



# ARB Guidelines & Review Procedures

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## I. PURPOSE

The Architectural Guidelines and Review Procedures is to provide useful information for property owners and their contractors, and to outline requirements in connection with the architectural review process.

## II. MISSION STATEMENT

The Architectural Review Board, hereinafter called the "ARB", will consist of not less than 3 or more than members. The ARB is responsible for reviewing all plans for construction or alterations of any home. All decisions of the ARB shall be in writing and shall be based on conformity with the Declaration of Covenants, Conditions, and Restrictions for Gladiolus Preserve, hereinafter called the "Declaration", and with compatibility of the proposed improvement with the existing structures within the community.

The ARB shall perform its duties following the Florida Statutes, the Association Governing Documents and Architectural Guidelines and Review Procedures as set forth herein.

## III. DEVELOPMENT PHILOSOPHY

We all recognize that the design of the homes constructed at Gladiolus Preserve determines, to a great extent, the character of the community and the nature of life within.

We have adopted Architectural Guidelines and Review Procedures at Gladiolus Preserve in recognition of the long and successful history such architectural controls have in helping to preserve the value, character and amenities of residential communities.

While care has been taken to ensure these guidelines do not conflict with the Declaration, the Declaration does control architectural review, and it is for this important reason the Declaration should be reviewed in detail before any modifications are made and/or requested.

The architectural review and control functions of the Association shall be administered and performed by the Board of Directors or its appointees on an Architectural Review Board ("ARB"), which is intended to ensure the maintenance and overall quality and aesthetic appeal of the Community. It will be the ARB's responsibility to review all request for compliance with the Architectural Guidelines, taking the following considerations into account:

- A Gladiolus Preserve is a carefully planned residential community with natural beauty, quality recreational amenities and controlled development contributing to the lifestyle of its residents.
- B It is acknowledged that there were limited floor plans and elevations for the homes constructed within Gladiolus Preserve. Accordingly diversity shall be encouraged within the realm of maintaining harmony with the surrounding structures and the natural environment.
- C The same standards will be applied in reviewing all requests.
- D The primary goal of the ARB is to review the plans, specification, materials and samples submitted, to determine whether the proposed Modification Request conforms in appearance and construction with the standards and policies as set forth by the ARB. The ARB does not assume responsibility for the following:



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1. The structural adequacy, capacity, or safety features of the proposed structure or improvement.
2. Soil erosion, un-compactable or un-stable soil conditions, or site/drainage elevations.
3. Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
4. Contractor's performance and quality of work.

## IV. ARCHITECTURAL REVIEW PROCESS

Plans for all new construction, subsequent alterations, and additions or changes must be approved by the ARB.

- A. Required Approval: After the initial construction by the Declarant or its successor or assignee, no improvement, replacement, addition or deletion or structure of any kind, including without limitation, all building, fence, wall, pool, site light, mailbox, screen enclosure, awning, drain, disposal system or other improvement shall be commenced, erected, placed or maintained upon any Lot, nor shall any addition, change, alteration, repair or replacement therein or thereof be made, unless and until the plans, specifications and location of the same shall have been submitted to, and approved in writing by the Declarant. All plans and specifications (including color and removal of any major vegetation) shall be evaluated as to harmony of external design and location in relation to surrounding structures and topography.

Approval of the ARB is required for:

- Driveway modifications
- Gazebo
- Install a concrete garden slab or patio
- Install ventilation systems or devices on roof
- Landscaping edging (will not be approved if more than 9" above ground)
- Landscaping pavers (will not be approved if width of combined concrete and paver surface exceeds 50% of width of the front lot)
- Painting any exterior surface of the structure
- Replace garage or front door
- Replace windows/frames
- Tanks/Wells

Approval of the ARB is not required for:

- Hanging plant baskets
- Install address signs/placards in yard or on home
- Install kick-plates on doors
- Install a Trellis
- Install window planter boxes
- Minor landscaping (removal of vegetation that does not exceed 4" at breast height)
- Landscape Lighting
- Replace or change doorbell style
- Replace hardware on doors



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- B. New Construction or Alteration: No new structure or buildings or site construction and no modifications, additions or alterations to existing structures shall commence or be erected until the same shall have been submitted and approved in writing by the ARB. The ARB will approve the proposal or plans and specification submitted for its approval, *only if* the construction, alterations or additions contemplated thereby and its locations indicated, will not be detrimental to the appearance of the portions of the property in which the proposed work is located. The proposed work must be in harmony with any structures that would be affected by the work and in harmony with the surrounding structures and as otherwise is desirable.
- C. Modification Request Policies and Procedures
1. Modification Request Form - Complete an Architectural Review Board Request for Modification form. Forms in this book, can be obtained by contacting the management company, or found on the Gladiolus Preserve website <http://www.gladioluspreserve.org> . Avoid delays in getting approval by paying close attention to all sections of the form, and provide as much detail and supporting material as possible. Submit completed forms and all supporting material to the association via the management company.
  2. ARB Meeting - The ARB will meet at such times and locations as determined by the ARB.
    - a. Meetings of the ARB must be open to all members.
    - b. Notices of all ARB meetings must be posted in a conspicuous place in the community at least 48 hours in advance of a meeting.
    - c. ARB members may not vote by proxy or by secret ballot at ARB meetings.
    - d. The Board of Directors may designate one or more directors as alternate members of the committee to act in the place of any absent member.
    - e. Applicants should make every attempt possible to attend the meeting when their request will be reviewed.
  3. ARB Response
    - a. Approval or disapproval by the ARB shall only be evidenced by a written instrument executed by at least one (1) members of the ARB, provided, however, that should the ARB fail to act upon any submission to it within thirty (30) days from the receipt thereof by the ARB, such inaction shall be deemed approval of the submission. In the event that the ARB disapproves any proposed structure or exterior addition change or alteration, the ARB shall state with specificity the reasons for the disapproval.
    - b. The ARB may condition its approval of proposals and plans and specifications as it deems appropriate, and may require submission of additional plans and specifications or other information prior to approving or disapproving the materials submitted.
    - c. The ARB may require such details and plans and specification submitted for its review as it deems proper, including without limitation, floor plans, site plans, drainage plans, elevation drawings and descriptions or samples of exterior materials and colors. Until receipt by the ARB of all required plans and specifications, the ARB may postpone review of any plans submitted for approval.



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- d. The ARB may adopt a reasonable schedule of fees to be paid for by the person making the submittal for the processing of requests and for reviewing subsequent compliance inspections by the ARB for approval of improvements. Such fees, if any, shall be payable to the ARB at the time the plans and specifications are submitted to the ARB for approval.

## D. Construction

### 1. Pre-Construction Activities

- a. NO CONSTRUCTIONS SHOULD BEGIN UNTIL THE ARB HAS APPROVED THE PLANS AND LEE COUNTY HAVE ISSUED ALL REQUIRED BUILDING PERMITS.
- b. Approval by the ARB does not preclude the necessity for obtaining any applicable Building Permits from Lee County.
- c. There is no dumping area available at Gladiolus Preserve. Provisions for these services should be made with other resources.

### 2. During Construction

- a. The owners will be held responsible for any damage to curbs, streets, sidewalks, water retention areas, preserve areas, wetlands, drainage areas, and any other common areas. All common areas should be restored to their pre-construction condition.
- b. The use of adjoining properties for access to the site or for storage of materials without the written permission of the owner is forbidden. If use of the adjoining property is required for access to the site written permission should be submitted with the request.
- c. Cleanliness will be practiced and contractors are required to make frequent clean-ups of surplus materials, trash wrappers, etc. A refuse container may be maintained on each site for the disposal of trash and litter. Unsightly construction sites constitute nuisances to the community.
- d. Sewer, water, electric, TV and telephone service lines to the homes are underground so extreme care should be taken prior to any excavation.
- e. For any construction, the builder and/or contractor is required to erect and maintain silt barriers on perimeters of the home-sites that are adjacent to water or preserve areas. The ARB may require additional silt barriers as deemed appropriate by the ARB. Builder/contractor shall also exercise care so that storm sewer structures are not silted in.

### 3. General Information for Contractors

- a. One sign not to exceed four (4) square feet, displaying the contractor's permits may be temporarily erected on the lot. When the job is completed, the sign must be removed immediately. No other signs will be displayed at any time, including those of subcontractors or signs advertising other goods or services.



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- b. The working hours for construction personnel at Gladiolus Preserve will be from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. through 5:00 p.m. on Saturday. No work will be performed on Sunday. All contractors must advise their personnel of the above regulations prior to sending them to Gladiolus Preserve.
  - c. Worker's vehicles, including lawn maintenance vehicles and trailers parked in the street must park in the same direction as the flow of traffic. No parking or obstruction of sidewalks.
  - d. We remind you that the streets in Gladiolus Preserve are private property and must be maintained by our members. Oil and gasoline leaks from vehicles break down the asphalt.
  - e. The posted speed limit in Gladiolus Preserve is 20 miles per hour. Violation could result in the homeowner being fined or the contractor not being allowed to enter the premises.
  - f. Radios and/or any type of music player must be kept at a low volume.
  - g. The recreational amenities at Gladiolus Preserve are for the enjoyment of our members only. Contractors are not allowed the use of the recreational facilities.
  - h. All contractors, subcontractors and their employees, agents and sub-contractors will be required to be properly attired at all times. The aforesaid will include, but not limited to, the wearing of shirts and all necessary safety equipment while working within the Gladiolus Preserve community.
  - i. All contractors shall observe appropriate hurricane procedures, including securing all supplies.
4. Completion of Construction - The property owner and contractor are responsible for:
- a. Removing all building debris from the site and surrounding area.
  - b. Removing contractor's signs.

## V. ARCHITECTURAL CRITERIA

- A. General Comment – The impact of a home design and improvement involves issues that cannot be completely reduced to measurable standards of size, setback, roof pitch, etc. A home addition or improvement that meets all the statistical criteria may be unacceptable for Gladiolus Preserve if its aesthetic impact is unacceptable in the judgment of the ARB.
- B. Flood Elevation – Gladiolus Preserve is located in a FEMA A10:EL8 flood area with finished floor elevations required as per current Lee County Code. Mortgages will require flood insurance, and it is recommended under any circumstances.
- C. Exterior Design – In evaluating the overall appearance of a home addition, exterior home improvement, etc., a number of design elements are considered, including the following:
  - 1. Site Utilization – Relationship of proposed improvements to existing natural and man-made features; views from the home and adjacent properties, effect of the streetscape, use of open space, driveways, parking areas and landscape treatment.
  - 2. Scale – Relationship of proposed improvement and its parts to surrounding structures and site size in terms of lot coverage, height, width and overall visual impact.



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3. Scale – Relationship of proposed improvement and its parts to surrounding structures and site size in terms of lot coverage, height, width and overall visual impact.
  4. Massing and Proportion – Relationship of the elements to one another. The massing of various components of the proposed structure should flow together to reflect attractive proportion and mass.
  5. Aesthetics – Overall design quality based on the subjective judgment of the ARB. This includes the overall impact based on issues listed above in concert with the use of color.
- D. Gladiolus Preserve Development Criteria - Minimum Requirements:
- Setback = The distance between the edge of the roof or wall and the nearest lot line.  
 Height = As measured from the finished first floor to highest soffit.
- 20' Front Setback to Private R/W
  - 15' Front Setback to Private R/W (Side entry garage)
  - 5' Side Setback (Principal and Accessory Structures)
  - 15' Rear Setback
  - 25' Rear Setback to Preserve (Principal Structure)
  - 5' Rear Setback to Preserve (Accessory Structure)
  - 25' Setback to Water Body (Principal Structure)
  - 10' Setback to Water Body (Accessory Structure)
  - 20' Setback to Project Perimeter (Principal Structure)
  - 5' Setback to Project Perimeter (Accessory Structure)
  - 35' Maximum Building Height Above Min. Flood Elevation

Lot #	Depth (Min)	Width (Min)	Rear Setback Primary	Rear Setback Accessory	Front Setback	Primary Building Envelope	Accessory Envelope
1-16	128'	70'	20'	10' A	20'	88'	98'
17-22	140'	70'	25' A	25' A	20'	95'	95'
23-28	140'	50'	25' A	25' A	20'	95'	95'
29-73	128'	50'	20'	15' A	20'	88'	93'
74-97	113'	50'	15'	5'	20'	78'	88'
98-103	128'	50'	25'	15' A	20'	83'	93'
104-105	126'	50'	15'	15' A	20'	91'	91'
106-116	128'	50'	25'	15' A	20'	83'	93'
117-128	128'	50'	20'	15' A	20'	88'	93'
130-131	125'	50'	15' B	10' C	20'	90'	95'
129, 132-165	125'	70'	15' B	10' C	20'	90'	95'
166-199	128'	50'	15' B	10' C	20'	93'	98'
200-237	128'	50'	15' B	10' C	20'	93'	98'

SEE NOTES 1-5



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1. See Recorded Plat for Exact Easement Location and Dimensions.
  2. Lots backing up to Lake have a 10" Lake Maintenance Easement (L.M.E.) typically within the lot. This Easement Line controls the rear setback for accessory structures. The primary structure must be 25' from lake control elevation which was designed 10' outside property line.
  3. Front setback may be reduced to 15' for side entry garage footprints.
  4. Side setbacks may be increased due to drainage easements.
    - <sup>A</sup> Setback increased above minimum due to drainage easement.
    - <sup>B</sup> Also have a 25' primary setback to water body which was designed 10' outside property line.
    - <sup>C</sup> Rear accessory structure setback is 5' but adjacent to lake requires 10' due to L.M.E.
  5. No stilt (piling) home or "mobile" or "modular" structure of any kind will be permitted at Gladiolus Preserve.
- E. Antenna - No aerial or antenna shall be placed or erected upon any Lot or affixed in any manner to the exterior of any building in the Community without the written approval of the ARB, which will be granted as required by law.
- F. Trees - No tree or shrub, the trunk of which exceed 4" DBH (four inches in diameter at breast height) shall be cut down or otherwise destroyed without the prior express written consent of the ARB. (Application for removal should include reasons for removal and name and picture of replacement, if being considered.)
- G. Artificial Vegetation - No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of any Lot unless approved by the ARB.
- H. Clothes Drying Area - No portion of any Lot shall be used as a drying or hanging area for laundry of any kind, it being the intention hereof that all such facilities shall be provided within the building to be constructed on a Lot or behind a screened area to be approved by the ARB.
- I. Landscaping - All shrubs, trees, grass, and planting of every kind shall be kept well maintained, properly cultivated, and free of trash and other unsightly material. Except as otherwise provided in 8.3, all portions of Lots not improved with structures or paving shall be kept as lawns or grass, except those portions placed with trees, shrubs, bushes or other plantings. In addition, all lands forming portions of a public or private right-of-way shall be grassed by the adjacent and abutting Owner and maintained by him, her or it as a portion of his, her or its lawn. Rock or gravel yards are prohibited. In addition to the foregoing, no planting will be allowed that impedes the view of the lake by other Owners nor may an Owner plant within the portion of the lake area adjacent to its Lot, such being the exclusive responsibility of the Homeowners Association. The Board of Directors or the ARB shall be required to consent to any planting located within twenty (20) feet of the lake boundary of any Lot.
- Any plant or tree on the latest Florida Exotic Pest Plant Council's List of Invasive Plant Species will not be approved by the ARB. [www.fleppc.org/list](http://www.fleppc.org/list)
- J. Storage Tanks - No above ground storage tanks, including but not limited to, those used for storage of water, gasoline, oil, or other liquid or gas shall be permitted on the Lot outside of the building.



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- K. Signs - No commercial signs of any kind including “For Rent” or “For Sale” may be erected on any Lot without written approval of the ARB or as may be required by legal proceedings. The ARB will not grant permission for any signs except signs displayed from the interior of a window in a Residential Unit, unless other signage is necessary to avert serious hardship to the Owner. Non-commercial signs (Garage Sale, Happy Birthday, It’s a Boy (Girl), Open House, etc. not to exceed five (5) signs for forty-eight (48) hours.
- L. Exterior Materials and Colors - Finish building materials shall be applied to all sides of the exteriors of the buildings. Colors should be harmonious and compatible with colors of natural surroundings and other adjacent buildings. The ARB shall have the sole right to approve or disapprove materials and colors so controlled and may make such decisions on purely aesthetic grounds, based solely on its own judgment.  
ARB will select a palette of colors that will be automatically approved upon submission of Modification Request. Samples of all exterior materials, colors and textures shall be submitted to the ARB with the Modification Request.
- M. Filling of Lots - No Lot which abuts an lake or Common Area shall be altered in size by filling or excavating of such lake or Common Area. No fill may be placed on any Lot without the prior approval of the ARB.
- N. Multiple Lots and Subdividing - Two or more adjacent Lots may be used as a single building site with the approval of the ARB. However, such a site may not be subdivided without the written consent of the Declarant, and no single Lot may be subdivided under any circumstances except that the Declarant may do so as part of modifying or amending the subdivision Plat of the Community.
- O. Minimum Building Area - No Residential Unit subject to this Declaration shall have a floor area, under air, of less than one thousand four hundred sixty-three (1463) square feet.
- P. Dwelling Roofs - All Residential Units shall be constructed using roof materials consisting of dimensional fiberglass shingles or roofing tiles and shall have a minimum slope of a 5 x 12 pitch roof.
- Q. Construction Materials - Each Residential Unit shall be constructed of a cement block type, except that second stories may be frame construction.
- R. Fences - No fences will be permitted on any Lots, except as approved by the Architectural Review Board. All fencing shall be constructed of white PVC type and shall be no greater than six (6) feet in height. No fence shall be placed any closer to the front line of any Lot than the rear line of the main dwelling unit constructed on the Lot. In no event shall fencing be permitted on lake front Lots.
- S. Utilities and Easements - A six (6) foot easement and right-of-way is expressly reserved along the side Lot lines of all Lots to permit the construction and maintenance by the Declarant, its successors and assigns and/or public utility companies of water, gas, drainage, telephone and other services of like nature. Owners may not grant easements on their Lots without written consent and approval of the Declarant or the Association.





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- T. Temporary or Accessory Structures - Subject to Declarant's reserved rights herein, no structure of a temporary character, whether trailer, basement, tent, shack, garage, barn, or other outbuilding shall be maintained or used on any Lot at any time as a residence or for any other purpose, either temporarily or permanently. Any structure on which construction has commenced must be completed within a reasonable length of time.
- U. Drainage - Drainage of streets, Lots, or curb and gutter system will not be impaired by any person or persons.
- V. Solar Heating Panels - Solar heating panels and other passive solar devised will be located to the rear of the property and out of sight from the road that provides access to individual homes. Solar panels will be located on the roof in a fashion so that their visibility by neighboring owners is minimized.
- W. Mailboxes – The mailbox design shall be consistent with the Gladiolus Preserve standards and shall be maintained by the homeowner.
- X. Play Structures – Proposed play structures are to be reviewed by the ARB. Structures shall not exceed ten feet (10') in height. Structures are to be concealed from view outside of the site with landscaping.
- Y. Exterior Light Fixtures – To be reviewed by the ARB. Decorative fixtures are desired. Exterior lights shall not be a nuisance to neighbors. Landscape lighting does not require ARB approval.



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## ARB – Request for Modification

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**Sandcastle Property Management 16266 San Carlos Blvd, Suite 10, Fort Myers, FL 33908**

**Phone: 239-466-3330 Email: [administrator@sandcastlepmb.com](mailto:administrator@sandcastlepmb.com) Website: [www.sandcastlepmb.com](http://www.sandcastlepmb.com)**

I, \_\_\_\_\_, hereby request approval by the Architectural Review Board for the modification shown below to Lot # \_\_\_\_\_ located at address: \_\_\_\_\_

Detailed description of work to be performed: \_\_\_\_\_

\_\_\_\_\_

The work will be performed by (check only one) Homeowner \_\_\_\_\_ OR Contractor \_\_\_\_\_

**If contractor, you MUST provide a copy of current & appropriate license for the work and insurance.**

**Review and confirm the following:**

1. **I have attached to this form supporting drawings, including size, location, description of materials, brochures, color samples, detailed landscape plans, surveys and any applicable information.**  
**NOTE: All paint must be flat or satin sheen.**
2. **I understand and agree that ARB approval does not constitute a representative or warranty of the quality of the work performed, and that I am solely responsible for determining that the contractor's performance is satisfactory.**
3. **I agree to submit proof of insurance and a copy of the contractor's license, for each contractor, to the managing entity, prior to commencement of work.**
4. **I understand and agree that it is my responsibility to comply with all applicable governmental requirements, including but not limited to permitting.**

Upon approval of my request for this modification, I/We, the undersigned unit owner(s), will assume all liability for any damage incurred as a result of this modification as well as any additional maintenance costs that may be incurred. Upon resale, the new owner(s) becomes responsible for same as stated in the covenant.

Date: \_\_\_\_\_ Owner(s) Signature(s): \_\_\_\_\_

Mailing address if different from above: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

This request has been: ( ) APPROVED ( ) APPROVED WITH THE FOLLOWING CHANGES ( ) DENIED

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_ ARB Chairperson: \_\_\_\_\_

**NOTE: Approval is valid for 180 days from date of issue. Failure to complete the project within 180 days will require the Request for Modification to be to be re-submitted to the Board for approval.**