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RETURN TO: South Gulf Cove Homeowners Assoc.   
P.O. Box 977 Placida FL 33946-0977

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PREPARED BY:  
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**NOTICE OF ARCHITECTURAL GUIDELINES, RESTRICTIONS AND CONDITIONS  
FOR ALL RESIDENTIAL HOMES IN SOUTH GULF COVE**

THE UNDERSIGNED being the President of SOUTH GULF COVE HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, does hereby give notice to all present and future owners of Lots located/shown on the following described real property:

**SECTION 58**

Port Charlotte Subdivision Section Fifty-Eight Plat Book 5, Pages 72A through 72J, Public Records of Charlotte County, Florida.

**SECTION 71**

Port Charlotte Subdivision Section Seventy-One Plat Book 6, Pages 27A through 27L, Public Records of Charlotte County, Florida.

**SECTION 78**

Port Charlotte Subdivision Section Seventy-Eight Plat Book 6, Pages 42A through 42J, Public Records of Charlotte County, Florida.

**SECTION 81**

Port Charlotte Subdivision Section Eighty-One Plat Book 6, Pages 51A through 51P, Public Records of Charlotte County, Florida.

**SECTION 82**

Port Charlotte Subdivision Section Eighty-Two Plat Book 6, Pages 52A through 52M, Public Records of Charlotte County, Florida.

**SECTION 85**

Port Charlotte Subdivision Section Eighty-Five Plat Book 6, Pages 60A through 60Q, Public Records of Charlotte County, Florida.

**SECTION 87**

Port Charlotte Subdivision Section Eighty-Seven Plat Book 7, Pages 20A through 20N, Public Records of Charlotte County, Florida.

COMMUNITY DEVELOPMENT

SECTION 93

Port Charlotte Subdivision Section Ninety-Three, Plat Book 9, Pages 0-2 through 0-4, Plat Book 9, Pages 0-Z-1, Plat Book 9, Pages 1-A through 1-Z, Plat Book 9, Pages 1-Z-1 through 1-Z-4, Public Records of Charlotte County, Florida.

SECTION 94

Port Charlotte Subdivision Section Ninety-Four, Plat book 9, Pages 3-A through 3-Y 1<sup>st</sup> Replat Book 15, Pages 48-A through 48-R, Public Records of Charlotte County, Florida.

that pursuant to the authority granted to the South Gulf Cove Homeowners Association, Inc., in the Deeds of Restrictions effecting the foregoing described real property and subsequent assignment of enforcement rights, all improvements on Lots and all alterations and modifications to said improvements shall comply with the attached South Gulf Cove Architectural Review Residential Guidelines, Restrictions, and Conditions which were approved and adopted at a meeting of the Board of Directors held on 17<sup>th</sup> day of August, 2005 for which due notice was given and at which a quorum was present.

WITNESSES:

(Sign) Elisabeth A. Macchia

(Print) ELISABETH A. MACCHIA

(Sign) Ty Hartley

(Print) Ty HARTLEY

SOUTH GULF COVE HOMEOWNERS ASSOCIATION, INC.

BY: Dennis Curtis

President of the Association.  
(Print) DENNIS CURTIS

(Address) 9348, Spring Circle, Port Charlotte, FL.

STATE OF FLORIDA  
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 1<sup>st</sup> <sup>September</sup> day of ~~June~~, 2005  
by Dennis Curtis Sr., as President of SOUTH GULF COVE  
HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said  
corporation. Said person is personally known to me or has produced  
FL D.L. as identification and did take an oath.

NOTARY PUBLIC

STATE OF FLORIDA (SEAL)

My Commission Expires:



A. Catherine McMillan  
Commission #DD181216  
Expires: Jan 30, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

**SOUTH GULF COVE HOMEOWNERS ASSOCIATION INC.**  
**ARCHITECTURAL REVIEW COMMITTEE**  
**RESIDENTIAL GUIDELINES, RESTRICTIONS, AND CONDITIONS**

Residential guidelines, restrictions and conditions are published by the Architectural Review Committee (ARC) of the South Gulf Cove Homeowners Association Inc., to orient property owners, builders and general contractors to the correct procedures, requirements and specifications for new construction or any modification to existing residential structures within South Gulf Cove.

These guidelines, restrictions and conditions may change from time to time. Please check with the ARC for a current issue. These regulations are adopted pursuant to the authority provided by the Declaration of Restrictions, Reservations, Easements and Covenants of South Gulf Cove, Port Charlotte, FL. And wherever these rules and regulations exceed in scope those established by the State of Florida or the County of Charlotte, the stricter rules and regulations shall apply.

The ARC and/or South Gulf Cove Homeowners Association Inc. is not responsible for the workmanship, quality or conformity with contractual specifications of any construction. This is a matter between the owner and contractor.

The function of the ARC is to enforce the Declaration of Restrictions, Reservations, Easements and Covenants of South Gulf Cove, Port Charlotte, FL. No building or structure shall be erected or modified on any residential lot until the design and location thereof have been approved in writing by the South Gulf Cove Architectural Review Committee of the South Gulf Cove Homeowners Association, Inc.

**STRUCTURAL PLANS** – The builder, general contractor or owner is responsible for submitting to the ARC a complete set of building plans that accurately represent the proposed structure and meet acceptable architectural standards. The building plans must include the following:

1. Floor plans of all levels including plumbing and electrical layouts must be submitted.
2. Foundation plan.
3. Elevations of all sides including specific roof pitches, roof materials, overhangs and exterior finishes.
4. Detail and building sections showing at least one general building section detailing wall construction, materials, roof pitches, overhangs, and footing details.
5. Exterior wall and accent color samples.
6. Roofing material color sample.

All plans shall be professionally drawn with sufficient and explicit details to be adequate for the entire construction process.

When reference is made to any code, it shall refer to the edition of the code that is currently adopted by the Charlotte County Building Code Ordinance.

If any significant structural change that affects the integrity, square footage or architectural design of the structure is made after ARC approval is received, a new set of plans must be submitted to the ARC for review and approval.

These same requirements are applicable to submission of a change/addition to homes under construction or change/addition to existing home request.

**BOUNDARY SURVEY** – A boundary survey of the property must be submitted showing placement of the house, attachments, property line, easements, utilities, driveways and erosion/storm water control.

**TIME SCHEDULE** – construction activities must begin within one year of the issuance of the ARC approval. Failure to begin work within this time frame may cause the permit to be revoked and the ARC fee to be forfeited. This would require re-submission to the ARC.

**CONSTRUCTION ACTIVITY** – During all construction activity, the lot shall be cleaned of trash and miscellaneous building debris on a regular basis. A solid sided commercial waste container (dumpster) and a chemical toilet must be on the building site before construction activity begins. The dumpster must be emptied when full. The dumpster and chemical toilet are not allowed to be placed on private property adjoining the property where construction is taking place.

There will be no washing-out of ready-mix concrete trucks on roads, ditches, road rights-of-way, adjoining lots or any lot in SCG. Any washout necessary should be performed on the lot where the construction is being done.

**AESTHETIC DESIGN** – All buildings and structures shall meet the minimum requirements for aesthetics as established by the ARC, including, but not limited to the following:

1. No manufactured homes, modular homes, pre-fabricated homes, monolithic dome homes, log cabins, or A-frame homes shall be allowed on any lot. This includes homes that are pre-built in a factory, pre-wired and pre-plumbed. Open panelized homes only will be considered. An open panelized home is a home that has framed wall sections that are skinned on side with oriented strandboard (OSB) or plywood. No pre-wired or pre-plumbed panels are allowed. All homes must be in harmony with surrounding structures.
2. Any building or improvements hereafter constructed shall be masonry, concrete block, concrete filled Styrofoam, steel, or wood construction. All buildings must have stucco, vinyl siding, wood, brick or decorative concrete block exterior finish. New exterior finishes approved by the Charlotte County Building Code will be considered and reviewed by the Architectural Review Committee.
3. The ARC will review the plan for harmony of design as well as its harmony with surrounding structures. The house plans must include front, back, left and right elevations for review by the committee.
4. Roofing materials on all structures shall be asphalt shingles, tile, or metal. New material that is approved by Charlotte County Code will be considered by the ARC.
5. All homes must have a covered portico (not including overhang). The roof of the portico and the roof of the house must be covered with the same material.
6. No home shall be built that is substantially structurally identical to any adjacent home on a contiguous lot. The Architectural Review Committee shall have the sole and exclusive discretion to determine if a home is substantially structurally identical to an adjacent home and its determination shall be final and binding.
7. No building may exceed thirty-eight feet (38') in height. The height of building is the vertical distance measured from the lowest minimum habitable floor habitation for which a building permit may be issued to the highest point of the roof structure.
8. All exterior colors and exterior accent colors must be approved by the ARC. An approved list of colors based on Flex Bon Paints Colorsource selection or equal will be available upon request. No bright or fluorescent colors will be allowed. Colors must be in harmony with surrounding structures.

**MINIMUM SQUARE FOOTAGE** – All structures must conform to the following:

Minimum Square Footage: No building shall be erected on any residential lot having a living area of less than 1,500 air conditioned square feet with a two car attached garage. Two story homes shall have a minimum of 1,500 air conditioned square feet of living area with a two car attached garage. The garage shall not be considered living area.

Any building with a minimum square feet of living area less than 1,500 square feet that is in existence on November 17, 2000, the date the Deed Restrictions were recorded in the Public Record of Charlotte County, Florida shall be allowed to remain (“grandfathered”) until 50% or more of the existing building is destroyed, removed, or replaced or there is construction to change the existing square footage. At that time the building will be required to be in compliance with this provision.

**SETBACKS** – All structures must conform to the following setbacks:

Waterfront and dry lots shall have the setbacks as follows;

Canal or rear lot line:	20 feet
Front lot line:	25 feet
Side lot line:	7.5 feet
Pool cage:	15 feet

The side lot line and rear lot line setbacks shall not apply to a garage located 50 feet or more from the minimum building setback line, except that on corner lots, no structure shall be permitted nearer than 20 feet to the front line of the said corner lot nor nearer than 15 feet to the side street lot line.

Any additional buildings or structures constructed must also conform to the minimum lot setbacks and material requirements.

**DRIVEWAYS** - All driveways must be constructed of concrete or masonry based material, brick, pavers or stamped concrete.

**AFFIDAVIT OF NOTICE**

The undersigned, whose name appears at the bottom of this Affidavit does hereby swear that the Notice of the Board Meeting held on August 17, 2005, at 7:00 P.M. was properly given in accordance with the Bylaws and Florida law.

Acknowledged this 1<sup>st</sup> day of September, 2005.

SOUTH GULF COVE HOMEOWNERS ASSOCIATION, INC.

(SEAL)

By: Karen Price  
Print name: KAREN PRICE  
Print title: Secretary

STATE OF FLORIDA }

COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of September, 2005, by Karen Price, South Gulf Cove Homeowners Association, Inc. who is personally known to me or who has produced (type of identification) FL D.L., as identification and who did take an oath.

A Catherine McMillan  
Notary public  
Printed name: A Catherine McMillan  
My commission expires: \_\_\_\_\_



A. Catherine McMillan  
Commission #DD181216  
Expires: Jan 30, 2007  
Bonded Thru  
Atlantic Coast Notary Co., Inc.

**CERTIFICATION OF MEETING OF DIRECTORS**

**HELD ON THE 17<sup>th</sup> DAY OF August, 2005**

I hereby certify that the Board of Directors of SOUTH GULF COVE HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the "Corporation") met pursuant to the requirements of the Articles of Incorporation and the ByLaws of said Corporation and that the following constitutes a true and correct copy of the Resolution approved at said meeting:

"BE IT RESOLVED that the Board of Directors have adopted the attached South Gulf Cove Architectural Review Residential Guidelines, Restrictions and Conditions pursuant to the authority to do so as provided in the Deeds of Restrictions and the other governing documents of the Corporation and authorize the recording of same in the Public Record of Charlotte County, Florida"

SOUTH GULF COVE HOMEOWNERS  
ASSOCIATION, INC.

(CORPORATE SEAL)



Name: KAREN PRICE

Secretary