

**ISLE VERDE NEIGHBORHOOD
ASSOCIATION, INC.**

ARCHITECTURAL CRITERIA



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I

INTRODUCTION

Building, remodeling, or adding to your home at Isle Verde should be an exciting experience for you. Your home at Isle Verde represents a major investment to you, and the quality of design is very important. These Architectural Criteria have been prepared to help owners, architects, and contractors understand and become active participants in the process, to assure long-term community quality. It is the intent of the Architectural Criteria to maintain the architectural integrity of Isle Verde while creating a blend of home styles which enhance the natural environment.

The Amended and Restated Declaration of Restrictive Covenants, Conditions, Restrictions and Easements for Isle Verde ("Declaration") and these Architectural Criteria were carefully prepared to provide a residential community of unmistakable appeal. The Architectural Review Board ("ARB") of the Isle Verde Neighborhood Association is available to help you understand the Architectural Criteria. We urge you to meet with an ARB representative as early as possible following your decision to re-build, remodel or make any exterior changes to your home or yard. It is the best way to understand the design requirements and to begin including them in your design.

Design review is authorized in Article VI of the Declaration. The Declaration along with the Architectural Criteria, contain important information that all residents of Isle Verde should read prior to beginning the building design process.

The Architectural Criteria cover 3 basic sections:

Design Review Process: An explanation of the process involved in getting your construction approved and the documents required to be submitted.

Architectural and Landscaping Guidelines: Items to consider when deciding upon the type or style of house to build or the remodeling to conduct. Specific requirements for building materials, building details, and colors and specific recommendations and requirements for site improvements, including landscaping.

Construction Guidelines: Guidelines for your contractor to follow as the home is re- built or remodeled.



II

THE ISLE VERDE DESIGN REVIEW PROCESS

A. OVERVIEW

1. **Purpose of Guidelines:** These Architectural Criteria provide an overall framework and comprehensive set of standards and procedures for rebuilding and remodeling in Isle Verde in an orderly and cohesive manner. These standards have been developed to provide direction for the planning, designing, constructing, landscaping, and modifying of all homes and lots within Isle Verde. The standards set forth criteria for design, style, materials, colors and location of site improvements, landscaping, signage, lighting and other structures. In addition, the Architectural Criteria establish a process for review of all proposed construction and modifications to a home and/or lot to ensure that all property within Isle Verde is remodeled with consistency and quality.

2. **Governmental Permits:** To the extent that Collier County ordinances or any government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Architectural Criteria or the Declaration, the government standards shall prevail. To the extent that any government standard is less restrictive, the Declaration and the Architectural Criteria (in that order) shall prevail.

3. **Preparer:** These Architectural Criteria have been prepared and adopted by the ARB pursuant to the Declaration.

4. **Applicability of Architectural Review:** These Architectural Criteria govern all residential and other structures constructed or placed within Isle Verde. Unless otherwise specifically stated in the Declaration or these Architectural Criteria, all plans and materials for new construction or exterior modifications of improvements must be approved before any construction activity or placement of structure begins. All owners and contractors are responsible for ensuring compliance with all standards and procedures within these Architectural Criteria. Owners are also governed by the requirements and restrictions set forth in the Declaration, the Declaration and General Protective Covenants for Pelican Bay (the "Master Declaration"), the Pelican Bay Foundation Architectural and Design Review Guidelines, and the Declaration of Restrictions and Protective Covenants for Parcel "2", Pelican Bay Unit Twelve and a Portion of Tract "A", Pelican Bay Unit Twelve (the "Isle Verde Site Restrictions").

5. **Design Review Application:** All plans and materials for any new home, remodeling or additions which are visible from the outside of your home, must be reviewed by the ARB before construction can begin. The application forms required to be submitted to the Pelican Bay Foundation pursuant to their Guidelines may also be used for submittals to the Isle Verde ARB; however, a separate application fee, in addition to the Foundation's application fee, and in the amount stated in sub-section B below, must be submitted to the ARB. As with the Pelican Bay Guidelines, construction activity is divided into Major and Minor Projects, as defined in the Declaration, and the application form for each type of project shall be used, depending on whether it is a Major or Minor Project. The application forms are available at the Foundation's Covenant Enforcement Office or on line at www.pelicanbay.org, then go to the Foundation's member section. If a project consists only of landscaping changes, only the form for landscape projects needs to be submitted. Go to the member section, then go to real estate. The Declaration defines Major and Minor Projects as follows:

- a. Major Projects include, but are not limited to (i) exterior renovations, (ii) structural changes (interior or exterior), (iii) changes in floor elevations, (iv) changes in grade elevations, (v) changes in roof elevations, (vi) roof replacement (except in



emergencies where a roof is being replaced after a casualty event in order to preserve the Home), and (vii) landscape projects which involve additional landscaping or replacement of existing landscaping with different plants on those portions of Lots which are maintained by the Association. Some exterior renovations are not necessarily Major Projects, such as those designated below as Minor Projects.

b. Minor Projects include, but are not limited to (i) installation of antennas/dishes, (ii) exterior color changes, (iii) repair (excluding replacement) of driveways, (iv) installation of exterior lighting, (v) installation of solar collectors, (vi) work on the exterior of a Home required because of an emergency (such as a leaking or clogged underground pipe or repairs to the roof necessary to prevent damage to the Home), (vii) installation of fences, hurricane shutters, and windows, (viii) repair or replacement of landscaping with the same size and type of plants as previously existed, and (ix) work performed inside a Home unless the scope of the work is so significant that factors such as those listed in the next sub-section are applicable.

c. In determining whether a Project is Major or Minor, the ARB shall take into consideration such factors as noise that could be heard from outside the Home (such as jack-hammering or hydraulic hammering), or result in large construction vehicles visiting the Home (such as cement trucks, heavy equipment, forklifts, etc.), and the anticipated length of time to complete the Project.

6. **Changes and Amendments to the Architectural Criteria:** These Architectural Criteria may be amended by the ARB to serve the needs of an evolving community. Amendments shall be prospective only and shall not require modifications to existing structures or improvements unless modification to existing structures or improvement is requested by the owner.

B. REVIEW PROCEDURES

1. **Minor Projects:** Reviews of Minor Projects are conducted by the ARB. No review fee is required. Reviews shall be completed within thirty days of receipt of all required documents by the ARB. If the ARB has not responded to an application within thirty days, the application is deemed to be approved.

2. **Major Projects:** Reviews of Major Projects are also conducted by the ARB. An application fee of \$500 must be paid at the time of application. This fee is in addition to any fee charged by the Pelican Bay Foundation. The fee may be used for the ARB to retain consultants (such as an architect or engineer), to assist the ARB in its review. Reviews must be completed within ninety days of receipt of all required documents by the ARB. If the ARB has not responded to an application within ninety days, the application is deemed to be approved. Review of Major Projects may require a pre-construction meeting with the owner's contractor and/or architect, on site review with an ARB Representative, and a lot stake out to delineate the extent of any additions being proposed.

3. **Construction Deposit:** The ARB may charge a construction deposit of up to \$1,000.00 for Minor Projects or waive the deposit entirely. A construction deposit in an amount determined by the ARB but not to exceed \$7,500.00 for Major Projects is due as a condition of approval by the ARB. When the ARB determines that the Project should be approved, it will send the owner the Deposit Agreement attached as Appendix A which will state the amount of the deposit required. The owner must sign the Agreement and pay the deposit before the ARB will issue final approval. The deposit will be placed in a non-interest bearing account and may be used by the Association to repair any damages to common areas or neighboring lots caused by the owner's construction activity or to pay fines levied by the ARB for violation of these Architectural Criteria or for failure to follow approved plans.



4. **Construction Inspection:** The ARB may inspect the construction at any time to insure it is consistent with the approved plans.

5. **Post Completion Review:** This step involves a final field review with an ARB Representative, to verify that completed improvements are in compliance with approved plans. Upon such verification, the construction deposit is released.

C. **APPEAL PROCESS** If any owner is denied approval for a project or disagrees with the requirements imposed by the ARB, and if the disagreement cannot be resolved by discussion and negotiation with the ARB, the Owner can appeal to the Board of Directors, which shall adjudicate the dispute and whose decision shall be final. The appeal must be filed with the Board of Directors within thirty days of the ARB's decision, unless the time frame is extended by the ARB to give the parties time to attempt resolution of the disagreement.

D. **CRITERIA FOR REVIEW** While the Architectural Criteria are intended to provide a framework for construction and modifications, the Architectural Criteria are not all-inclusive. In its review process, the ARB may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things. ARB decisions may be based on purely aesthetic considerations.

E. **NON-LIABILITY FOR APPROVAL OF PLANS** The approval of an owner's project and any plans submitted with the Application does not in any way make the ARB or the Association liable for any errors in the plans or the failure of plans to meet any governmental regulations. An owner must still obtain a building permit and get approval from Collier County for any project for which Collier County requires approval. Approval of plans by the ARB in no way guarantees that such plans will be approved by Collier County or the Pelican Bay Foundation.

III

ARCHITECTURAL AND LANDSCAPING GUIDELINES

A. ARCHITECTURAL GUIDELINES

1. **Architectural Theme:** Isle Verde's architectural theme is an Italianate style, which incorporates colors that fit in with the theme. Equal attention to detail and architectural definition must be given to all sides of the structure, including but not limited to, the foundations, banding, accent materials, roof style, and window treatment.

2. **Exterior Colors:** Approved colors for exterior walls and trim are custom colors manufactured by Sherwin-Williams as shown on Appendix B.

3. **Roofing:** Roofs must be Spanish style terra cotta barrel tiles.

4. **Roof Accessories and Equipment:** All rooftop equipment must match roofing colors or be of a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing gutters and downspouts must be painted to match the fascia and trim of the structure. Galvanized gutters are not allowed. No exposed attachment straps will be allowed.

5. **Solar Panels:** Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the home and, to the extent possible, not be visible from the street. Additional landscape buffering may be required in order to soften the appearance of solar panels. Solar panels shall be located on the rear or side roof of a home whenever possible.



6. **Decorative Shutters:** Decorative exterior shutters which are visible from the street are not allowed. All others must be of a material similar to and of a color and design generally accepted as complementary to the exterior of the home.

7. **Hurricane and Storm Shutters:** Except for temporary "Unapproved" Shutters which are allowed on a temporary basis as explained below, no hurricane or storm shutters shall be installed unless they have been approved by the ARB. They must blend into the window details or into the window covering requirements such that a patchwork or "checker board" look does not occur. Except for clear or Lexan style shutters, all others should be of consistent color, detail and style. The colors of the storm shutters must be compatible and consistent with the architecture of the building. Except for temporary "Unapproved" Shutters which are allowed on a temporary basis as explained below, no mill finish aluminum is allowed.

a. Hurricane Season Use. Hurricane Season is defined as June 1 - November 30. During that time any type of shutter which has been previously "Approved" by the ARB in accordance with these Architectural Criteria shall be permitted to be installed and remain on the front, rear, and sides of the home.

b. Year Round Use. Certain types of approved shutters may be installed on the home outside of Hurricane Season (as defined above). Only clear or Lexan style shutters may be installed and remain on the front of the home between December 1 - May 1. Approved shutters of other materials may be used on the rear and sides of the home.

c. Temporary Unapproved Shutters. "Unapproved" materials such as plywood or mill finish aluminum may only be used on a temporary basis during times of impending storms. Such temporary shutters may be installed once the National Hurricane Center has placed Southwest Florida under a hurricane watch and must be removed no later than 48 hours after the hurricane watch has been removed or after the storm has passed.

d. Windscreen Protection. Windscreen style of protection will be approved so long as the material is a neutral color.

8. **Awnings:** Awnings facing the street must be terra cotta colored material.

9. **Decks and Balconies:** If an Owner is extending an existing deck or balcony, the same material as the existing deck or balcony must be used. If an Owner is constructing a new deck or balcony, the material used must be the same material as exists on any other deck or balcony on that Owner's lot. Wood decks and decks made of composite material are not allowed. Decks and balconies must be installed as an integral part of the home or patio area. Any such decks or balconies must be located so as not to obstruct or diminish the view of or create an unreasonable level of noise for adjacent property owners. Construction shall not occur over easements unless specifically approved by the holder of the easement, and must comply with the applicable governmental requirements and receive ARB approval.

10. **Dog House and Runs:** Dog houses are prohibited. Dog runs must be approved by the ARB and shall not be visible from the street or adjacent properties. Dog runs may be located only at side or rear yards that do not face the street and must be set back a minimum of three feet from the property line and buffered with landscaping. ARB approval may require screening, or landscaping. In deciding whether to approve dog runs, the ARB may take into consideration the size of the dog and the specific breed and the tendency of the breed to bark.

11. **Exterior Lighting:** ARB approval is required for exterior lighting. Exterior lights shall be conservative in design and as small in size as is reasonably practical. Exterior lighting shall be directed



toward the house and be of low wattage (limited to 2,000 lumens) to minimize glare sources to neighbors and other homeowners. Lighting for walkways generally must be directed toward the ground. Lighting fixtures shall be dark colored so as to be less obtrusive. Low voltage (12 volts) lighting is preferable to conventional house-voltage systems because of its safety advantages. The ARB may take into consideration the visibility and style of the fixture and its location on the home. Colored lights are prohibited, except as temporary holiday decorations.

12. **Flags:** Owners may attach a United States flag, reasonable in size, to their home or garage without ARB approval. In addition, owners may display one portable, removable official flag of the State of Florida in a respectful manner, and on Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day, may display in a respectful manner portable, removable official flags, not larger than 4 1/2 feet by 6 feet, which represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard. No other flags are allowed.

13. **Driveways/Walkways:** Approved materials and colors for driveways and walkways are Cobblestone pavers manufactured by Krehling Industries in light terra cotta, sandstone, or charcoal, which colors must be used in combination to create a cobblestone effect. Three sizes are available but a 4" X 8" border must be used. If an owner desires to purchase pavers from a different manufacturer, pavers which are substantially similar to those manufactured by Krehling must be used.

14. **Mailboxes; Fences; Gates:** Mailboxes, fences, and gates must be verde green and be the standard design used throughout Isle Verde.

15. **Party Walls:** Party walls may not be more than six feet high with the cap and the cap must be consistent with others in Isle Verde. All walls and hedges used as privacy barriers must follow the topography of the lot.

16. **Screen Enclosures:** All screen enclosures shall be bronze colored materials, except that white may be acceptable on courtyard dwelling units, subject to prior written approval of the ARB.

17. **Propane Tanks:** Propane tanks must be installed underground.

18. **Signs:** If a sign is permitted pursuant to the Declaration, it must be the size and color which have been previously approved and currently in use in Isle Verde.

19. **Generators:** Temporary generators which are not permanently installed and are used only during a storm event do not need ARB approval but must be placed inside the garage or home as soon as power is restored. The installation and placement of permanent generators must be approved by the ARB and the ARB may require baffling or other noise buffering as a condition of approval. The ARB will consider the potential noise which may be heard in neighboring homes in deciding where generators may be located.

B. LANDSCAPING GUIDELINES

Landscaping is an essential element of design at Isle Verde. If a landscape project is a Major Project as defined herein (involves additional landscaping or replacement of existing landscaping with different plants on those portions of Lots which are maintained by the Association), then two copies of a landscape plan prepared by a Landscape Architect are required if you decide to re-landscape your yard or install new landscaping. Use of Xeriscape planting and design is encouraged. Xeriscape guidelines are available from the South Florida Water Management District at (800) 432-2045 or P.O. Box 24680, West Palm Beach, Florida 33416-4680.

ARCHITECTURAL CRITERIA

APPENDIX A: DEPOSIT AGREEMENT SEE FORMS SECTION

**APPENDIX B: EXTERIOR PAINT COLORS SEE PROPERTY MGR
(Current paint color formulas on file)**

