



PORT ROYAL® PROPERTY OWNERS' ASSOCIATION
PROCEDURAL STEPS AND GUIDELINES FOR
RESIDENTIAL CONSTRUCTION

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Port Royal is a residential community of unusual distinction and beauty. The residents of Port Royal seek the highest standards of property use and maintenance which can be established. In this unique community no other factors can contribute more to Port Royal's distinctiveness. With the cooperation and interest of all who own and live here, Port Royal will continually improve as an outstanding location for a home, affording maximum enjoyment of the natural surroundings.

Its location, waterways, overall concept and design all contribute to the unique quality of Port Royal. Equally important, however, are the protections and controls incorporated in the deed restrictions contained in current Port Royal deeds (hereinafter called Restrictions), which are mutual covenants among all property owners, and which run with the land in successive ownership. Many of these Restrictions, together with some newer requirements, have been incorporated into the Port Royal zoning district, R1-15A, within the City of Naples (hereinafter called the City) Code of Ordinances.

The developer of Port Royal assigned all rights, powers and obligations of the Restrictions to the Port Royal Property Owners Association, Inc. (hereinafter called Association), by a recorded legal instrument dated November 3, 1977.

The Association has established an Architectural Review Committee (hereinafter called the Committee), to oversee residential construction in Port Royal. In reviewing specific plans submitted to it, the Committee will consider, among other things, (a) the preservation of property values, (b) the maintenance of Port Royal as a desirable community in which to live, (c) the design compatibility with the immediate neighbors and the Port Royal community as a whole and (d) the protection of privacy.

Construction approvals will not be granted in the absence of the Owner Certification which is required in the exact format, and with the same content, as provided by the Association.

The Committee and the Association do not determine or assume any responsibility for the quality of construction or structural soundness of any improvements made in Port Royal, and no obligation or liability relating to construction of any plans will be assumed by the Committee or the Association. Furthermore, the Committee and the Association do not evaluate plans to determine whether the plans satisfy all applicable governmental requirements. No member of the Committee, the Committee's duly authorized representatives, nor the Association, shall be liable to any owner or any other person or entity for any loss, damage, injury or expense arising out of or in any way connected with the performance hereunder.

In order to be of assistance to property owners, architects, landscape architects, and builders, the Committee has prepared the procedural steps and guidelines for residential construction which follow. There has been no attempt to detail all governmental laws and regulations (including the City ordinances or the Marketable Record Title Act), which may be applicable, and it is recommended that architects and builders make a thorough review of such regulations.

All architects, builders and owners are advised that, once the construction of any structure has begun, the related work must be prosecuted diligently and completed within a reasonable time. If for any reason the related work is discontinued, and if there is no substantial progress toward completion for a continuous six (6) month period, then the Association shall have the right, but not the obligation, to notify the owner of its intentions to enter the premises, and to thereafter take such steps as the Association deems reasonably necessary to correct any undesirable appearance or safety concern. Under such circumstances, the owner of the property shall be liable to the Association for all costs incurred, and the total costs thereof may be enforced as a lien on the property.



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PROCEDURES FOR APPROVAL OF ARCHITECTS AND BUILDERS IN PORT ROYAL

The Committee maintains a list of architects, landscape architects and builders who have been approved by the Association, it makes additions to, or deletions from, that list as circumstances warrant. Applications for approval by architects, landscape architects and builders who are not currently on the list are welcomed.

I. Approval of Architects and Landscape Architects in Port Royal

In reviewing applications for architects, the Committee will give consideration to the apparent ability of the applicant to design residential structures compatible with existing Port Royal dwellings, as demonstrated by photographs, drawings, designs or other materials submitted to the Committee by the applicant.

A new architect must be approved at least one month prior to submitting plans. In order to be considered as an approved Port Royal architect or landscape architect, the applicant must submit to the office of the Association, for the attention of the Committee, the following:

- A. Evidence of a degree in architecture or landscape architecture from an accredited university, together with a resume demonstrating applicant's professional background and experience, including awards, publications, and other professional recognitions, to the satisfaction of the Association.
- B. If the applicant is practicing for, or under the supervision of, an entity, then evidence shall be submitted to demonstrate the entity is validly existing and authorized to do business in the State of Florida.
- C. Evidence that applicant is in good standing with all regulatory departments of the State of Florida concerned with the practice of architecture or landscape architecture, including, without limitation, architectural and business licenses issued by the Florida Department of Business and Professional Regulations.
- C. A list of single-family residential structures or landscape projects, as applicable, designed and completed by the applicant, inclusive of dates, photographs, and/or drawings.
- D. Signed Architect/Landscape Architect Agreement acknowledging the applicant has thoroughly read the Port Royal Association Procedural Steps and Guidelines for Residential Construction, the Restrictions and the R1-15A Residential District zoning code of the City, and will perform in total compliance with these documents. The Architect/Landscape Architect Agreement is available from the Association's website, it should be printed on applicant's letterhead (in the exact format and containing all content), and it must be submitted with the application.
- E. Evidence of applicant's current professional liability insurance.
- F. Payment of the architect approval or renewal fee as outlined in Exhibit A attached hereto. If an architect has not done work in Port Royal for over 5 years, then the new architect approval fee shall apply.

All architects or landscape architects must be actively involved in any project submitted, and shall not affix their signature or seal to any documents or instruments of service which were not prepared by the architect, or by others acting under the responsible supervisory control of the architect, in accordance with Section 481.221(6), Florida Statutes. The title block on all plans must include the architect's business name, the responsible architect's name and state license number of the Association approved architect who is signing the plans.

All architects shall visit the office of the Association, and/or the Port Royal project site subject to the architect's plans, with the Committee, and as requested by the Committee, in order to obtain approval of the architect's plans.



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The Association will review the application together with the above required documentation submitted by the applicant *only* upon receipt of all required documentation. The Association reserves the right to require additional documentation not otherwise listed above, in the Association's sole discretion. Approval of an architect's plans for a project in Port Royal is not guaranteed by applicant's submission of an application and/or the above required documentation. Furthermore, all architects are subject to ongoing Committee review, scrutiny and discussion.

Upon completion of any construction activities permitted by the Association, the project may be assessed by the Committee, and the owner serviced by the applicant may be solicited for comments on the building process. Approved architect status is dependent on compliance with the Association's rules and procedures. At all times, the Association reserves the right to revoke any permission to engage in architectural design activity which is granted pursuant to the Association's reliance on the above required documentation, or otherwise, if it becomes aware of any misrepresentations made in the above required documentation, any violation of the Association's rules, procedures or guidelines, or if, at any time, the Association determines zoning, building or other laws will be, or have been, violated by the architect.

II. Approval of Builders in Port Royal

In order to be considered an approved Port Royal builder, an applicant must submit to the office of the Association, for the attention of the Committee, the following:

- A. Evidence that the applicant's Florida construction license is in good standing, the applicant has current liability insurance, and the applicant has current workers compensation insurance coverage.
- B. If the applicant is an entity, evidence that the entity is validly existing and authorized to do business in the State of Florida.
- C. A resume demonstrating applicant's professional background and experience to the satisfaction of the Association.
- D. A list of single-family residential structures built by the applicant, inclusive of project commencement dates, completion dates and photographs.
- E. Reference letters from no less than three (3) owners of residential properties in the City constructed by the applicant.
- F. Evidence acceptable to the Association demonstrating that applicant has a minimum of five (5) consecutive years' experience while simultaneously maintaining a Florida general contractor's, residential or building license.
- G. For new home construction, applicant must submit a statement advising the Association of applicant's method for ensuring full-time supervision of the project.
- H. Financial statements in the form of the applicant's last two (2) years of profit and loss and balance sheets.
- I. Signed Builder Agreement acknowledging that the applicant has thoroughly read the Port Royal Association Procedural Steps and Guidelines for Residential Construction, the Restrictions and the R1-15A Residential District zoning code of the City, and will perform in total compliance with these documents. The Builder Agreement is available on the Association's website, it should be printed on the applicant's letterhead (in the exact format and containing all content), and it must be submitted with the application.
- J. Payment of builder approval or renewal fee as outlined in Exhibit A attached hereto.

The Association will review the application together with the above required documentation submitted by the applicant *only* upon receipt of all required documentation. The Association reserves the right to require additional documentation, not otherwise listed above, in the Association's sole discretion. Approval to commence construction activities in Port Royal is not guaranteed by applicant's submission of an application and/or the above required documentation. Furthermore, all builders are subject to ongoing Committee review, scrutiny and discussion.



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Upon completion of any construction activities permitted by the Association, the project may be assessed by the Committee, and the owner serviced by the applicant may be solicited for comments on the building process. Approved builder status is dependent on compliance with the Association's rules and procedures. At all times, the Association reserves the right to revoke any permission to engage in construction activity which is granted pursuant to the Association's reliance on the above required documentation, or otherwise, if it becomes aware of any misrepresentations made in the above required documentation, any violation of the Association's rules, procedures or guidelines, or if, at any time, the Association determines zoning, building or other laws will be, or have been, violated by the builder.



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PROCEDURAL STEPS FOR PLAN SUBMISSION

All plans which require permitting by the City must be reviewed by the Association prior to submission to the City. Plans submitted for consideration must be presented by an architect or landscape architect who has been approved by the Committee. A review by the Association will require payment of the appropriate fee as outlined in Exhibit B. Membership in the Association is required throughout construction.

I. Preparation and Submission of Preliminary Plans for New Construction or Major Renovations/Addition (greater than 50% of existing residence). To be submitted electronically in accordance with the City of Naples' digital permitting requirement, implemented in February of 2019.

Proposed plans submitted for approval must be of original design and prepared by a Port Royal approved architect **who is actively involved in the project**. The architect must be responsible for the final selection of materials. Working drawings are not required until after the Committee has acted favorably on preliminary plans which include the following:

- A. Site Survey by a licensed surveyor submitted electronically in PDF. The survey must be certified to Port Royal and accurately show the existing toe of the rip rap, MHWL, and the elevations along the top of the bank including the elevation points at the top of the bank on the adjacent properties.
- B. A scaled drawing of the floor plans and the exterior elevations of the proposed construction (front, sides and rear).
- C. A scaled drawing of the street elevation showing the relationship of the proposed construction to adjacent structures, both in height and mass. An aerial view with the site plan shown on the proposed property to show the relationship of the proposed construction to neighboring residences.
- D. A scaled site plan showing the position of the proposed construction on the parcel in relationship to the adjacent structures and in relationship to the required setback lines; also showing spot elevations along the center of the road (at the crown), rights of way, along the property line and at the rear setback lines. Elevations shall be in NAVD datum. The most restrictive of these setbacks and heights will govern the application of Articles (8), (16), and (17) of the Restrictions and pertinent provisions of zoning district R1-15A as described in the City Code of Ordinances.
- E. Colored architectural renderings **of the front and back** of the proposed construction. Color photographs of the adjoining dwellings. A colored rendering of proposed hardscape and landscape plans. It is recommended that the presentation to the Committee include 3D renderings or a computer presentation of the architectural, hardscape and preliminary landscape designs.
- F. Front and rear elevations shall be submitted. Rear elevations shall clearly show the waterfront area.
- G. To substantiate compliance with requirements of zoning district R1-15A of the City Code of Ordinances: a tabulation of the total square footage broken down by floors, living areas, garage area and enclosed and/or covered areas of the proposed construction, the minimum floor area as defined in Sec. 58-117 of the code, the maximum building area as defined in Sec. 58-120 of the code, and a tabulation of lot area.
- H. A preliminary drainage plan with spot grade elevations and indication of how the parcel's run-off water will be diverted away from adjacent properties and street(s). A full drainage plan from the stormwater engineer will be required with final plan submission.



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- I. A statement of exterior building materials to be used, including exterior walls, types of glass, trim and roof. Exterior color sample specifications must also be submitted, in all cases, prior to their application. As per the Restrictions, siding composed of wood shingles, metal or asbestos, and metal roofs, are prohibited.
- J. An indication of the location of air conditioning units, generators, solar equipment, swimming pool equipment, trash receptacles, and other unsightly utilities, and plans for sight and sound barriers in consideration of neighboring properties.
- K. Preliminary plans must include:
 1. One set of **signed and sealed** proposed Architecture and Hardscape plans submitted electronically to the Association.
 2. Completed PRPOA Architecture Checklist
 3. An Owner Certification, as described herein, signed by the property owner, which must include the signatures of the approved architect and landscape architect. Additionally, once selected, the approved builder is required to sign said Owner Certification.
 4. A signed Architect/Landscape Architect Agreement for this project stating that the applicant will perform in compliance with all procedures. The agreement is available from the Association's website and should be reprinted on applicant's letterhead in the exact form and containing the same content.
 5. Payment of one-half of the New Home Fee as outlined in Exhibit B attached hereto.

Plans are to be submitted to the Association via the office staff. **Plans must be submitted to the office a minimum of one week prior to the scheduled meeting with the Committee.** Please visit our website www.portroyalpoa.com for the Committee schedule and copies of any documents needed. Upon request, an architect will be scheduled to present plans at the next available Committee meeting. Property owners are welcome to attend the meeting along with their architect.

II. Action by the Committee on Preliminary Plans for New Construction and Major Renovations/Additions.

A Committee representative may visit a proposed construction site following the preliminary plan presentation by an architect, and prior to any announcement of Committee approval/disapproval of the plans.

If the preliminary plans are found to be acceptable, the Committee will acknowledge its tentative approval by letter, conditioned upon its review and approval of any subsequent changes in the architect's working drawings.

If the preliminary plans are not satisfactory, the Committee will advise the architect and the owner in writing and request a resubmittal. Any changes to the plan must be clouded by the architect and shown as a revision.

III. Preparation, Submission of, and Action Upon, Final Plans for New Construction and Major Renovation/Additions. *To be submitted electronically in accordance with the City of Naples' digital permitting requirement, implemented in February of 2019.*

Final plans for review by the Association must be submitted by an Association approved architect, and include the following:

1. One set of Architecture, Hardscape, Landscape and drainage plans submitted electronically in PDF format.
2. Completed PRPOA Architecture Checklist.
3. A fully executed Owner Certification, signed by the property owner, architect, landscape architect and builder.



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4. A current signed Architect/Landscape Architect Agreement stating that the applicant will perform in compliance with all procedures. The Architect/Landscape Architect Agreement is available from the Association's website and should be reprinted on applicant's letterhead in the exact form and with the same content.
5. Payment of the remaining balance of the New Home fee as outlined in Exhibit B attached hereto.

Plans must be submitted electronically to the office of the Association a minimum of one week prior to the scheduled Committee meeting. Final plans will be examined in comparison with the tentatively approved preliminary plans. Provided the final plans are in conformity with the preliminary plans, final approval will be given. All differences between preliminary and final plans must be reviewed and approved by the Committee.

Upon Committee approval of the final plans, the actively involved architect or builder must submit signed and sealed permit sets of the plans to the City of Naples e-permitting platform, CityView. Final approval will be granted by the Association within CityView by an Association staff or Committee member. A final plan approval letter from the Committee will be sent to the property owner, architect, landscape architect and builder. The Association will retain one (1) set of plans electronically following approval.

If the final plans are not satisfactory, the Committee will advise the architect and the owner in writing. In any such case, the Committee would hope to be able to work cooperatively with the architect and the owner toward reaching agreement upon changes or modifications in the proposed plans that would make them acceptable.

Committee approval requires commencement of the work within one year. If identical plans are submitted after one year for re-approval, there will be no fee due. If the original plans are revised, an appropriate additional fee will be charged.

IV. Preparation and Submission of Plans for Additions/Renovation (less than 50% of the existing residence).

Proposed plans must be submitted by a Port Royal approved architect who is actively involved in the project including the following:

- A. Site survey by a licensed surveyor certified to the Association electronically in PDF format.
- B. A scaled site plan showing the position of the proposed construction on the parcel in relationship to the adjacent structures and in relation to the required setback lines; also showing the elevation of the crown of the road at the center of the property and at each property corner, and the relative elevation of each of the two concrete monuments marking the water setback area. The most restrictive of these setbacks and heights will govern the application of Articles (8), (16), and (17) of the Restrictions and pertinent provisions of zoning district R1-15A as described in the City Code of Ordinances.
- C. A scaled drawing of the floor plans and the exterior elevations of the proposed construction (front, sides and rear).
- D. Tabulation of the total square footage of the existing residence and proposed addition or changes to the residence.
- E. If significant hardscape has been added, proposed changes to the parcel's drainage will be needed to indicate, on a full drainage plan, how the parcel's run-off will be diverted away from adjacent properties and street(s).
- F. A statement of exterior building material changes, including roof material and paint colors. Samples of exterior colors must also be submitted, in all cases, prior to their application
- G. An indication of changes to the location of air conditioning units, generators, solar equipment, swimming pool equipment, along with plans for sight and sound barriers in consideration of neighboring properties.



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H. Proposed plans must include:

1. Signed and sealed set of proposed final plans electronically in PDF format.
2. A fully executed Owner Certification signed by the property owner, an approved architect (if applicable), an approved landscape architect (if applicable), and an approved builder.
3. A current signed Architect/Landscape Architect Agreement stating that the applicant will perform in compliance with all procedures. The Architect/Landscape Architect Agreement is available from the Association's website and should be reprinted on applicant's letterhead in the exact form and with the same content.
4. Completed PRPOA Architecture Checklist.
5. Payment of the Addition/Renovation fee as documented in Exhibit B.

A representative for the Committee will examine the proposed plans for compliance with the Restrictions and the provisions of zoning district R1-15A of the City Code of Ordinances. Based on the scope of work, a determination will be made whether the plans will require review by the Committee. Plans are to be submitted at the office of the electronically in PDF format to the attention of the Committee.

Upon Committee approval of the final plans, the actively involved architect or builder must submit signed and sealed permit sets of the plans to the City of Naples e-permitting platform, CityView. Final approval will be granted by the Association within CityView by an Association staff or Committee member. A final plan approval letter from the Committee will be sent to the property owner, architect, landscape architect and builder. The Association will retain one (1) set of plans electronically following approval.

V. **Plans for any hardscape changes (i.e. fences, walls, trellises, driveways, pools, spas, etcetera).**

- A. Submit detailed site plan showing specific locations and all relative setback requirements.
- B. Elevations as required in zoning district R1-15A of the City Code of Ordinances and referenced to the heights of the proposed addition(s).
- C. Heights of all walls and fences as required in zoning district R1-15A of the City Code of Ordinances.
- D. For gates, the following guidelines have been established:
 1. Design of gate should be consistent with architecture of home.
 2. The embellishments on the gate should be in proportion to actual gate.
 3. The embellishments should have little to no contrast to gate color and should blend with house design.
 4. A color rendering of the proposed gate is required for approval.
- E. If changes in site elevation are proposed, proposed changes to the parcel's drainage will be needed to indicate, on a full drainage plan, how the parcel's run-off will be diverted away from adjacent properties and street(s).
- F. Payment of appropriate fee as outlined in Exhibit B attached hereto.
- G. Completed PRPOA Architecture Checklist.



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VI. Landscaping.

- A. Submit proposed planting of trees, shrubs and hedges, on site plan with type and height, of all proposed plantings.
 - 1. Plantings on the waterfront outside the platted building line are restricted to 36" in height and plants that would not materially obstruct view when mature. Palm trees are required to have 10' clear trunk when installed.
 - 2. If the home has garages which face the street mature landscape material which screens the doors at installation is required.
- B. Submit plan for sight and sound barrier screening of machinery and equipment.
- C. If changes in site elevation are proposed (Please refer to section VIII (6), below, regarding land elevation):
 - 1. In cases where the rip rap will be re-nourished the grading plan must show the proposed top of bank and how the rip rap will blend in at the sides with the neighbor's property. Reference the Rip Rap Renourishment Procedures for required information.
 - 2. Proposed changes to the parcel's drainage will be needed to indicate, on a full drainage plan, how the parcel's run-off will be diverted away from adjacent properties and street(s).
- D. Payment of appropriate fee as outlined in Exhibit B attached hereto.
- E. Completed PRPOA Architecture Checklist.

VII. Lot Split.

A number of Port Royal platted lots have been combined into one property over the years. The minimum lot area described in zoning district R1-15A of the City Code of Ordinances is one platted lot. All proposed property splits must maintain a minimum of one full platted lot on each property. All lot splits must be approved by the Committee prior to submission to the City.

VIII. Paint Color Change.

Change of paint colors for new and existing structures must be approved by the Committee. Change in roofing material and/or its color must be approved by the Committee. Samples of exterior colors and materials must be submitted, in all cases, prior to their application. Please see the Exhibit A for the Design Guidelines for Home Colors.



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GUIDELINES

1. Government Regulations and *Restrictions*.

Compliance is required regarding all applicable federal, state and municipal statutes, rules and regulations (including, but not limited to, zoning and other ordinances of the *City*), and all applicable provisions of the *Restrictions*. If there are inconsistencies or differences among any regulatory bodies, the more restrictive will govern. Port Royal has a specific *City* zoning designation described as zoning district R1-15A in the *City* Code of Ordinances.

2. Necessity for Approval.

The approval requirement applies to both new construction and additions or alterations of existing structures, including changes in exterior colors. Where additions or alterations are relatively minor, however, the services of an architect may not be required (subject to the discretion of the *Committee*).

Any and all approvals or disapprovals of the *Committee* shall be in writing. In the event of disapproval by the *Committee*, the owner may thereafter re-submit the plans for reconsideration to the Board of Directors of the *Association* within forty-five (45) days of the disapproval, by submitting to the Board of Directors of the *Association* a copy of the plans accompanied with a written statement setting forth the grounds for the appeal. The Board of Directors of the *Association* shall consider the appeal at its next regular scheduled meeting and notify the owner of its decision in the matter within ten (10) days of that meeting. In approving or disapproving any plans on appeal, the Board of Directors decision shall be governed by the same factors that the *Committee* is required to consider.

3. Compatibility.

In designing a structure, an addition or alteration, consideration must be given not only to its suitability for the parcel upon which it is to be located, but also to its compatibility with adjacent and neighboring structures and with the Port Royal community as a whole. This does not mean, however, that uniformity or similarity is required. To the contrary, originality and variety of design are encouraged within the limits of compatibility.

4. Setback Lines.

The purpose of the setback lines described below is to define the limits beyond which no portion of a structure may extend. It is not intended that a structure which is built up to the setback lines on all sides will be approved. After construction is completed and before a certificate of occupancy from the *City* is applied for, the architect must supply the *Association* with an "as built" survey which confirms that all setback and height elements were built in accordance with the approved plan.

- A. The Front Yard setback is forty (40) feet (with several exceptions).
- B. No permanent structure including overhangs, awnings and gutters may encroach into the side or rear yard setback.
- C. Corner lots: there are two front and two side setbacks; one front must be forty (40) feet, and one can be thirty-five (35) feet.
- D. Except as provided in a) above, all other side setback lines shall be not less than twelve and one-half (12.5) feet from the side property lines. Some early deeds require only ten (10) feet. Owners must provide supporting legal data proving the existence of this exception. This distance is to be measured to the outer/leading edge of the structure, including roof overhang.
- E. Rear waterfront setback lines shall be the most restrictive of either: thirty (30) feet from the mean high water line (MHWL) as required by the *City*; or the platted waterfront setback line; or where the shoreline is reasonably straight, the waterfront



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view line which is a line drawn between the closest waterside points of the two nearest dwellings such that all existing and proposed dwellings shall, to the degree reasonably possible, have an unimpeded view of the water.

- F. Rear setback lines for parcels without waterfronts shall be not less than thirty (30) feet from the rear property lines.
- G. Machinery and equipment for air conditioning, generators, pools and spas and similar services, and containers for trash and garbage shall be located inside setback lines and be provided with sound and sight barriers. **All mechanical equipment must have permanent screening (plant material is not sufficient). Screening material should fit with the aesthetics of the community and home (PVC fencing material is prohibited).**

5. Adjacent Residences.

Plans for new residences or major additions/renovations, must specifically identify residences located on either side of a proposed construction site with a clearly depicted silhouetted elevation and the waterfront view line in accordance with the criteria contained in section I(C) of the Procedural Steps for Plan Submission described above.

6. Changes of Elevation/Drainage.

No substantial changes in the elevation of the land are permitted except as such changes may be necessary to meet requirements of the National Flood Insurance Program. Appropriate provision must be made to divert the run-off water away from the adjacent properties. The Restrictions reads in pertinent part that “no substantial changes in the elevation of the land are permitted.” This is interpreted to mean that in new home construction the elevation of the yard areas must conform generally to the adjoining areas including the rip rap re-nourishment. The fact that local, state or federal government has established the finished first floor elevation at various elevations above mean sea level does not imply that lawns, pools, patios, and rip rap can or should be placed at comparable heights. A storm water plan in compliance with the City Code of Ordinances must be submitted by the owner’s engineer.

7. Garages and Carports.

Garage doors must be equipped with automatic closing devices. Open-side or open-end carports over terminated driveways are not permitted. Every effort should be made to avoid having garage doors face the street, or, if this is unavoidable, to otherwise minimize visual impact. If garages face the street, then mature landscape material, which screens the doors, is required at installation.

8. Antennas.

No television, satellite, or any other antenna which is visible from the street, waterway or adjoining property is permitted unless specific written approval is obtained from the Committee. Solar collectors are protected and permitted by Section 163.04, Florida Statutes, and Port Royal owners are expected to make such installations as unobtrusive as conditions permit.

9. Hardscape setbacks.

Structures of any height including patios and pools must be a minimum of twelve and one-half (12.5) feet away from the side property line. This restriction includes structures less than 36” in height, as measured from the crown of road. Ground level paving for a walkway is permitted. Wall and Fences are governed as per section 58-124 of zoning district R1-15A in the City Code of Ordinances.

A minimum of a five (5) foot of landscape plant material buffer is required between the top of the rip rap or seawall, as applicable, and any hardscape regardless of height. No hardscape material is allowed in this five (5) foot waterfront buffer including retaining walls of any type. A maximum of a four (4) foot wide walkway, at ground level, from the patio to the dock is permitted.

All driveways and parking areas must be setback a minimum of three (3) feet from the side property line at all points of the paved area.

10. Swimming Pools and Spas.

Swimming pools and spas are considered to be structures and are subject to these guidelines. Enclosed pools or spas may not be located outside the setback lines applicable to the parcel. Pools or spas which are not enclosed may be located outside such lines, but no



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portion thereof (including patios, copings, walls, etc.), may exceed the applicable structural height limitations imposed by these guidelines. No pool, spa or enclosure may be located within a utility or drainage easement. All pool fences and gates must be designed and located in accordance with the provisions of zoning district R1-15A of the City Code of Ordinances.

11. Parking.

During the design of new homes, adequate off-road parking for service/landscape maintenance vehicles should be considered.

12. Property Signs.

Only one Port Royal “pirate theme” black and white property sign is allowed per residence. Signs can be no larger than 12 x 18 inches and mounted on a 4x4 white aluminum post. A sphere or round shaped finial is permitted. Signs must not exceed 4.5 feet in height (once mounted). All property signs must be approved by the Committee.

13. Severability.

In the event any of the provisions of these guidelines shall be deemed invalid by a court of competent jurisdiction, said judicial determination shall in no way affect any of the other provisions hereof, which shall remain in full force and effect, and any provisions of these guidelines deemed invalid by a court of competent jurisdiction by virtue of the term or scope thereof shall be deemed limited to the maximum term and scope permitted by law. In the event any of the provisions of these guidelines shall have more than one interpretation, one (or more) of which is deemed invalid by a court of competent jurisdiction, said provision(s) shall remain in full force and effect given only such interpretation(s) as judicially determined valid. Further, the invalidation of any of the covenants or restrictions or terms and conditions of these guidelines or reduction in the scope or term of the same by reason of judicial application of the legal rules against perpetuities or otherwise, shall in no way affect any other provision which shall remain in full force and effect for such period of time and to such extent as may be permitted by law.

14. Security Cameras.

Personal surveillance equipment must be approved by the Association prior to installation outside any of the building setbacks. Any poles or devices must be designed and installed within the rear yard setback to minimally impact the view corridors of the neighbors. Camera(s) shall not infringe on the neighbors' privacy and the Committee will require specific documentation regarding the field of view for each camera location.

15. Construction Fences.

Construction Fences are required at the inception of the project and shall remain installed and maintained in good condition throughout the duration of the project. The fence must be upright and sturdy, have a top rail and include clean, continuous screening material (black or green fabric). Fences are required for new home construction and remodels. For a remodel project, a fence (or sufficient existing site conditions) must screen all construction materials, dumpsters, and port-o-lets. For new home construction, a construction fence is required. When the fence is removed for final landscape and driveway installation, the dumpster and port-o-let must be kept away from the street.

14. Pool Fences.

Pool fences and barriers must be included on the preliminary architectural or landscape architect's plans and must be approved with current elevations prior to any construction. Pool fences must also be shown on final plans and must meet the Florida Pool Safety Code and R1-15A requirements. Maximum height for pool fence is 4 feet.

- Grading at the property line on both neighboring properties must also be shown on the survey. The architect or landscape architect must address elevation views from neighboring properties and setback from property line to allow pool fences on both properties. In the case where a neighboring property does not have an existing fence, a setback for a future pool fence must be observed



PORT ROYAL[®] PROPERTY OWNERS' ASSOCIATION

PROCEDURAL STEPS AND GUIDELINES FOR RESIDENTIAL CONSTRUCTION

- If a retaining wall is proposed past the waterfront building line, it must be setback 3 feet from the property line to allow the pool fence to be installed at the same grade elevation as the neighboring property.
- Appropriate setback allowances are determined by the city building department as per the Florida pool safety code.
- Fences along the waterfront are discouraged.

ADDITIONAL PROCEDURES FOR BUILDERS AND CONTRACTORS

I. Construction Site Standards.

- A. Construction fences are required along the front, rear and side lot lines prior to any clearing, grading, or demolition. All fences must be maintained in good condition throughout the project construction.
- B. A clean site must be maintained throughout construction which is free from weeds, trash, and other unsightly debris. Dumpsters must be emptied on a regular basis.
- C. Chemical toilets and dumpsters must be located away from the road and must be oriented towards the rear of the property.
- D. Dirt piles must be covered up.
- E. All contractors must park on-site and not on the street.
- F. Large deliveries by semitrucks or tractor trailers must be properly coordinated through the contractor. A flagman must be provided to direct the truck to and from the construction site, and in some cases, as the truck backs down a street. Cul-de-sacs at Galleon Drive and Spyglass Lane are not navigable by large vehicles and should be avoided.

II. Action Required Prior to Certificate of Occupation by the City.

- A. The Association must receive a copy of the as-built survey and the elevation certificate.
- B. A project walk through by the Executive Manager of the Association is required in order to confirm that construction was completed as approved by the Committee.

III. Action Required After Certificate of Occupation by the City.

- A. Submit a copy of the Certificate of Occupancy upon receipt from the City.