

**Architectural Planning Criteria
Imperial Golf Estates Homeowners Association, Inc.**

The Declaration of Covenants, Conditions and Restrictions for Imperial Golf Estates authorize the Board of Directors of Imperial Golf Estates Homeowners Association, Inc. (HOA) to adopt and from time to time amend Architectural Planning Criteria (APC) for Imperial Golf Estates and to establish an Architectural Review Board (ARB) to implement and enforce such criteria. The purpose of the APC and the ARB is to enhance the value and attractiveness of the homes and other property within Imperial Golf Estates.

The criteria establishes the guidelines that shall be followed with respect to any and all improvements, construction, reconstruction, addition, deletion, change, alteration, repair, repainting, and replacement including landscaping changes on any improved or unimproved lot in Imperial Golf Estates. The ARB reviews "Building and Exterior Change Request" forms submitted by homeowners for conformity with the APC and either approves or disapproves the requested change. At its discretion, the ARB may establish specific conditions on its approval of change requests.

The following criteria has been amended and duly adopted by the Board of Directors, effective February 28, 2013.

This document is a combination of the basic July 17, 1995 document, the revised document adopted on March 27, 2008 that incorporates amendments (1-4), the revised document adopted on April 28, 2011 that incorporates amendments (5-7) which have been approved by the Board of Directors. The Architectural Planning Criteria (APC) can be found on the Homeowner's Association web site (www.igenaples.info) or obtained from the Property Manager's office.

Homeowners should review the APC when considering changing the exterior of homes. It shall be the homeowner's responsibility to conform to all established criteria. Deviation from these criteria must be requested and approved by the ARB and the HOA Board of Directors

A. FILING REQUIREMENTS

1. Construction Deposit

- a. The following shall constitute a schedule for construction deposits required to be submitted with all applications for construction.

(1) New Residence - \$2,500.00 payable to the Imperial Golf Estates HOA.

b. The above deposit is to be submitted with the application for construction to insure compliance with the Covenants, Conditions and Restrictions for Imperial Golf Estates and Architectural Planning Criteria herein set forth. Failure of compliance may result in forfeiture of part or all of deposit depending on the nature of the violation and/or cost of correction of the infraction. If no violations occur, the complete deposit will be returned within thirty (30) days after Lot Owner notification of satisfactory completion of the project.

c. Lot Owners shall notify the Property Manager's office within 60 days after completion/inspection of their project to request return of their Construction Deposit. Any Construction Deposits not requested to be returned within 60 days of completion of a project shall become the property of the Homeowners Association.

2. Plans and Details

a. Where applicable, the following supporting documentation must be submitted for approval with the application for construction of a new residence or modification to an existing residence or Lot:

(1) One (1) complete set of construction drawings with site plans as required for Collier County permitting. The plans must include site drainage plans required by Collier County. The set of plans will be retained by the ARB until the final inspection is completed and the deposit money released.

(2) Landscape plans with detailed plant lists.

(3) Set of irrigation plans.

(4) Actual color samples identifying color of the trim and color of the base house, a sample of the roof covering material whether singles, tile or metal, and a clear explanation of the driveway material, and if other than standard concrete, a manufacturer's catalog page showing the appropriate color and pattern.

3. Start of Construction

a. No site clearing or construction shall be started prior to complete approval of plans and details and submission of construction deposit to the HOA.

- b. Failure to obtain approvals and submission of deposit prior to start of work may result in refusing contractors access to the site and/or an injunctive or other relief.

B. SITE REQUIREMENTS

1. Set Back Lines

- a. Except as determined by the ARB and the Board of Directors under special cases for odd shaped or unusual lots that are handled on a case by case basis, the following set back lines shall apply:

- (1) Front lot line: thirty (30) feet.

- (2) Side lot lines: ten (10) feet.

- (3) Rear lot line: twenty-five (25) feet.

- (4) Pool cage or other pool enclosures to rear lot line: fifteen (15) feet.

- (5) Pool and/or deck without enclosures to rear lot line: fifteen (15) feet.

- b. A corner lot shall be considered to have two (2) front lines and two (2) side lines. However, if one front line of a corner lot is adversely affected by the concave radius of a cul-de-sac, the ARB may grant a variance not to exceed ten (10) feet on that front line.

- c. When two (2) or more lots are acquired and used as a single building lot under a single owner, the side lot lines shall refer only to the lines bordering the adjoining property.

- d. All measurements to be to foundation lines.

2. Grading

- a. No elevation changes shall be permitted to any lot which materially affects the surface grade of surrounding lots. No storm water from any lot is allowed to drain onto an adjacent lot. Storm water drainage must flow to an existing storm drain located on or immediately adjacent to the lot in question or completely drain to the street or drainage ditch or lake adjacent to the lot in question. The exceptions to this provision are changes required by Collier County.

- b. During construction, all catch basins must be protected from job site run-off.

3. Driveways and Walkways

- a. Driveways shall be constructed in such a manner so that the flair of the driveway at the adjoining street pavement does not extend beyond the side yard lot line of the home served by the driveway.
- b. In no event shall the driveway surface be less than five (5) feet from the side lot line without approval of the ARB.
- c. Driveway and walkway surfaces shall consist only of concrete, brick, tile, or masonry pavers and must be a neutral color and non-skid surfaces.

4. Equipment Screening

- a. Soft water tanks, pool pumps and heaters, air conditioning equipment, generators and other ancillary or mechanical equipment shall be suitably screened so as not to be visible from any lot or street. The preferred screening is shrubbery, which may be maintained at any height and adds greenery to the landscape. If fencing or wall materials are used they may be no higher than (4) feet. The proposed fence screening will be constructed from the following permissible materials:
 - (a.) Wood boards
 - (b.) Vinyl (pvc)
 - (c.) Masonry or concrete block with stucco finished painted to match the existing building.Chain link fences in all colors are prohibited.

Equipment shall be located where sound from its operation will not adversely impact adjacent homes.

- b. Propane tanks shall be installed below ground and shall comply with all Florida State and Collier County Codes and requirements.

5. Fences

- a. Imperial Golf Estates has been developed as predominantly open land around residences with infrequent fences. This policy has substantially contributed to the beauty of the community. To preserve that beauty, the ARB is delegated broad discretionary powers to regulate the construction and installation of fences otherwise permissible under the criteria in Subsection f, below.
- b. Fences are defined to include any dividing structure, wall or fence affixed to the ground on any lot.

c. All fences hereafter constructed in Imperial Golf Estates shall first be approved in writing by the ARB. Residents must submit the design and/or style of the desired fence to the ARB for its consideration.

d. The construction and installation of fences on the perimeter of any Lot or a portion of the perimeter of any Lot is discouraged. The ARB may use its discretionary powers to disapprove a perimeter fence that is not in character with the natural beauty of the community.

e. No fence shall be approved by the ARB that violates the following criteria:

(1) No fence that obstructs the view of adjacent property owners shall be constructed in the rear yard of any Lot adjacent to Imperial Golf Club property.

(2) No fence shall be constructed that impedes the view of any Common Area of the Association.

(3) No fence shall exceed four (4) feet in height as measured from the ground at the base of the fence.

(4) No fence shall be approved by the ARB without an appropriate Collier Count permit.

f. The ARB will consider the following before approving the construction of any fence:

(1) The location of the fence will harmonize with the principal residence on the Lot and the surrounding residences. The fence will not adversely affect the character and nature of the community.

(2) The color of the fence shall be compatible with the color scheme of the home and shall be harmonious with its surroundings.

(3) The proposed fence will be constructed from the following permissible materials:

(a) Wood boards.

(b) Painted or powder coated aluminum.

(c) Vinyl (pvc).

(d) Masonry or concrete block with stucco finish painted to match the existing building.

(e) Chain link fences in all colors are prohibited.

6. Mailboxes

a. Several mailbox designs in various price ranges have been approved by the Board of Directors. Information on these "Imperial Approved" mailboxes can be obtained on the Imperial Golf Estates web site or from the Property Manager. No alternative designs or types of mailboxes will be considered.

7. Exterior Lighting

- a. Exterior lighting mounted on a residence or on the ground on any Lot shall be properly directed and screened to avoid objectionable light shining on adjacent residences or property.

8. Front and Side Yards

- a. Structures of all types are not permitted in the front and side yards of any home. The prohibited structures include, but are not limited to statues, planters, fountains, ponds, and gates. Existing structures that have been installed prior to the adoption of this provision will be grandfathered. Variances to this provision shall only be granted through a recommendation by the ARB to the HOA Board of Directors.

C. DWELLING REQUIREMENTS

1. Design

- a. Dwellings shall be designed in a manner to harmonize with existing residences in close proximity and within the community as a whole. The ARB is delegated broad discretion to regulate the design of new construction and additions to existing homes.
- b. New dwellings and additions to existing dwellings shall not interfere with views of preserves, lakes and/or golf course from any other dwelling.
- c. In order to maintain the individual custom residence character of the community, no dwelling may be designed or constructed using a plan or elevation matching another within 10 lots of the subject home.

2. Floor Area

- a. Minimum floor area (living area only) shall be twenty one hundred (2100) sq. ft. under air. Exterior dimensions are suitable for use in this calculation.
- b. The method of defining square foot area of a proposed building structure or additions to a building shall be to multiply the dimensions of the building at each floor.
- c. Garages, lanais, porches, patios, pools, terraces and other similar areas shall not be taken into account in calculating the minimum area required.

3. Building Height

- a. No dwelling unit shall exceed thirty-five (35) feet in height.
- b. Dwelling height is measured from grade of the foundation to the highest part of the roof or chimney, if applicable.

4. Garages

- a. Each dwelling shall have an attached garage that shall accommodate no less than two (2) automobiles.
- b. All garages must have doors that are at least a minimum width of eight (8) feet for single doors and at least sixteen (16) feet for double doors.
- c. Garages shall have a minimum width of twenty-two (22) feet for a two car garage, thirty-three (33) feet for a three car garage and forty-four (44) feet for a four car garage. Dimensions are measured from the outside walls of garage.

5. Exterior Walls

- a. No dwelling shall have exposed structural block, imitation brick, imitation stone face, vinyl siding, or aluminum siding on the exterior walls.
- b. Due to technology and recent product improvements, the following exterior materials are permitted: composite wood or concrete lap siding and man-made or cultured stone.

6. Roof

- a. No flat or built-up roofs are permitted on any residence.
- b. The composition of all pitched roofs shall be tile, slate, or dimensional composite shingles with a minimum 30 year guarantee.
- c. Metal roofs are permissible only after the approval of the type and color by the ARB.

7. Enclosures

- a. All enclosures, including spa, hot tub and swimming pool enclosures, screen or other types of enclosures, must be approved by the ARB prior to construction.

b. All swimming pools, hot tubs and spas must be enclosed with an appropriate enclosure or fence that complies with Florida State and Collier County codes and requirements.

c. No flat screen enclosures, unless part of an approved mansard screen enclosure, are permitted. The sloped portions of the screen enclosure shall have a pitch compatible with the pitch of the roof of the dwelling to which it is attached.

8. Color Scheme

a. The ARB shall have final approval of all exterior color schemes. Each Owner must submit a color plan showing the color of the roof, exterior walls, shutters, trim, driveways, and other exterior features for all new construction, additions, changes, alterations, and repairs or repainting.

b. The ARB shall consider and approve the extent to which the proposed color scheme is compatible with homes in the surrounding area and the extent it conforms to the general color scheme of the entire community.

9. Hurricane Protection

a. All hurricane storm panels or other wind mitigation protection placed over any exterior portion of the home must be approved by the ARB.

b. Temporary hurricane protection such as plywood panels does not require the approval of the ARB. However, temporary protection shall be installed only in anticipation of a wind event such as a hurricane and must be removed in a reasonable amount of time following the wind event.

D. POOLS AND RECREATION FACILITIES

1. Location

a. Location of any pool, tennis court, badminton court or similar recreational facility must be approved by the ARB.

b. Pool screening may not be visible from the street in front of the dwelling.

c. No screening of the pool area may stand beyond a line extended and aligned with the side walls of the dwelling at the pool area.

d. Screening and deck shall be at least fifteen (15) feet from the rear property line.

e. The outside edge of any pool shall not be closer than four (4) feet to a line extended and aligned with the side walls of the dwelling.

2. Construction Material

a. Materials and composition of same shall be of type commonly used in the industry and thoroughly tested for use in such construction.

3. Lighting

a. Lighting of a pool or recreation area shall be designed to prevent any glare from being objectionable to surrounding residents.

4. Permanent Basketball Backboards and other Play Structures

a. All play structures, except permanent basketball backboards, shall be located at the rear of the dwelling within side yard setback lines and no closer than five (5) feet to the rear property line, except corner lots where such structures shall be located inside setback lines. All play structures, including, but not limited to playsets, sandboxes and gazebo covers or playhouses, whether built from scratch or with a kit will not exceed eleven (11) feet in height, as measured from the peak of the roof. Playstructure roofs shall be painted green or stained. Hedges or trees shall be planted to screen the playhouse where necessary to ensure neighbor privacy.

b. Permanent basketball backboards shall be located in the same manner as play structures. If not practicable, such backboards may be located on the side of the residential driveway farthest from the center of the residence, provided the ARB determines that the proposed permanent basketball backboard will not adversely affect the appearance of the residence and its surroundings.

c. No permanent basketball backboard shall be attached to the structure of the residence.

d. No more than one (1) permanent basketball backboard shall be approved for any residence. No permanent basketball backboard shall be approved for a residence already occupied with a temporary basketball backboard, unless the permanent basketball backboard is intended as a replacement for the temporary backboard, and the Member agrees as a condition for the ARB's approval that the temporary backboard shall be removed and no other temporary backboard shall be erected.

e. No advertising slogans or trademarks shall appear on any permanent basketball backboard, except a small legend or trademark indicating the manufacturer that the ARB finds unobtrusive.

f. The backboard and backboard standard shall be painted an unobtrusive, uniform color harmonious with the residential color.

g. Portable basketball backboards are permitted and must be approved by the ARB. However, these backboards must be located a minimum of 15 feet from the street.

h. As a condition to its approval, the ARB may attach additional site and landscaping requirements as it deems appropriate.

E. LANDSCAPING

1. General Requirements

a. Each Owner or Contractor shall submit for approval a landscape and irrigation plan for the lot including adjacent rights of way and the area between the property line and any abutting sidewalk, bike path, road or water management area.

b. Subject to governmental approvals and restrictions for exotic plants and trees, the Owner and Contractor must preserve existing native trees, shrubs and palmettos wherever possible to enhance the landscape setting of the residence and overall appeal of the community.

2. Lawns

a. All lots shall have sodded front, side and rear lawns of St. Augustine Floratam sod or such substitute sod as approved by the ARB.

b. Lawns in rear, front and sides of each residence shall be extended to the property line or landscape bed of each lot or to the pavement line if same is beyond the lot line.

3. Sprinkler System

a. All lots shall have installed, prior to sodding, an underground sprinkler system providing one hundred percent (100%) lot coverage including landscaped right of way areas between the lot and abutting streets.

4. Planting

a. Minimum requirements for new planting at the front and sides of a new residence shall be as follows:

(1) Trees. One (1) canopy tree is required for every three thousand (3,000) square feet of lot area. Trees shall be a minimum eight (8) feet in height and 1 ½ inch caliper for the first fifty percent (50%) and the balance shall be minimum ten (10) feet in height and 1 ¾ inch caliper. Seventy-five percent (75%) of the trees shall be native to Florida and a maximum of thirty percent (30%) of trees may be palms. Existing trees may be credited towards this requirement if they meet the native, maximum palm and size requirements.

(2) Shrubs. Minimum quantity of shrubs to be planted shall be as follows:

- (a) Three (3) gallon size – twenty (20)
- (b) One (1) gallon size – thirty (30)

Note: Shrubs are not ground cover. Ground cover plants used are in addition to the requirements.

(3) Planting beds shall be mulched with any commercially available mulch, including natural materials such as shredded or chipped cypress, eucalyptus or pine straw. River rock or similar material shall be used on a limited basis as accent to the landscaping. River rock (or similar stone material) use as a ground cover substitute for sod is prohibited.

(4) Planting in the rear yards shall be in addition to that previously specified. Planting in rear yards on golf course and lake lots shall be done in such a manner so as not to obstruct the view of the adjacent lot Owners from these amenities. Shrubs shall be maintained at no more than four (4) feet above floor level of the residence in these areas.

5. Exotic Plants

a. Homeowners are required to comply with Collier County regulations concerning prohibited exotic plants. Specific information concerning exotic plants may be obtained from the Collier County web site, www.colliergov.net.

F. CONTRUCTION ACTIVITY

1. Approvals

a. No work shall be started until all approvals have been issued and, if required, construction deposit received by the Property Manager of the Homeowners Association.

b. Any changes to the original, approved plans and work require additional approval from the ARB.

c. All contractors and service personnel must be given a copy of the "Construction Guidelines for Imperial Golf Estates" prior to the commencement of any work. These guidelines are available on the Imperial Golf Estates web site, (after homeowner log-in) IGENaples.info and from the Property Manager.

2. Construction Traffic and Activity

- a. Contractors shall limit construction traffic to routes designated by the Board of Directors of the Homeowners Association.
- b. Whenever possible, parking and storage of construction equipment, dumpsters, portable toilets, vehicles and materials shall be on the lot being improved.
- c. Posted speed limits in Imperial Golf Estates must be obeyed by all construction contractors and workers.
- d. If possible, parking of construction and maintenance vehicles should be on the Lot where the work is taking place. If street parking is necessary, it must be on one side of the street to permit emergency and other vehicle access.
- e. Owners must obtain ARB approval for the placement of dumpsters, portable toilets, and similar equipment on any Lot. In the "Building and Exterior Change Request", the Owner shall outline the scope of work requiring the equipment and estimate the time period that it will be on the Lot.
- f. All construction and projects must be completed in a reasonable amount of time. If an Owner experiences an unexpected delay, the Owner must notify the ARB concerning the justification for the delay and to obtain ARB approval for the delay.
- g. Homeowners must coordinate with the Front Gate for the entrance of contractors and service personnel.

3. Safety

- a. Homeowners, contractors and service personnel shall not place or store dumpsters, construction material, and equipment on the roadway without ARB approval. This approval will be temporary and items in the roadway must be identified as follows:
 - (1) Orange cones shall be installed during day light hours.
 - (2) Barricades with blinking lights shall be displayed during hours of darkness.

4. Signs

a. During construction, the general contractors will be permitted to post one sign on the lot not to exceed six (6) square feet. No subcontractor or other signs will be permitted.

5. Site Condition

a. Contractors must maintain construction activities on their project in a neat and orderly manner free of unsightly debris and/or hazards.

b. All construction projects require a dumpster to be installed on site to receive debris. All debris shall be placed in the dumpster daily and not allowed to accumulate on the site. Dumpsters must be emptied in a timely basis when full.

c. Contractors shall be responsible for the cleanup of debris from their operations found on roadway and adjoining lots.

6. Noise

a. Noise from construction activities shall be kept to a minimum. Loud radios or similar distractions will not be tolerated.

7. Damages

a. Contractors and/or Owners shall be responsible for the repair and replacement of any portion of properties, including but not limited to, landscaping, sidewalks, bike paths, drainage basins, concrete curbing, and roadways that contractors or their agents may damage and/or remove in Imperial Golf Estates and/or rights of way contiguous to their lot during the course of construction and all construction deposits may be used to satisfy or correct such damage.

8. Working Hours

a. The rationale for the limitations of working hours for both home owners and service personnel within Imperial Golf Estates is to provide quiet for the neighborhood.

b. Construction, lawn care, and maintenance for both exterior and interior work shall start no earlier than 7:00 a.m. and continue no later than 6:30 p.m., Monday through Friday.

c. Construction, lawn care, and maintenance for both exterior and interior work shall start no earlier than 7:30 a.m. and continue no later than 4:00 p.m., Saturdays.

d. No contractor or vendor work shall be permitted on Sundays and holidays as defined in the Greater Imperial Board (GIB) Post Orders. These holidays are: New Year's Day, Easter Sunday, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas.

e. Owners and immediate family members are allowed to work on their property Monday through Saturday from 7:00 a.m. to 8:00 p.m. On Sunday, working hours are restricted to 9:00 a.m. to 4:00 p.m. for owners and immediate family.

f. Entry for emergency maintenance work after normal working hours and on Sundays and holidays must be authorized by phone to one of the following: Greater Imperial Board's property manager; GIB president; or president of the Imperial Golf Estates Homeowners Association. Emergency maintenance includes work such as heating and air conditioning, electrical, and plumbing.

G. MISCELLANEOUS

1. Signage

a. The specifications for the permitted signage are contained in Article VII, Use Restrictions, of the Declaration of Covenants, Conditions, and Restrictions for Imperial Golf Estates. The types of signs included in these specifications are For Sale and For Rent Signs, Open House Signs, Directional Signs, and Undeveloped Lot Signs.

b. The colors for the For Sale and For Rent and Undeveloped Lot Signs will be as follows:

(1) Lettering shall be white.

(2) Background and Post shall be dark (chocolate) brown.

2. Air Conditioning Equipment

a. Central air conditioning or other split type units are the only type of air conditioning permitted. Window and/or through-the-wall mounted air conditioning units of all types are not permitted.

3. Solar Collectors and Other Energy Devices.

a. Homeowners shall locate solar collectors and other energy devices on the rear or sides of the home where it will not be easily seen from the street, unless such placement would unreasonably interfere with the function of the solar collector or other renewable energy device. With their "Building and Exterior Change Request" form submittal, the homeowner shall provide the ARB with the proposed placement location(s), a description of the equipment, and technical information on the function of the equipment.

Approved by the Board of Directors of the Imperial Golf Estates Homeowners Association, Inc., February 28, 2013.