Lely Country Club Property Owners Association, Inc.
DESIGN STANDARDS
POOL BARRIERS, SCREENED ENCLOSURES AND PROPERTY FENCES

1. **Purpose**. The purpose of these Design Standards is to establish clear and consistent Design Standards for pool barriers, screened enclosures and property fences within the Property. These standards are intended to:
   - Ensure compliance with applicable Florida laws and safety requirements.
   - Maintain the aesthetic integrity of the community.
   -

2. **Definitions.**
   Terms not herein defined shall have the meanings provided for the governing documents for Lely Country Club Property Owners Association (the "Owners Association").
   Pool Barrier: A structure intended to restrict unauthorized access to a residential swimming pool for safety purposes, as required by Florida Statute 515.29 (Residential Swimming Pool Safety Act).
   Screened Enclosure (Lanai enclosure): A permanent aluminum framed screened structure, commonly referred to as a lanai enclosure, constructed to enclose a pool, spa, patio, or outdoor living area. Screened enclosures are commonly used for insect control, wildlife exclusion, debris reduction and pool safety. Screened enclosures are distinct from pool barriers and property fences.
   Property Fence: A structure installed to enclose, define, or separate property boundaries or areas of a Plot, that is not primarily intended as a pool safety barrier.

3. **Governing Authority.** All installations must comply with:
   - Florida Statute 515.29 (Residential Swimming Pool Safety Act).
   - Local building codes and permitting requirements.
   - The governing documents of the Owners Association and these Design Standards.

   Note: Compliance with Florida Statute 515.29 does not eliminate the requirement to obtain ARC approval, nor does it authorize installations that conflict with these Design Standards, including aesthetic and placement restrictions. In the event of a conflict between these Design Standards and applicable law, the stricter requirement shall apply.

4. **General Requirements.** All pool barriers, screened enclosures and property fences require prior written approval from the ARC. Property fences require additional approval from the Board.
   - Approved plans must be followed exactly as submitted.
   - Any field changes must be resubmitted and approved before construction/installation commences.
   - Non-compliance may result in enforcement action, including fines, requirements for removal or modification.

5. Pool Barrier Standards.

Pool barriers are permitted as safety features and must meet the following:

5.1 Placement Requirements:

- Must directly enclose the pool and/or spa area only.
- Shall not extend beyond what is reasonably necessary to provide a safety enclosure. (See section 5.2 for specific details).

5.2 Dimensional Standards:

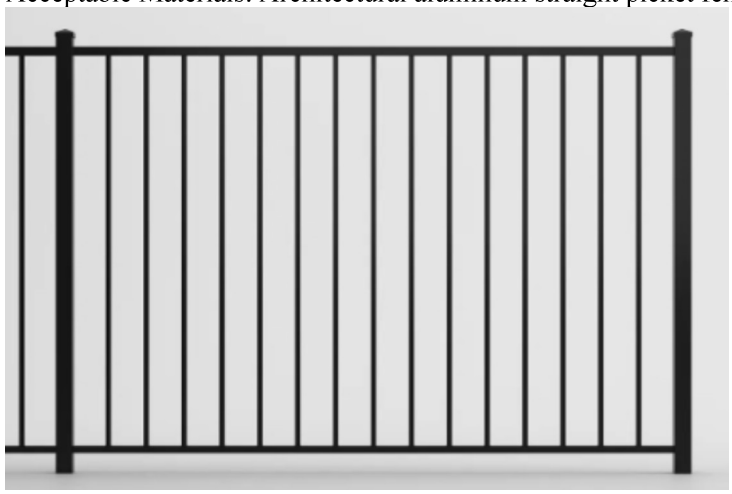
- Minimum setback from water's edge: 3 feet on all sides.
- Maximum **rear** enclosure distance: 10 feet from the water's edge or as limited by Collier County code, whichever is the less.
- Barrier **sides** should align with the sides of the house located on the Plot.
- Maximum side extension: 6 feet beyond the exterior side wall of the house located on the Plot, or as limited by Collier County code, whichever is less.
- Barriers may not extend forward beyond the rear plane of the house.

- Landscaping must be used and maintained where necessary to minimize visibility of the pool enclosure from the street.

5.3 Height and Construction:

- Minimum height: 48 inches (or as required by code).
- Maximum height: 48 inches.
- Openings and spacing must comply with Florida safety standards (maximum opening of 4 inches per Fla. Stat. § 515.29 or applicable local code requirement).
- Gates must be self-closing and self-latching; latch height must comply with Fla. Stat. § 515.29.

5.4 Permitted Design and Materials:

- Acceptable Materials: Architectural aluminum straight picket fencing.
- 
- Finish: Powder coated paint or anodized.
- Color: White, Black or Bronze.
- Must be visually unobtrusive and consistent with community aesthetics.

5.5 Limitations:

- Pool barriers are not intended to function as general property fences.
- Any pool barrier that extends beyond the pool Dimensional Standards set forth in Section 5.2 above, may be reclassified by the ARC as a property fence and subject to the standards set forth in Section 7 below.

6.Screened Enclosure (Lanai Enclosure).

Screened enclosures are permitted as accessory structures for pools, spas, patios, and outdoor living areas and are recognized as customary residential improvements.

6.1 Placement Requirements:

- Must be attached to the residence.
- Maximum **rear** enclosure distance: 10 feet from the water's edge or principal improvement served or as limited by Collier County code, whichever is the less.
- Shall not extend beyond either side wall of the house.
- Shall not extend forward beyond the rear plane of house.
- Shall remain visually subordinate to the residence.

6.2 Height:

- No portion shall project above the primary roof ridge.

6.3 Permitted design and Materials:

- Architectural aluminum framing.
- Fiberglass or comparable screening to include super screen.
- Powder-coated or anodized finish.
- Colors: White, Black or Bronze.

6.4 Visibility:

- Screened enclosures are substantially more visible than pool barriers, they shall be designed so that, when viewed directly from the street, they do not project beyond the side walls of the residence or above the roof line.

6.5 Relationship to Pool Barriers:

- A screened enclosure that satisfies applicable Florida pool safety requirements may serve as the required pool barrier. A compliant screened enclosure shall not be classified as a property fence solely because it encloses an outdoor living area.

6.6 Repair by Replacement (R&R):

- A screened enclosure that is damaged or destroyed by a storm or other natural event may be repaired or replaced provided the replacement enclosure:
- Is constructed within the same footprint as the original approved enclosure.
- Maintains substantially the same dimensions, height, and configuration as the original enclosure.
- Complies with all applicable Collier County building codes, permitting requirements, and other governmental regulations in effect at the time of replacement.
- Does not expand, relocate, or otherwise modify the original screened enclosure.
- Any proposed enlargement, relocation, redesign, or material change shall require prior ARC approval in accordance with these Design Standards.

7. Property Fence Standards. Property fences are prohibited.

7.1 Exceptions. The ARC may consider exceptions to the foregoing rule, on a case-by-case basis for the following unique conditions:

- Unique Plot conditions and configurations.
- The Plot does not abut or touch the golf course property and is bordered by other member-owned Plots on three sides (rear, left and right). Examples of qualifying Plots include those located Muirfield Circle (inside circle Plots), Palmetto Dunes Circle (inside circle Plots) and even-numbered Plots located on St. Andrews Blvd (i.e. single-family homes).
- Safety concerns not addressed by pool barriers.
- Other specific circumstances deemed reasonable by the ARC.

7.2 Dimensional Standards:

- Must meet strict aesthetic guidelines
- Height, material, and placement will be evaluated on a case-by-case taking into consideration the particular geographical conditions of the subject Plot.
- Must not negatively impact neighboring properties or community appearance.
- Maximum side extension: 6 feet beyond the exterior side wall of the house, provided that at a minimum 5-foot setback from the Plot boundary line on each side is maintained, whichever is more restrictive.
- Side extensions may not extend forward beyond the rear plane of the house.
- Maximum rear fence distance: Within 5' of the rear property line or as limited by Collier County code, whichever is more restrictive.

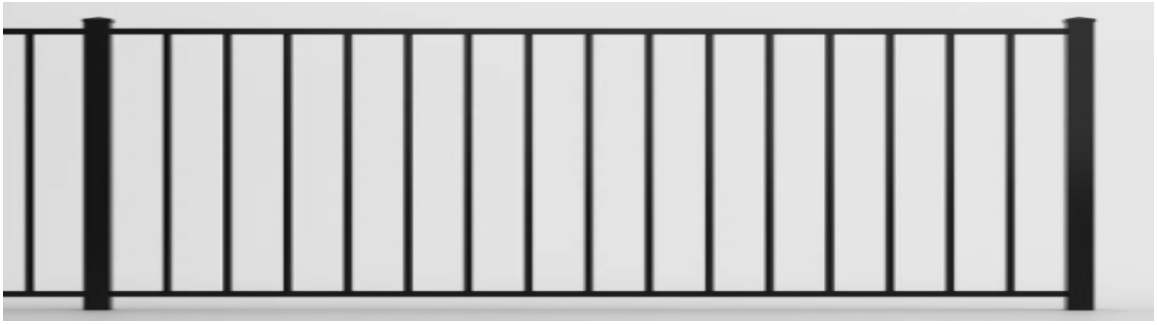
7.3 Height and Construction:

- Minimum height: 48 inches (or as required by code).
- Maximum height: 48 inches.
- Openings and spacing must comply with Florida safety standards (minimum 3-inch spacing, maximum 4-inch opening).
- Gates must be self-closing and self-latching.

7.4 Permitted Design and Materials:

Acceptable materials: Architectural aluminum straight picket fencing.

Finish: Powder-coated or anodized.
Color: White, Black or Bronze.



Must be visually unobtrusive and consistent with the community aesthetics.

7.5 Landscaping.

Landscaping must be planted and maintained to minimize visibility from the street.
Hedges must be placed between the Plot line and the fence on all applicable sides (right, left and rear) to create a contiguous hedge that screens the fence from all three adjacent properties.

8. Distinction Between Pool Barriers and Property Fences.

The ARC will evaluate installations based on intent, design, and placement. A structure may be classified as a property fence rather than a pool barrier if:

- An existing pool enclosure or barrier (such as a screened lanai) already provides compliant pool protection.
- It extends beyond the Dimensional Standards set forth in Section 5.2 above.
- It encloses large portions of the yard unrelated to pool safety.
- It functions as a boundary or privacy fence.

For Example: A pool barrier extending more than 10 feet from the pool's water's edge will be categorized by the ARC as a property fence rather than a pool barrier. **Reclassification may result in denial of an application or required modification of the installation.**

9. Compliance and Enforcement.

Owners must construct/install the pool barrier, screened enclosure or fence in accordance with the plans approved by the ARC. Deviations from the approved plans without prior written approval, constitute a violation and may result in revocation of any approved related ARC application. The Owners Association reserves the right to require correction, removal or to pursue legal action as permitted under the governing documents and Florida law.

10. Approval Process. To obtain approval, Owners must submit the following to the ARC:

1. Site plan showing exact location and dimensions.
2. Elevation drawings.
3. Description of materials, colors and product specifications.
4. Request for Approval of Exterior Modifications Form.

Go to: www.LelyCountryClub.com → Forms → ***Request for Approval of Exterior Modifications.***
The ARC reserves the right to approve, deny, or request modifications.

11. Effective Date. These standards shall become effective upon adoption by the Board of Directors of the Owners Association and shall apply to all applications submitted on or after the effective date.

12. Grandfathering. Previous installations are not subject to retroactive application of these standards **unless** a modification or reconstruction is proposed.

13. Summary Guidance.

- Pool barriers are allowed for safety compliance.
- Screened Enclosures that satisfy applicable Florida pool safety requirements may serve as the required pool barrier.
- Property fences are generally prohibited except where noted.
- ARC approval must be obtained and strictly followed.