

December, 2015
Cape Cave Corporation, The Developer
Revised New Construction Guidelines
For Rotonda West



Rotonda

For any type of New Construction, the December 4, 2015 Recorded Deed Restrictions for Rotonda West provide for Architectural Review and Approval by the Developer, Cape Cave Corporation.

1. Terms used in this document:

- A. The term Developer means Cape Cave Corporation
- B. The term RWA means Rotonda West Association, Inc., a mandatory Home Owners Association.
- C. The term Builder/Contractor also includes any owner who builds for themselves, an owner-builder.
- D. The term C.O. means a Certificate of Occupancy issued by Charlotte County.
- E. The term Deed Restrictions means the recorded deed restrictions for Rotonda West.

2. Rotonda West, the Circle, is comprised of the following 7 Sections (Plats):

- A. Oakland Hills
- B. Pebble Beach
- C. Pinehurst
- D. Broadmoor
- E. Long Meadow
- F. White Marsh
- G. Pine Valley

3. Prior to Any Construction Start ALL of the Following Forms & Items Must be Submitted for Review:

- A. A fully completed Application for Architectural Review dated December 2015
- B. A fully completed Project Review Form dated December 2015
- C. One complete set of building plans and specifications as submitted to Charlotte County.
- D. One complete set of any swimming pool plans as submitted to Charlotte County.
- E. Note that above ground pools are not permitted, see Section 6.
- F. A boundary & topographical survey of the property by a registered mapper and surveyor.
- G. A site & drainage plan for the property as submitted to Charlotte County.
- H. A combination landscape and site screen plan, drawn on a separate copy of the site & drainage plan, showing plantings and site screening at the time of the C.O.
- I. A non-refundable \$250 plans review and inspection fee made payable to Cape Cave Corporation.
- J. A \$1,000 New Construction Compliance Program Deposit payable to the Rotonda West Association.
- K. For RWA authority and Deed Restriction compliance see Section 14.
- L. The Developer reserves the right to require proof of project completion funding from the owner.
- M. All submitted plans and other required items shall be retained by the Developer.
- N. Review begins when all of the above required items have been submitted. See Section 15.

4. Canal Front Lots:

For new construction on any canal front lot, Section 19 of the Deed Restrictions require grading and sodding of the Canal Area bank that at the time of completion, (C.O.). The Canal Area, a public right of way, is the area that lies between the rear lot line and the water's edge and is under the authority of the RWA.

5. Architectural Review Standards:

NOTE: Refer to the new 2 story-35 foot building height limits in both Sections 7A and 8A.

- A. Review will be based on aesthetically pleasing curb appeal, see Section 15.
- B. Overall exterior house design must be in keeping with the theme of Rotonda West.

- C. Identical adjacent house designs, regardless of opposite garage orientation, will not be approved.
- D. Modular or pre-fabricated construction will not be approved.
- E. Exterior colors, (main, trim & roof), must be harmonious within Rotonda West.
- F. Bright, dark or severe contrasting exterior colors may not be approved.
- G. Exterior house and elevation designs must contain one or more features such as:
 - Columns
 - Raised quoins
 - Raised decorative bands
 - Visually interesting front window design
 - Architecturally pleasing front entries
 - Roof & exterior wall offsets
- H. Blank exterior wall expanses exceeding 20 feet in length shall require one or more of the following:
 - A window or windows
 - A pleasing raised cementitious design.
- I. Exterior block walls must have cementitious finish.
- J. Siding on exterior walls may be approved, and will be reviewed on a case-by-case basis.
- K. Landscaping must contain quality turf, plants and trees; no extensive use of stone, shell or mulch.
- L. Site screening must be installed for all trash cans and outside equipment so as not to be visible from the street to a person standing at the finished grade of the street. A/C units and pool heat exchanger units are excluded.
- M. Fencing is allowed, but is subject to deed restriction requirements.
- N. New products, materials or exterior colors may be submitted to the Developer for consideration.

6. Construction Review Standards:

- A. Windows:
 - ⋮ A minimum of 2 required for each side of the home.
 - A visually interesting, raised cementitious faux window design may be substituted for 1 side window.
 - ⋮ Visually interesting window designs are required on the front elevation.
- B. Roofs:
 - ⋮ Minimum main roof overhang is 18 inches with 6-inch fascia board.
 - Gable or high front entrance hip ends may be less than 18 inches, reviewed case-by-case .
 - Minimum Roof pitch is 5/12.
 - ⋮ Shingle roofs must be of the "dimensional or architectural" type .
 - Tile roofs must be glazed or sealed.
 - Metal-based roofs will be reviewed on a case-by-case basis.
 - No 5V Crimp metal roof design will be approved, standing seam only.
- C. Minimum House Width and Maximum Garage Width:
 - Narrow shot gun style homes or homes designed to fit on rectangular lots of less than 80 feet wide will not be approved.
 - Assuming a Rotonda West standard 80 foot wide rectangular lot, containing a 65 foot maximum allowed house width and 18 inch maximum allowed roof overhangs.
 - The minimum house width for architectural review is 55 feet.
 - The maximum garage width for a front facing garage cannot exceed 55% of the total house frontage.
 - Any 3'd car garage bay area must be set back and off set a minimum of 12 to 16 inches.

- D. No use of exterior mirrored glass will be approved.
- E. Decorative banding, motifs, visually interesting faux windows or quoins must be of a raised cementitious design.
- F. Garage outside walls: must have one of the following:
 - A window
 - A visually interesting, raised cementitious, faux window design.
 - A paneled side door.
 - The 20 foot blank wall rule in Section 5H applies to garages.
- G. Glass block on exterior elevations will be reviewed on a case-by-case basis.
- H. Building setbacks:
 - Rotonda Boulevard East & South **front setback only:** minimum 50 feet / maximum 60 feet.
 - All other building setback requirements are per Charlotte County code.
- I. Driveways must be constructed of concrete or paver bricks with the main area 2 lanes wide.
- J. Swimming pools: in ground pools only, no above ground pools will be approved.
- K. Dumpsters are required to be on site at the start of work and must have 4 solid sides and a solid bottom.
- L. Flag poles:
 - Residential lots, twenty foot (20') above ground maximum height limit as measured from the existing ground level and cannot be placed on any newly created mound or the building roof.
 - Commercial lots, refer to Section 9.
- M. Construction specifications not covered by the Guidelines will be reviewed on a single use case-by-case basis and not be considered as precedent setting, see Section 15.
- N. Site screening must be installed for all trash cans and outside equipment so they are not to be visible from the street to a person standing at the finished grade of the street. *NC* units and pool heat exchanger units are excluded. Installation must be completed at the time of C.O.
- O. Landscaping must be installed at the time of C.O.

7. Single Family Homes & Garage Construction Requirements:

A. Single Family Building Height Limit

No Dwelling or other Improvement constructed on a Lot/Tract zoned for single family residential use (i.e. located within a residential, single-family (RSF) district), regardless of the intended use, may have more than a maximum of two (2) floors, inclusive of habitable and non-habitable floors, nor may it exceed a total of thirty five feet (35') in height, measured from the Federal Emergency Management Agency (FEMA) flood zone base flood elevation, regardless of habitability, to the highest point of the roof structure based on a minimum roof pitch of no less than 5/12. Flat roofs are prohibited. This restriction on number of floors and total maximum height shall apply regardless of the applicable development standard found in the Charlotte County Code of Ordinances and irrespective of any variance, special exception or other approval granted by Charlotte County. This does not apply to lots 1 through 9 inclusive of the Plats

B. Minimum House Width and Maximum Garage Width:

- Narrow shot gun style homes or homes designed to fit on rectangular lots of less than 80 feet wide will not be approved.
- Assuming a Rotonda West standard 80 foot wide rectangular lot, containing a 65 foot maximum allowed house width and 18 inch maximum allowed roof overhangs.
- The minimum house width for architectural review is 55 feet.
- The maximum garage width for a front facing garage cannot exceed 55% of the total house frontage.
- Any 3rd car garage bay area must be set back and off set a minimum of 12 to 16 inches.

- C. Living area: each home must have a minimum living area of 1,600 square feet exclusive of open porches, lanais and garages.
- D. Garages: each home must have an attached fully enclosed minimum 2-car garage containing at least 450 square feet. In order to provide vehicle parking, the interior garage space shall be free from all obstructions, including but not limited to, stairs, HVAC equipment and water heaters. 3 car garages require 12 to 16 inch step back and off set for the 3rd bay.
- E. Garage dimensions are measured from outside wall to outside wall.
- F. Garage outside walls must have one of the following:
 - A window or
 - A pleasing raised cementitious design or
 - A paneled side door.
 - The 20 foot blank wall rule in Section 5H applies to garages.
 - Front elevations on side load garages require a visually interesting window.
- G. 2 car single family garages require a 16-foot wide entry door, or two side-by-side 8-foot doors.
- H. Any garage roof height cannot be higher than the roof of the home.
- I. Gable end garage elevations may require either or both:
 - An eight (8) foot high garage door.
 - A pleasing raised cementitious design on the gable end.
- J. Detached garages for single family homes are considered additions and must be connected to the home by a common wall, a covered walkway, or a fully enclosed breezeway. Roof height per H above.
- K. Site screening must be installed for all trash cans and outside equipment so they are not to be visible from the street to a person standing at the finished grade of the street. A/C units and pool heat exchanger units are excluded. Installation must be completed at the time of C.O...
- L. Landscaping must be installed at the time of C.O.

8. Multi Family Dwellings & Garage Construction Requirements:

A. Multi Family Building Height Limit

No Dwelling or other Improvement constructed on a LoUTract zoned for multifamily residential use (i.e. located within a multifamily (RMF) districts), regardless of the intended use, may have a more than a maximum of two (2) floors, inclusive of habitable and non-habitable floors, nor may it exceed a total of thirty five feet (35') in height, measured from the FEMA flood zone base flood elevation, regardless of habitability, to the highest point of the roof structure based on a minimum roof pitch of no less than 5/12. Flat roofs are prohibited. This restriction on number of floors and total maximum height shall apply regardless of the applicable development standard found in the Charlotte County Code of Ordinances and irrespective of any variance, special exception or other approval granted by Charlotte County. This does not apply to lots 1 through 9 exclusive of the Plats.

B. Living Area:

- Dwellings of 2 living units require a minimum living area of 1,000 square feet per unit.
- Dwellings of 3 or more living units require a minimum living area of 800 square feet per unit.
- All of the above living area square footages are exclusive of open porches, lanais and garages.

C. Dwellings of 4 or more living units will require a pre-application review meeting with the Developer prior to any Builder/Contractor or Owner Builder application to Charlotte County for a building permit.

- D. Garages: each multi family unit must have a fully enclosed minimum 2-car garage containing at least 240 square feet. In order to provide vehicle parking, the interior garage space shall be free from all obstructions, including but not limited to, stairs, HVAC equipment and water heaters.
- E. Garage dimensions are measured from outside wall to outside wall.
- F. Garages for multifamily units require an 8-foot wide entry door.
- G. Gable end garage elevations will require either or both:
 - An eight (8) foot high garage door.
 - A raised cementitious design on the gable end.
- H. Garages for multifamily dwellings may be attached or detached; however, detached garages for multifamily dwellings must be connected by the driveway or paved parking area.
- I. If applicable, garage outside walls must have one of the following:
 - A window.
 - A faux window using raised cementitious design.
 - A paneled side door.
 - See Section Sh above.
 - Front elevations on side load garages require a visually interesting window.
- J. Site screening must be installed for all trash cans and outside equipment so they are not to be visible from the street to a person standing at the finished grade of the street. A/C units and pool heat exchanger units are excluded. Installation must be completed at the time of C.O.
- K. Landscaping must be installed at the time of C.O.

9. Special Construction Categories or Areas:

Special Construction Categories or Areas

- Commercially Zoned Lots or Tracts
- Multi Family Projects of 4 or more Dwelling Units
- Lots 1 thru 9 of the Rotonda West Plats (Sections):

- A. Plans and specifications for these type improvements, projects or developments are not covered under these Developer Guidelines.
- B. Any such project or improvement shall be reviewed on a single case basis and will require a pre-application review meeting with the Developer prior to any Builder/Contractor or Owner Builder application to Charlotte County for a building permit.
- C. Flag poles: thirty five foot (35') above ground maximum height limit as measured from the existing ground level and cannot be installed on any newly created mound or the building roof.

10 Revised Guidelines for Model Home Signage dated December, 2015:

The Developer's Guidelines for Model Home Signage are considered a part of these New Construction Guidelines. For further information or for signage guidelines please contact the Developer.

11 Changes to Plans and Specifications:

Any changes made to a Developer approved new construction project must be submitted for review.

12 Builder/Contractor Responsibilities and Expectations.

- Dumpsters must be placed on site at the start of work and have 4 solid sides and a solid bottom.
- Secure the building site during storms to prevent wind borne materials from causing damage.
- On site loud music, uncontrolled dogs, pets or profanity by on site workers will not be tolerated.
- Construction debris, trees or vegetation are not to be discarded on adjacent lots or properties.
- Construction hours are per Charlotte County Code Section 3-2-73

3 Expired Building Permit or Change of Builder/Contractor:

- A. In the event of an expired, cancelled or voided Charlotte County building permit, the current Builder/Contractor or owner/builder must re-submit a new application, plans and specifications along with a \$250 plans and review fee, payable to Cape Cave Corporation, prior to the restart of construction .
- B. When there is a change of Builder/Contractor, Owner/ Builder or Property Owner, the new Builder/Contractor, Owner Builder or Property Owner must:
- C. Submit a new application, plans and specifications along with a \$250 plans and review fee, payable to Cape Cave Corporation, prior to the restart of construction .
- D. Submit a \$1,000 refundable New Construction Compliance deposit payable to the Rotonda West Association, (RWA).

4 Rotonda West Association, Inc. (RWA) Authority and Deed Restriction Compliance:

- A. PLEASE BE ADVISED OF THE FOLLOWING.
 - 1. The Rotonda West Association, Inc., (RWA) is a mandatory home owners association (941-697-6788).
 - 2. The RWA has a New Construction Compliance Program that requires a refundable \$1,000 deposit.
 - 3. The RWA has specific requirements for building on any Rotonda West canal front or river front property.
 - 4. . The RWA requires landscaping and site screening of outside equipment when construction is completed.
 - 5. The Property Owner and not the Builder/Contractor is responsible for any Deed Restriction violation.
 - 6. The RWA, and not the Developer, has the sole authority to enforce the Deed Restrictions.
 - 7. The RWA can impose fines on the Property Owner for Deed Restriction violations.
- B. *(New Construction Compliance Program, Per Section 5 (e) of the Deed Restrictions)* The Association may establish and from time to time modify rules regarding a New Construction Compliance Program to ensure that Lots/Tracts are maintained in an orderly manner throughout the construction process and cleared of all construction debris and other debris within a reasonable time following termination or suspension of construction and to further ensure that the Dwelling and other Improvements constructed on the Lot/Tract, together with the Lot/Tract itself, conform to all Association Governing Documents and County, State and Federal requirements and permits following termination or suspension of construction. All work undertaken in observance of the New Construction Compliance Program shall be in full compliance with all Association Governing Documents and County, State and Federal requirements and permits. As a component of the New Construction Compliance Program, the Association may establish a schedule of fees and/or deposits to ensure compliance with and to cover costs related to the administration of the New Construction Compliance Program. Any fees and/or deposits unclaimed after a period of six (6) months following completion of a project will be retained by the Association. Furthermore, failure to comply with the rules regarding the New Construction Compliance Program, including but not limited to ensuring that the Dwelling and other Improvements, together with the Lot/Tract itself, are properly maintained throughout and following termination or suspension of construction and further conform to all Association Governing Documents and County, State and Federal requirements and permits following termination or suspension of construction, may, in the Association's sole discretion, result in a forfeiture of the required fees and/or deposits.
- C. *(Non-Liability, Per Section 5 (d) of the Deed Restrictions)* Non-Liability: The review and approval or disapproval of all plans and specifications submitted for any proposed construction, improvement, modification, alteration, or addition shall not be deemed approval or certification of the proposed construction for structural safety or conformance with building or other County, State or Federal codes. The Grantor/Developer, Association, Board of Directors, officers and any members of the committees shall not be liable to any Owner, Builder or any other person or entity for any loss, damage, or injury arising out of or in any way connected with the performance or nonperformance of the duties hereunder or the approval or disapproval of any plans or specifications .
- D. The RWA can be contacted at 941-697-6788 and is located at 3754 Cape Haze Drive; Rotonda West, FL 33947. Deed Restrictions can also be found on the RWA website: www.rotondawest.org

5 Cape Cave Corporation (Developer) Authority:

- A. The Developer's authority for Architectural Review can be found in Section 5 of the Deed Restrictions.
- B. The time allowed for Architectural Review is 45 days after the receipt of all Developer required items and properly completed forms as required under Section 3.
- C. Disapproval of plans & specifications by the Developer may be based on purely aesthetic grounds.
- D. The Developer's architectural review standards, criteria and construction specifications may be subject to change from time to time and are not solely limited to the items referenced in these guidelines.
- E. Any case-by-case Developer review resulting in approval will be for a single use only and will not be considered as precedent setting.
- F. The Developer reserves the right to require proof of project completion funding from any owner.
- G. The Developer's Guidelines for Model Home Signage are considered a part of these New Construction Guidelines. For further information or for these signage guidelines please contact the Developer.
- E. *(Non-Liability, Per Section 5 (d) of the Deed Restrictions)* Non-Liability: The review and approval or disapproval of all plans and specifications submitted for any proposed construction, improvement, modification, alteration, or addition shall not be deemed approval or certification of the proposed construction for structural safety or conformance with building or other County, State or Federal codes. The Grantor/Developer, Association, Board of Directors, officers and any members of the committees shall not be liable to any Owner, Builder or any other person or entity for any loss, damage, or injury arising out of or in any way connected with the performance or nonperformance of the duties hereunder or the approval or disapproval of any plans or specifications.
- H. Inspections: Section 5 of the Deed Restrictions, Architectural Review provides, among other items, that the Developer reserves the right, but not the obligation, to inspect construction as it proceeds. The purpose of any inspection would be to determine that construction is in compliance with the approved plans, specifications and the Deed Restrictions. Should any inspection show that the construction is not in compliance as approved, the Developer can order the work to be stopped. Any said inspection shall not be deemed trespass.
- I. Enforcement:
 - Failure to follow the Developer Guidelines is a violation of the Deed Restrictions of Rotonda West.
 - The RWA, and not the Developer, has the sole authority to enforce the Deed Restrictions.
 - The Property Owner and not the Builder/Contractor is responsible for any Deed Restriction violation
 - The Rotonda west Association can levy fines for Deed Restriction violations.
- J. Effective Date: December 4, 2015 is the effective date of these Revised Guidelines.
- K. Please contact us if you have any questions and thank you for building in Rotonda West. Your completed application forms, plans & specifications may be mailed or dropped off to the Developer:

Cape Cave Corporation
New Construction Committee
646 Rotonda Circle
Rotonda West, Florida 33947
Tel: 941-697-6788 Fax: 941-697-0788