

Riverwind Cove Architectural Standards and Guidelines



Companion Document to the Riverwind Cove Declaration of Covenants, Conditions and Restrictions

These standards are not intended to replace nor supersede the Covenants, Conditions & Restrictions; the CCR should always be consulted prior to the initiation of any construction, addition and/or alteration of Riverwind Cove property.

I. PURPOSE & INTENT

These Architectural Standards & Guidelines are tools for homeowners & builders in the construction, addition and/or alteration of residences/structures in the Riverwind Cove community in Alva, FL. They have been established for compilation & clarification of pertinent sections of the Riverwind Cove Declaration of Covenants, Conditions & Restrictions (CCR) and for the preservation and enhancement of aesthetics and property values of the community. They are intended to complement the CCR and should a conflict arise, the CCR will prevail. This document is used by the Architectural Review Committee (ARC) as a basis for review of exterior building construction, additions or changes to existing structures, and/or alterations to property appearance.

A. Architectural Review Committee

The Architectural Review Committee (ARC) is a Standing Committee comprised of current HOA members appointed by the Board of Directors, with one Board Member designated as liaison to the ARC. As indicated in the Riverwind Cove CCR, **Article X: General Provisions – Section 5- Architectural Control** the ARC is responsible, under the authority of the Riverwind Cove Board of Directors, for maintaining the aesthetic value of the community by upholding construction and maintenance standards as set forth in the CCR and further outlined in these guidelines.

ARC approval must be obtained by property owners prior to project initiation; however, the Committee does not guarantee adequacy, technical sufficiency, safety, or any proposed plan's compliance with applicable County or other governing entity's Codes, Laws or Ordinances. *The property owner assumes full responsibility for ensuring the aforementioned.*

NO CONSTRUCTION OR MODIFICATION OF ANY TYPE MAY BEGIN ON ANY PROPERTY UNTIL WRITTEN APPROVAL IS RECEIVED FROM THE ARCHITECTURAL REVIEW COMMITTEE.

II. PROCEDURES

All single-family home building requests must be submitted with full documentation as outlined in the Architectural Review Checklist (attached) and must include the Review Fee and Building Bond as appropriate.

All requests dealing with additions to or exterior improvements of the original home/structures and property must also go through the process of request submission and review by the Architectural Review Committee (ARC) i.e. river docks, home additions, pools / Jacuzzis, decks, fences, gazebos, etc.

A. Plan Review Fee and Construction Bond

The Plan Review Fee is assessed for *new home construction only*, and covers any and all work and/or fees incurred by the ARC in the review of construction plans, documents, permits, etc. The Plan Review Fee has been established at \$250.00 /request and is non-refundable.

A Construction Bond is required for any new construction project entailing the use of heavy equipment, and covers damage that occurs on RWC property or common areas during the construction or completion of the project. The Construction Bond fee of \$1,000.00 is required for all new construction projects.

The Construction Bond will be held in escrow and used for repair of any damages to the RWC community that may result from the project. Upon completion of the project and final inspection by the ARC, all remaining escrow funds will be disbursed as appropriate.

B. Project Approval Request

All single-family home building requests must be submitted with full documentation as outlined in the Architectural Review Checklist (attached) and must include the Review Fee and Construction Bond as

appropriate. Please use the **New Construction Review Request Form** (available on the Riverwind Cove website at www.riverwindcovehoa.org under “Documents”) to request a plan review for new construction. Attach all pertinent documents and include all applicable fees.

A copy of construction plans (including a site plan) and appropriate fees should be submitted with the **New Construction Review Request Form**.

All requests dealing with additions or improvements to the original residence/structure and/or property must also go through the process of review by the ARC. Please use the **Changes to Existing Residence/Property Request Form** (available on the Riverwind Cove website at www.riverwindcovehoa.org under “Documents”) for anything other than new residence construction.

All requests dealing with additions/improvements to the original residence/structure and/or property must include:

- A written description of the project
- A site plan indicating the exact placement of the addition(s) on the property.
- Copies of any and all pertinent Lee County permits (these may be submitted following initial approval of project by ARC but *must be submitted prior to commencement of work*)

Note: Dock construction requests must include a copy of the dock permit and site plans submitted to and approved by the appropriate agencies (i.e. Lee County, Army Corps of Engineers, Florida Department of Environmental Protection/SFWMD).

III. INTERPRETATIONS

These Standards have been implemented to mitigate subjectivity in the approval process and reduce the need for interpretation of language in the CCR. However, if a property owner does not agree with the interpretation of the ARC and an agreement cannot be reached, the property owner has the right to petition the Board of Directors for intervention and resolution. All pertinent information and documentation from both homeowner and ARC must be provided to the Board for their review and decision.

IV. REVIEW PROCESS

Each parcel, except the common areas, shall be used for single family residential purposes only. All structures and improvements must be completed substantially in accordance with the approved Plans within six (6) months following the date of issuance of the original building permit, except that the ARC, with the full knowledge and approval of the Board of Directors, may grant extensions for good cause shown, including those circumstances in which the property owner has made diligent effort to complete construction, but such timely completion is impossible as a result of matters beyond the control of the property owner, such as strikes, casualty losses, national emergencies, or acts of God.

Information provided to the ARC in the request should be as specific and detailed as possible. Upon receipt of the proper request form, pertinent accompanying documents and fees, and providing that the specifications are within ARC standards and guidelines, the ARC shall provide written notice to the property owner within 14 days following receipt of the request of their intended recommendation to the Board. Following approval or denial by the Board of Directors, the property owner will be notified of the Board’s decision, and if denied, the reason for the denial.

A. New Construction

The exterior of any and all residences/structures must be in conformance with submitted and ARC approved plans as outlined in these Guidelines and the CCR. As part of the initial project request, the

property owner must provide the ARC with proof that the contractor to be employed for the construction has the proper licensing, bonding and insurance necessary as required by the County and/or State. Colors, roofing materials, screening provisions and other requirements of these standards will be reviewed by the ARC prior to rendering their approval/denial of the request and must conform to the original plans, unless a request for amendment is additionally submitted.

The following conditions must also be met by the contractor/property owner during all phases of the project:

1. Maintain a worksite that is safe and cleared of debris daily.
2. Erect and maintain a temporary privacy barrier/fencing on all abutting residential property.
3. Maintain a construction dumpster on site during construction for disposal of debris. No trash or "burn piles" are to accumulate.
4. Contain lightweight debris that is easily transferrable to other properties or common areas in the neighborhood via wind or water. If such debris is not properly contained, and the RWC HOA deems it a nuisance, the HOA has the right to hire a contractor to pick up and dispose of the material properly, the cost of which will be deducted from the retained construction bond, or passed on to the property owner. Due notice will be provided to the property owner prior to any action on the part of the HOA.
5. Construct suitable culvert and temporary/ permanent driveway entrances prior to entrance of any construction vehicles on the parcel to avoid damage to road shoulders and edges of pavement. All culverts must be staked by a properly registered land surveyor prior to construction in accordance with the engineering plans.
6. Any repair for damages to common areas or property of Riverwind Cove caused by workers, vehicles, delivery trucks or designated parties associated with the construction project shall be deducted from the construction bond if satisfactory repairs are not made by the contractor within 20 business days following project completion. If repair costs exceed the bond in escrow, the property owner will be assessed accordingly for the difference. Failure to remediate the damage or pay the assessment shall result in a lien on the property.
7. Property owner/contractor must notify workers that the community has a posted speed limit of 15 mph.
8. Use of water or electricity from an adjoining private residence/property without the owner's written permission is strictly prohibited.
9. Radios or sounds not associated with the construction of the home are to be kept at a reasonable volume so as not to create a nuisance to the neighborhood.
10. Construction activities should be conducted during reasonable hours, generally accepted as 7:00 a.m. – 7:00 p.m.
11. A newly constructed home may not be occupied until a Certificate of Occupancy has been obtained from Lee County

12. Upon completion of the project and/or receipt of a Certificate of Occupancy from Lee County (as appropriate), the property owner must schedule an inspection by a Board member and/or ARC representative. A copy of the CO will be required at that time for HOA records. The Construction Bond will not be released until this inspection occurs and the ARC has "signed off" on project completion, with the knowledge and approval of the Board, and provided an estimate of repair costs for damages to common areas/ HOA property to be assessed against the bond.
13. Any construction not completed prior to receiving a CO must be completed within a reasonable period of time following CO issuance. The ARC / RWC Board of Directors should be informed of these items at the time of inspection, and a reasonable timetable provided for completion. The total duration of a project is not to exceed six (6) months (see Section V) unless a request for extension has been provided to the ARC, as outlined in Section III.
14. Notwithstanding the setback provisions of the CCR, and upon ARC approval, a structure may be constructed upon contiguous Lots, provided, however, that no easements of record, including easements shown on any plat of the Subdivision, are encroached upon by the location of the structure. In the event lots are combined, the side easements along the common middle boundaries shall automatically terminate. Once the dwelling is constructed, the Lots upon which it is constructed must remain under common ownership unless and until the structure is removed. Upon removal of the structure, the setback provisions of the CCR shall again apply to and control construction upon the Lots and the side easements along the common boundaries shall again exist and be automatically reinstated as to such Lots. Corner lots are considered to have two frontages.

B. Additions

Any extension of or attachment to a residence or structure is considered an addition. The design of additions must be consistent with the existing shape, style and proportion of the residence/structure. A properly licensed, bonded and insured building contractor is to be employed in the construction of the buildings or other structures. A deck is not considered an addition; however, a request must be submitted, and approval received from the ARC prior to beginning construction. The following conditions must be met for all additions:

1. Finish and color of siding, roofing, trim materials, etc. must match or complement those of the existing residence/structure, regardless of materials used.
2. Style and color of new windows and doors must match those of existing residence/structure as closely as possible.
3. Additions must be located so as not to adversely affect drainage on adjacent properties through changes in topography.
4. Additions must be completed in accordance with the approved plans within six (6) months after initiation of the project; the ARC may grant extensions for good cause shown by owner (see Sections III and V).

C. Decks

NOTE: Lee County requires a building permit for installation of a deck. Additionally, ARC approval is required for the construction of all decks.

The following conditions must be met for all decks:

1. Decks must be constructed of durable materials such as brick, stone or pressure-treated wood, synthetic, composite or recycled materials, provided they are of appropriate strength and Lattice, posts and rails must be constructed of similar materials.
2. Decks must have adequate screening to conceal the underside of the deck. Screening should be by lattice work or wood that matches the deck or residence color. Exceptions must be approved by the ARC.

Deck requests should be submitted on the **Revisions to Existing Residence/Property Request Form** (available on the Riverwind Cove website at www.riverwindcovehoa.org under "Documents") and include a descriptive drawing including dimensions, details of materials and location of deck in relation to existing structures.

D. Fences

No fence or hedge over six (6) feet in height measured from the ground on which it stands shall be constructed or maintained on any property. Permanent fences must be painted aluminum, vinyl, decorative wrought iron, wood or wood-like materials, and must complement the exterior of the residence and outbuildings. **Chain link fences are strictly prohibited.**

Fencing in easements or protected wetlands/preserve areas is prohibited. Discontinuous or short sections of fence used solely as an element of landscaping may be permitted in front yards at the discretion of the ARC and with approval of the Board. Application for these types of fences must include landscape designs. Fencing on active construction sites must confirm to pertinent Lee County codes (see Section VI (2) regarding fencing during construction.)

E. Garages & Outbuildings

Construction of garages and outbuildings falls under the guidelines of Additions. No outbuildings shall be allowed without the prior approval of the Architectural Review Committee and the Board of Directors.

Additional storage facilities shall be approved and allowed provided they conform to the architectural standards of the residence. Detached garages with side entry will be allowed if approved by the ARC and Board. All outbuildings must match or complement the primary residence design and colors. All structures must meet the applicable Lee County codes and ordinances.

Each newly constructed residence shall include an enclosed garage with a minimum area of 20' x 25" and of sufficient size to allow the parking of two (2) standard size automobiles, side by side. Carports are prohibited in Riverwind Cove.

F. Driveways & Drainage

The minimum driveway width shall be sixteen (16) feet. All driveways and sidewalks shall be constructed with a minimum of 3,000 PSI concrete, brick pavers or similar material extending from the garage and/or residence to the street.

No gravel, asphalt or plain dirt driveways shall be allowed. All driveways shall have a reinforced concrete culvert pipe properly installed and completed at the time of original construction and prior to issuance of a Certificate of Occupancy for the dwelling.

Said culvert may be allowed to extend along the entire front of the lot so long as drainage from same meets the design grades indicated on the approved engineering plans for the subdivision as prepared by Bean, Whitaker, Lutz & Barnes, Inc., of Fort Myers, Florida. The requirement for a driveway culvert may be waived by the ARC in favor of open swale drainage if the ARC, in agreement with the approved engineering plans and per appropriate regulatory agency guidelines, determines that such culvert is not necessary for effective drainage. All parcels shall be graded to provide adequate drainage without negative impact to adjoining lots.

Driveway, parking area, and walkway design, location, materials, and coloring shall be subject to approval by the Architectural Review Board, either as part of original construction plans or plans for alteration to the property submitted to the ARC.

G. Mailboxes

Mailboxes in Riverwind Cove are of a single design as approved by the BOD and ARC. Mailboxes and posts must be maintained in good condition. Mailboxes are required on all lots containing a residence; purchase, installation, repair and maintenance are the responsibility of the property owner. Please contact the HOA Secretary or ARC Chairperson for information on ordering a mailbox for new construction or replacement.

H. Siding

Vinyl siding is permitted at the discretion of the ARC and the Board, based on the following criteria:

1. Requests for approval of vinyl siding must be accompanied by product specification sheet, physical samples of product, style, color and details of placement. Siding color must be within the range of the established color palette.
2. Design of the house, including architectural style, detailing and size of wall surfaces shall be considered by the ARC in determining the acceptability of siding.

I. Painting, Staining and Colors; New Construction & Additions/Improvements

All colors and painting scheme must be approved by the ARC, based on the approved color palette for Riverwind Cove, prior to painting, staining or installation of pre-finished materials. All changes to existing colors and painting schemes must be approved by the ARC and the Board prior to change, unless the new color is not more than one shade lighter or darker than the existing color. The approved color palette may be viewed via a link on the Riverwind Cove website at www.riverwindcovehoa.org. *Exterior colors in use as of the adoption date of these standards and guidelines are grandfathered.*

Request for ARC approval of paint or stain colors and schemes must be accompanied by:

1. Name(s) of the colors (selected from the approved color palette) to be used for primary color, siding color (if applicable), trim, shutters and door(s).
2. Description of the areas to be painted or stained

J. Roofing

Roofs of dwellings and associated structures shall only be Galva-lum, mill finish or decorator color or glazed or cement altered tile. No other roofing materials are allowed. This prohibition includes, but is not limited to, asphalt and fiberglass shingles. A minimum pitch of 6/12 must be maintained on all roofs, including outbuildings.

K. Pools

No above ground swimming pools shall be permitted at any time anywhere within the Subdivision, other than temporary, short-term placement of inflatable “kiddie pools” designed to hold a depth of no more than twenty-four (24) inches of water. All pool enclosures shall be constructed to comply with applicable rules, regulations and standards of all governmental entities having jurisdiction, and the appropriate permits must be procured prior to construction.

All pools, pool enclosure screening and caging shall be subject to approval by the Architectural Review Board and the Board of Directors.

Request for approval of pool construction must include:

1. Site plan indicating location and dimensions of pool, related equipment, fencing, etc. in relation to applicant’s residence and property lines.
2. Detailed drawing of pool, deck, lighting arrangements, walkways, fencing, proposed grading and landscaping.

This provision shall not be deemed to prohibit hot tubs, therapy pools, or hydra spas when they are incorporated into improvement and approved by the Architectural Review Board, even though such structures may be above-ground.

L. Boat Docks and Boardwalks

All boat dock facilities built on waterfront properties must be fifteen (15) feet from each side lot line unless otherwise approved by the ARC. Boat docks must be single story.

Elevator and davits may be installed adjacent to a boat dock. All boat dock facilities, boathouses, roof structures and boardwalks within the subdivision must be approved by the ARC.

Concrete seawalls are prohibited in Riverwind Cove except for the existing concrete wall on, nearby, or adjacent to Lot #1 which is necessary for retaining wall purposes as established by the Army Corp of Engineers.

M. Underground Utilities & Plumbing

All utilities, including but not limited to, electrical, telephone, and cable television shall be installed underground and concealed from public view. Further, no plumbing fixtures, including but not limited to stack pipes, shall be visible from the street in front of residence.

N. Landscaping: New Construction & Alterations

A comprehensive landscaping plan shall be submitted to the ARC for approval prior to construction. As much native vegetation as possible must be preserved. Xeriscape is an authorized method of landscaping. Said plans must also be submitted for approval by Lee County Governmental Agencies as may be required by law.

O. Other Exterior Structures

No exterior radio, television, short wave or any other electronic antennas or aerials are allowed in Riverwind Cove. Satellite dishes, antennas, or aerials installed within the interior of a residence so as to be completely concealed from the public view such as in attics or garages are permitted.

Exterior satellite dishes may be utilized in the rear yard of residences; however, they must be totally screened with landscaping and approved by the ARC.

P. Setbacks

All buildings erected or constructed on a parcel shall conform to the following setback limitations or the appropriate Lee County setback limitations, whichever is more restrictive, subject always to the approval of the ARC:

- Front: 40' to recorded Right-of-way line
- Rear: 50' to Lot or River line, 25' to wetland line
- Side: 15'

V. INTERIOR STANDARDS

A. Minimum Square Footage

Riverfront: All buildings with single story plans or stilt homes with one floor above garage erected or constructed on a riverfront parcel shall contain a minimum of 2300 square feet of heated and cooled living area. All buildings with two-story plans or stilt homes with two-stories above the garage erected or constructed on a riverfront parcel shall contain a minimum of 2700 square feet of heated and cooled living area.

Off Water: All buildings with single-story plans or stilt homes with one floor above garage erected or constructed on an off-water parcel shall contain a minimum of 1800 square feet of heated and cooled living area. All buildings with two-story plans or stilt homes with two stories above the garage erected or constructed on an off-water parcel shall contain a minimum of 2200 square feet of heated and cooled living area.

Garages, roofed screen porches and the like shall not be considered in calculating the minimum square footage.

B. Fire & Sprinkler Systems

Each residence must be protected by an individual dwelling fire protection sprinkler system in accordance with the requirements of the latest edition of NFPA guidance documents and Lee County Ordinances.

These standards are not intended to replace nor supersede the Covenants, Conditions & Restrictions; the CCR should always be consulted prior to the initiation of any construction, addition and/or alteration of Riverwind Cove property. Lee County codes and ordinances must also be met when applicable.