjacent lots is shown, and meets property line setbacks.
- d.** The proposed generator must be separated by more than 10' (front to rear) from any existing mechanical equipment that utilizes a 1' minimum setback on the Lot or adjacent Lot.
- e.** Electric and gas building permits are required per municipal code for generators. Final ARC approval is contingent on final inspections
- f.** Copies of contractor/subcontractor's license and insurance certificates to include general liability (minimum of 1 million dollars), workers compensation or State of Florida workers compensation exemption. Liability certificate must list the Valencia Bonita Homeowners Association, Inc. 16621 Valencia Bonita Blvd. Bonita Springs, FL 34135 as an "Additional Insured".
- g.** Landscape Plans. Generators must be shielded from view from the front on all lots and from the rear on lake lots.
- h.** Any piping, ducting, conduit, or any other material affixed to the home must be painted the body color of the home.
- i.** Construction access and material storage area is clearly identified on the Lot Survey or site plan.
- j.** Drainage swales and easements (in front, rear or sides of the home) are identified on the Lot survey or site plan and will not be impacted by the proposed Improvement.
- k.** A check in the amount \$500 to cover the costs of any incidental damage caused to Association Property, an adjacent Home or Lot, or any other Lot, or any other property by virtue of Owner's construction or installation of the Improvement(s). The security deposit, less any damages caused by the construction or installation of the Improvement(s), will be returned after the final inspection from the ARC following the installation or construction of the Improvement.
- l.** Owner(s) have signed and initialed the application and all required fields.

Signature of Owner

Date

Valencia Bonita Homeowners Association, Inc.

PERMANENT GENERATOR REQUIREMENTS

- a) A Refundable Security Deposit in the amount of \$500 made payable to Valencia Bonita HOA to cover the costs of any incidental damage caused to Association Property, an adjacent Home or Lot, or any other property (whether real or personal) by virtue of Owner's construction or installation of the Improvement(s).
- b) The security deposit, less any damages caused by the construction or installation of the Improvement(s), will be returned after the final inspection from the ARC following the installation or construction of the Improvement.
- c) Without limiting the generality of the criteria included in the Rules and Regulations of the Association and without curtailing the right of the Committee or the Board in rejecting certain requests or employing judgment in evaluating requests, the following guidelines shall be considered when evaluating requests for a permanent emergency generator and any other appurtenances applicable to the permanent generator (collectively, a "Generator System"). Note that, even in the event of strict compliance with the following guidelines, prior approval from the ARC Committee shall be required for each and every installation of a Generator System on a Lot:
 - d) No Generator System shall be permitted to be installed within any portion of the front yard of a Lot. It is suggested to install the generator towards the rear of the lot. No portion of a Generator System shall encroach onto: (a) any Association Property, (b) any other Lot in the Community, (c) any easements benefiting or burdening the Lot including, without limitation, utility easements, drainage easements, lake maintenance easements, fence and hedge easements, wall and hedge easements, zero lot line maintenance and roof overhang and encroachment easements, or (d) drainage swales on the Lot. In addition to the foregoing, the locations of the various components of the Generator System shall otherwise comply with all Governmental Requirements. The location of the Generator System shall also comply with all applicable setback requirements.
 - e) All portions of a Generator System including the supporting pad must be located no further than 42" from the side property line so that an 18" minimum setback and adequate side yard drainage can be maintained. The use of engineered, pre-cast concrete pads is strongly recommended in lieu of poured concrete pads. In the event a poured pad is used the homeowner MUST notify the ARC to inspect the forms prior to the concrete being poured. If the proposed equipment utilizes a 1' minimum setback it must also be separated by more than 10' (front to rear) from existing mechanical equipment on the same or adjacent lot. At time of application for ARC review, a site plan and detailed Drainage Plan shall be submitted showing the location of all mechanical equipment on the Lot and adjacent lots with complete measurements to demonstrate compliance with this condition.
 - f) In addition to the above, every effort shall be made to site generators at the furthest possible distance from the adjacent single-family dwelling unit's windows and/or doors, and all Generator Systems shall have user preselected exercise times limited between the hours of 11:00 AM - 5:00 PM.
 - g) The attached electrical conduit must be painted the color of the house.
 - h) Photos of the following areas must be included with the application:
 - 1. Front and rear of home including sidewalk, driveway areas, and landscaping.
 - 2. Both sides of home (including adjacent yards, if affected) and all landscaping.

Initials _____

Valencia Bonita Homeowners Association, Inc.

PERMANENT GENERATOR REQUIREMENTS (continued)

- i) All applications for Generator Systems shall include, in addition to other standard information: (a) the make, model, and sound level ratings for all components of the Generator System with the application for installation of a Generator System, the Owner shall be required to submit a Lot Survey to the Committee showing the location and placement of all components of the Generator System. The Lot Survey shall depict (i) the location of all components of the Generator System including, without limitation, the distances from the Home on the Lot and the Home(s) adjacent to the Lot on the side(s) where the Generator System or any portion thereof is to be installed, (ii) the size and layout of the slab that the physical generator will be installed on, (iii) the location of all easements and applicable setbacks (referenced above) affecting the Lot to show that no portion of the Generator System encroaches thereon, and (iv) the location, size and species of any landscape shrubs to be installed to screen the above-ground portions of the Generator System as required below.
- j) **Screening:** Generators shall at all times be screened from view of all adjacent Lot Owners and from the street and any lake. Screening may include hedges. Owner shall be required to submit a landscaping/screening plan to show proper screening of the Generator.
- k) **Compliance with Governmental Requirements:** For any Generator System approved by the Committee, the Owner shall at all times be responsible to comply with all Governmental Requirements relating to the installation and use of the Generator System including, without limitation, applicable set-back requirements and maximum sound level restrictions. In that regard, all approvals for a Generator System shall require the Owner to obtain all necessary building permits and other approvals required by the Governmental Requirements. Regardless of an approval by the Committee, no Generator System may be installed or used without such building permits and approvals. No portion of an Owner's Security Deposit shall be returned to an Owner unless and until evidence satisfactory to the Committee of such compliance with Governmental Requirements has been delivered to the ARC.
- l) **Maintenance:** All Generator Systems must be regularly and properly maintained, repaired and replaced, as applicable, by the Owner of the Lot on which such Generator System is installed.
- m) **Required Removals:** For any Generator System, if approved, the Owner shall be responsible for the costs associated with any required removal, or repair.
- n) **Limitations:** Not all Lots in the Community may be able to have Generator System installed thereon due to, among other things, the Governmental Requirements, applicable set back requirements, location of easements and the configuration of the Lot. Accordingly, each Owner shall be responsible to confirm that their Lot can accommodate a Generator System prior to making application to the ARC and/or applying for any necessary permits and approvals.
- o) One (1) complete set of all plans, specifications, drawings and other supporting documents for the planned Improvement prepared by an architect, landscape architect, engineer or other person determined by the ARC to be qualified.
- p) Lot survey depicting location of proposed generator on the Lot and the mechanical equipment on the adjacent lot.
- q) Landscape plans showing impact to existing landscape and any proposed replacement plantings. Plan shall also include shrubs to conceal above ground equipment from the adjacent lot(s), road and any lake.
- r) The homeowner MUST provide a copy of these requirements to their contractor and ensure these requirements are followed.

Initials _____

Valencia Bonita Homeowners Association, Inc.

OWNER'S AFFIDAVIT

I have read, understand, and agree to abide by the Declaration of Covenants, Restrictions and Easements for the Association. In return for approval, I agree to be responsible for the following:

1. Allowing reasonable access to the Lot by the ARC and its Committee Members to conduct site visits as part of the review process, and on-going construction observations.
2. All losses or damage caused to others, including common areas, as a result of this Improvement, whether caused by Owner or others;
3. To comply with all applicable governmental laws, statutes, ordinances, codes, rules and regulations;
4. To correct any encroachment(s) caused by the Improvement;
5. To comply with the conditions of approval required by the ARC for the Improvement (if any);
6. To complete the Improvement in accordance with the approved plans. If the Improvement is not completed as approved, said approval will be revoked and the addition or modification shall be removed by the Owner at the Owner's expense.
7. If requested a copy of the Owners building permit will be provided prior to the commencement of the improvement, and a copy of the final City of Bonita Springs Building Department Certificate of Completion inspections will be required for pools and screen cages.
8. Owner further acknowledges that the existing drainage swales have been designed and established between homes (side yard) to provide positive drainage away from Home and convey storm water off the lots. The Association and/or Declarant shall not be responsible for any impact that proposed Improvement may have on drainage. The Owner shall be responsible for all associated costs to correct drainage problems caused by the Improvement including re-grading, re-sodding and as-built surveys.
9. Costs associated with irrigation modifications as a result of this Improvement shall be at the Owner's expense.
10. Owner acknowledges they are responsible for any damage and repairs to the irrigation main and valves located in adjacent lake and open space tracts that is caused by their Improvement.
11. Providing contractors and material suppliers access to construction areas only through Owner's property or adjacent property if the neighbor has consented to the access through their property in writing.
12. Ensuring that all areas affected by construction of the Improvement (i.e., landscaping, irrigation, common areas, etc.) are restored to their original condition. Owner will be notified of any damage or deficiencies in writing and will be required to correct any damages. Failing that, the Owner is responsible for all costs necessary for the Association to properly restore the affected area(s).
13. Valencia Bonita Homeowners Association's Board, the ARC members or their representative and the Property Management Company shall not be held responsible for any damage to landscaping, irrigation or other property caused or incurred by Owner or Owner's vendors/contractors pertaining to any work related to the Improvement.
14. Advising immediate neighbors on each side, in writing or verbally, of the proposed project regardless of whether their property will be used for access. Consent is not required.

I acknowledge that the ARC review and approval or disapproval of plans submitted to it for any proposed Improvement shall be based solely on considerations of the overall benefit or detriment to the Community as a whole. I also understand that the Committee does not review or assume responsibility for the structural adequacy, capacity, safety or compliance with any applicable law, rule, regulation, code or ordinance of the proposed Improvement; or for performance, workmanship, quality of work, or schedule of any contractor.

I agree to abide by the decision of the ARC. If the Improvement is not completed as approved, within the specifications submitted in this application, and I refuse to correct or remove the Improvement, I may be subject to legal action by the Association. In such event, I shall be responsible for the Associations' reasonable attorneys' fees.

Signature of Owner

Date

Valencia Bonita Homeowners Association, Inc.

**Architectural Review Committee
Approval Worksheet**

Lot # _____

Preliminary Approval by the ARC: _____

Preliminary Approval by the ARC subject to: _____

Preliminary Deferral, due to the following missing information _____

Denied, not approved by the ARC for the following reason(s): _____

Preliminary Review

Signature of Committee Member: _____ Date: _____

Signature of Committee Member: _____ Date: _____

Final Site Review

Signature of Committee Member: _____ Date: _____

Signature of Committee Member: _____ Date: _____