

February 2013

To: All Members of The Sanctuary at Wulfert Point Community Association

Attached for your review and information is a copy of the recently revised Sanctuary Community Design Guidelines. Celebrating twenty years of exceptional lifestyle experience in the Sanctuary community it was deemed necessary to update these important governing policies.

This publication provides direction for all members of the Homeowners Association (HOA) relating to both new construction and all forms of renovation to existing structures within The Sanctuary Community. These guidelines were revised, updated and approved by your Owners Association (HOA) with valuable input and assistance from the Architectural Control Committee (ACC) which governs new construction and the Committee on Rules Enforcement (CORE) which governs all exterior renovations, expansions and permit requiring projects.

Members are encouraged to become familiar with the contents of this publication and are reminded that all projects within The Community require review and approval by either the ACC or CORE committees depending upon the type of project proposed. For your convenience, this publication contains, within the Appendices section, copies of the required "Proposed Project Review Request" form.

It is recommended that you retain this document with your important information files related to membership in the Sanctuary's Homeowners Association. Together, we look forward to the next twenty years and continuation of the Sanibel lifestyle in our beautiful Sanctuary.

Board of Governors The Sanctuary at Wulfert Point Community Association

To: All members of the Sanctuary at Wulfert Point Community Association, Inc.

Subject: Establishment of an HOA Committee – Committee on Rules Enforcement...CORE

Happy New Year to all Association members and may the year 2012 bring peace and tranquility as we enjoy our time on Sanibel and our Sanctuary Community.

The purpose of this newsletter is to make our members aware of a newly-established committee within the Homeowners Association – CORE. It has two functions: first to review and approve any exterior alterations (including re-landscaping), and secondly to see to it that our Community Rules are observed. CORE sounds, perhaps, a bit more startling than necessary but we do have Association Rules and for the long term benefit of our Community the Rules should be known, understood, followed and, as necessary, enforced.

By way of background, the HOA was established with Declaration of Covenants and Restrictions in 1992. Over the last twenty years we evolved with the construction of beautiful single family homes, condos, villas and common areas. The Sanctuary Golf Club was established and we are surrounded by spectacular nature preserves, lake views and wildlife unique within the country. A truly special location.

That being said, what we all know is that living in paradise can have some drawbacks among them being moisture, mold, insects, heat, salt air and the like - all of which have the potential to reduce or limit the life cycle of our home components such as roofs, electrical systems, all things mechanical, framing, windows etc. Vegetation provides us with a different set of circumstances; it loves the weather and delivers a seemingly unrestrained growth. The net result of all this is that after two decades of construction and growth our Community is now commencing a process of renovation, expansion, repairs and re-landscaping. Look around and notice the number of new roofs being installed, remodeling crews and complete new landscaping projects underway. We are now facing a new phase of projects in our Community. We might call it Post-New Construction Period as differentiated from Initial New Construction Period, and it will require of us vigilance to adhere to those standards that make our Community unique.

A prime example of the need for attention and corrective action was your HOA's recent projects to completely replant the entrance to the Sanctuary Community plus the three cul-de-sacs and common areas. We didn't remember that our entrance had a decorative wall on the left side it was so overgrown. Our mail boxes rusted out, our street signs rotted and the electrical and lighting systems failed. We fixed them. We can take pride in the appearance of our common areas, a wonderful first impression for our Sanctuary Community and we will keep it that way!

How will we handle this new phase in the life of our Community? As you know, all owners of property in the Sanctuary Community (referred to as "Units" in the Declaration) are members of the HOA, and all of us are bound by the covenants and restrictions in our Declaration. Your HOA Board, the Architectural Control Committee (ACC) and CORE are charged with the task of enforcing these rules and regulations. The HOA Board has overall responsibility, the ACC will be dealing exclusively with new construction and variances, and CORE will deal with ongoing, post-initial construction

MEMBERS OF THE SANCTUARY AT WULFERT POINT COMMUNITY ASSN January 17, 2012 Page Two

Rules compliance. All five Directors of the HOA will continue to be elected by you, the members of the HOA. The ACC's members are three in number, two of whom are whom are appointed by the HOA Board and John Naumann, as provided for in the Declaration. The five initial members of CORE who have been appointed by the Board are: Paige Babcock, Dick Butler, Helen Demetrios, Diane Knight and Steve Nelson

CORE, like the ACC and the HOA Board has representation from single family homes, villas and condos. All members are to be commended for volunteering their time and talents to serve our Community.

During the upcoming year the 'HOA Board will be undertaking a comprehensive review of our Rules: those imposed in the Declaration and others that we don't have, but maybe should have. We, in conjunction with CORE and additional input from you, our members, will be considering proposals to update, clarify and possibly expand our Rules. Times and circumstances change and we must have the foresight to be open to change in our Community standards and Rules.

The HOA Board the ACC and CORE want all members to understand that we consider our Rules to be important and we will not shirk from enforcing them. Several recent changes to Florida's Condominium and Homeowners' Association statutes provide for additional remedies for an HOA to enforce its Rules, including under certain circumstances, the levying of fines. Concerning the Rules themselves, if we think that one or another Rule is no longer relevant to our Community we will seek to change it. On the other hand, if we decide to keep a Rule that hadn't been strictly enforced in the past, and we start enforcing its requirements that may not have been strictly enforced before, under what is known as "The Line in the Sand" doctrine, we must advise our members that from and after "x date" we will begin enforcement, accepting only what has happened in the past by 'grandfathering' projects now in place (but not allowing more of the same) that didn't and don't conform to the Rules.

This is one of the principal purposes of this communication – namely, we are putting all members on notice that CORE will begin immediately to more strictly enforce all our Rules, and you need to be conscious of the fact that we all need CORE approval in advance for most matters affecting the exterior of our Units.

What exterior improvements will need CORE approval? Basically all exterior modifications which are visible from the street, the golf course or another Unit will require CORE approval. Below are some, not all, examples of matters that CORE approval is required before any exterior alteration project is commenced:

- > all exterior color changes and repainting
- > pool cages
- > storm shutters and awnings
- driveway or parking area enlargement
- > fences of any kind
- > solar panels

MEMBERS OF THE SANCTUARY AT WULFERT POINT COMMUNITY ASSN January 17, 2012 Page Three

- satellite dishes or other antennae
- > mailbox relocation
- > re-landscaping other than annual flowers
- > exterior lighting
- > yard art statues, fountains and the like
- > non-approved signs (of any nature For Sale, contractor signs, political signs)
- > play equipment, planter boxes, trellises or the like

Other major items that fall within CORE's jurisdiction include:

- > lawn maintenance
- > roof maintenance and cleaning
- > overnight outdoor parking or storage of boats or trailers
- > overnight street parking

The procedure for obtaining CORE approval for an exterior improvement is:

1st - Fill out the Proposed Project Review Request form and submit it to CORE through Island Management (copy included, along with a return mailing envelope)

 2^{nd} – Submit to CORE all materials it requests be provided to permit it to adequately evaluate the Proposed Project

3rd - Wait for CORE's approval or conditional approval

4th - Complete the Project as approved

5th - get Final Approval of the completed Project

In summary, we have attempted to provide rational for Community oversight of what logically follows two decades of growth, specifically the need to repair and replace coupled with the desire to maintain our Community's outstanding image. The Project Approval Process and CORE's procedures to effectively see that our Rules are observed are designed to be easy, efficient and simple for all our members to adhere to - and for CORE to administer.

We all enjoy our place in the sun and your HOA, and its ACC and CORE committees are dedicated to serving your needs in maintaining the Sanctuary at Wulfert Point.

January 17, 2012

HOA Board of Directors Leo Larkin (President) Diane Knight Ken LaMotte Don Langefeld Ken Monahan

Island Management Janette Mackesy



The Sanctuary Community Design Guidelines

Revised as of May 1, 2012 - Published 2013

Table of Contents

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	١.	Introduction and General information page 3
	11.	New Construction and the ACC Approval Process page 4 Preliminary Review page 5 Review for Approval to Begin Construction page 5
	ш.	Alterations and the CORE Approval Process page 7
	IV.	The Basic Community StandardsSite Engineeringpage 9Landscape Designpage 9Elevationspage 10Roofs and Roofing Accessoriespage 11Exterior Lightingpage 12Openings and Trimpage 12Hurricane ShuttersPage 12Pool Enclosures, Screenings and Garagespage 12Dimensional Itemspage 13Augusta Greens and Wulfert Villaspage 13Other matterspage 13
	v.	Contractor/Construction Matters page 14
	VI.	Variances and Appeals page 16
Aı	B. Na C. Sit D. Ar E. Ex F. Co	lices: ermitted and Prohibited Uses - a summary ative Plant Information te Analysis Drawings rchitectural Details Drawings terior Lighting ntractor Signage OA Administrator Information

3

I. Introduction and General information

The Sanctuary at Wulfert Point Community Association, Inc., [the HOA] is the formal name of the homeowners' association for our Community. The HOA has the responsibility for the maintenance, preservation and architectural control of all residences and common property in The Community. An overview of the restrictions and rules the HOA is charged with enforcing is attached as an appendix to these Design Guidelines. The HOA has two committees which carry out its architectural control and rules enforcement responsibilities, the Architectural Control Committee [ACC], which deals with newhome construction, and CORE, the Committee of Rules Enforcement, which deals with renovations and maintenance of Community residences.

These Design Review Design Guidelines are intended to create and coordinate an architecturally compatible blend of home styles which enhance the Community's natural environment and, while permitting a reasonable amount of diversity, giving The Community a cohesive, recognizable attractiveness. The protection of homeowners' investments and property values in The Community through adherence to the Design Guidelines and the Community's Rules is the ultimate goal of the HOA.

The Sanctuary Community is a planned unit development, and as such there are numerous restrictions on the design of all home sites in the Community. This makes The Community distinctly different from other neighborhoods with an 'Old Florida' style of homes or the other Sanibel neighborhoods which developed in less standardized, more 'Island casual' manners with few, if any, of the standards established for our Community - to which all Community homeowners must adhere to.

The Community's Declaration of Covenants and Restrictions is the fundamental document governing all properties in The Community, and these Design Guidelines are intended to augment the Declaration.

The Declaration provides that no exterior "Improvement" [building, grading, driveways, painting, screen enclosure, shutters, sewers, building or site 'decorations', lighting or landscaping] may be effected in The Community [whether new construction or an alteration] until plans and specifications showing the nature of the Improvement and materials proposed to be used have been submitted to and approved by the HOA. The Declaration sets the standard for approvals such that no Improvement can be detrimental to the appearance of The Community, and all must be in harmony with the neighboring residences.

These Design Guidelines cover all site improvements, both landscaping and the styles of permitted homes, including their building materials, details and colors. The Design Guidelines also provide the rules for contractors working in The Community.

In addition to the HOA approvals, all construction [and alterations] and landscaping must be properly permitted and must conform to the requirements and regulations of all applicable governing bodies, such as the City of Sanibel [and its Planning and Building Departments], Lee County and Florida State Building Codes.

All construction and alterations must occur strictly in accordance with these Design Guidelines and the approval [and conditions of approval, if any] from the HOA and its Committees, the ACC and CORE. Members of the HOA committees have the authority to enter any job site during construction in order to review and determine if construction is proceeding in accordance with the approvals. While it is the intent of the HOA that all improvements must be built exactly in accordance with the approved documents, the HOA recognizes that occasionally a revision is necessary "in the field" in response to unforeseen conditions, and any alteration to or deviation from approved plans must be sent to the HOA Administrator for approval as soon as the need for the revision is noticed. Any construction that deviates from an approved design is at the risk of the homeowner until approved.

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Non-conforming items and conditions existing as of May 1, 2012, the effective date of adoption of the revision of these Design Guidelines, may remain in existence. However, at such time that the non-conforming item or condition becomes more than 50% destroyed or more than 50% of the non-conforming item or condition is to be replaced for whatever reason, the non-conforming item shall be removed in its entirety and may only be reconstructed or replaced if approved and accomplished in conformance with these Design Guidelines.

While the HOA and its Committees address landscaping and the exterior appearance of residences and their relationship to the environment in The Community, they do not review and are not responsible in any way for structural, technical, construction or building code issues. Neither the HOA nor its Committees will be liable for damages in any way to anyone including those who submit plans, or build, occupy, or own homes by reason of mistake in judgment, non-feasibility, failure to approve or disapprove plans or specifications, or for any injury or damage of any kind caused by any Improvements constructed from such plans and specifications. Neither the HOA nor its Committees has control over, are in charge of, or are in any way responsible for construction means, methods, techniques or procedures, or for safety precautions, for the acts or omissions of any contractor or subcontractors, or for their failure to carry out the work in accordance with any approvals, any permits or regulation of any governing body.

II. New Construction and the ACC Approval Process

All plans and materials for every new home in The Community must be reviewed and approved by the ACC before construction can begin. This process is as critical as the City Planning Department's Development Permits and the City Building Department's Building Permits. These Design Guidelines are intended to help shape, maintain and enhance the high-quality residential community that The Sanctuary was envisioned to be and has become.

Applications for ACC approval of new construction, together with the supporting required backup material, must be submitted to the ACC through the HOA Administrator.

As a general rule, the ACC has 15 business days after delivery of all required materials to approve, conditionally approve or reject a plan, and if not rejected it is deemed approved. However, because the Members of the HOA Board, the ACC and CORE are all homeowners, not full-time, paid staff, and are on Sanibel less frequently, if at all, between May 15 and October 15, homeowners and contractors must take that into account, so for any applications or other matters requiring decisions arising between those dates, the time allowed for their responses is extended for an additional 15 business days.

Applications for ACC approval must provide the ACC with all the information for it to consider the application. A fee of \$250 must accompany any application for review (except for a Preliminary Review).

The ACC approval is in addition any Permits and approvals required by the City of Sanibel.

Preliminary Review (an optional process)

Homeowners may ask the ACC for an initial, conceptual review of the new home site and plans to obtain feedback about the project prior to commencement of construction drawings. For the ACC to undertake such a review, the homeowners must submit to the ACC:

- (i) a dimensioned Site Plan indicating dimensions of house, pool and deck, driveways and walkways and setbacks to the front, rear and side lot lines,
- (ii) preliminary Floor Plans and elevations of the home,
- (iii) a preliminary stakeout of the structure's footprint on the lot (not a generic plan on a generic lot), and
- (iv) Samples of exterior materials and colors including wall surfaces, roof tiles, window and door colors and driveway pavers.

Review for Approval to Begin Construction.

Homeowners are advised to commence the ACC approval process at the same time as the permitting process begins with the City of Sanibel to avoid unnecessary delays, as both the ACC approval and Sanibel permits are required to begin construction.

The following are required for ACC approval of new construction (or an addition):

- (i) complete construction drawings (2 sets) drawn to a scale of ¼"= 1' reflecting dimensioned floor plans (showing doors, windows and banding details), all exterior elevations, foundation plan, roof plan, electrical plan, plumbing plan and pool and pool enclosure and deck plan. These must include wall sections drawn to a scale of ¾" = 1' and indicating all roof pitches (minimum 8/12) as well as the floor levels, a door and window schedule, any attached decks, pool and pool enclosures and the location of A/C units and pool and electrical equipment;
- (ii) dimensioned Site Plan;
- (iii) grading plan;
- (iv) final stakeout; and
- Samples of exterior materials and colors including walls, trim, roofing, paving, windows and exterior doors and garage doors and any other materials significant to the design such as railings, pool screen enclosures, cupolas and the like.

Additionally, the following additional material must also be submitted, when available - the ACC recognizes that some or all of this material may not be available and does not require that it be submitted at the time of the Approval Application, however, all of the following material must be submitted on a timely basis for ACC review and approval *before work begins* on any of the items - and all ACC approvals are conditional, pending submittals for any omitted items:

- (i) Landscape Plan superimposed over the Site Plan, indicating the location, number, sizes and species of all plants, trees, shrubs and ground covers – along with an Irrigation Plan compatible with the Landscape Plan.
- (ii) Dimensioned Pool Cage Plan showing footprint, elevations and color samples of structural elements and screening.
- (iii) Exterior Lighting Plan including any landscape lighting.
- (iv) Driveway and Walkway Plan including samples of paving materials.

Once its review has been satisfactorily completed and the project approved, the ACC will note the Approval to Begin Construction and the date on one set of the Construction Drawings and return them to the Homeowner.

7

The building location, design and the architectural style are to be dictated by lot size and shape, its vegetation and views. The ACC will not approve the design if in its judgment the massing, basic style, roof line, exterior materials and colors or other features of the home are too similar or dissimilar to the surrounding neighbors. The ACC may reject an application for the following reasons, among others: (i) insufficient information to adequately evaluate the design, (ii) poor overall design quality, (iii) incompatible design elements, (iv) inappropriate design concept or design treatment, or (v) a design that might have an adverse effect on the character of The Community or its other residences. Adverse decisions of the ACC may be appealed in writing to the HOA Board within 15 days.

As a condition of ACC approval of a project and before commencement of the work, the ACC will require the posting by the contractor of a deposit with the HOA Administrator of a deposit of up to \$5,000. The HOA may, in its discretion, use such funds to remedy any damage caused to The Community's common grounds, to clean up any jobsite not maintained to the HOA's satisfaction to the standards of The Community, and/or to satisfy any fines levied against the contractor for failure to follow the Association's construction rules [see § V]. Following an HOA demand for remediation of any damage or a cleanup and the failure remedy the situation for 5 business days, the HOA may cause the damage or cleanup to be accomplished and assess the owner for its costs plus 20%, apply the deposit to that cost, and require the deposit to be restored to its original amount within 10 business days. Additionally, the HOA may seek all other appropriate legal remedies, including damages and injunctive relief, and/or a cease and desist directive, and may deny the contractor further access to The Community until the damage or cleanup is accomplished and any deposit fully restored. All unexpended deposit funds will be returned within 10 business days of the ACC Final Approval.

After the completion of the home and the installation of its landscaping, a final ACC inspection will be conducted. To verify compliance with the approved construction drawings, periodic field inspections may be conducted, by the ACC. The construction of the residence must be completed and the landscaping must be installed in conformity to the previously approved plans before the final approval will be made. The construction site sign and any temporary power pole must be removed as well as all building debris on the site and surrounding areas. The Contractor shall notify the HOA Administrator when the site is ready for final inspection [substantially at the same time as a Certificate of Occupancy is applied for from the City of Sanibel]. Before a final approval is issued, any unauthorized changes to approved plans must be corrected.

III. ALTERATIONS and the CORE APPROVAL PROCESS

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CORE's process for dealing with alterations (other than additions to existing homes, which are ACC matters) approvals to existing homes is identical to that for new construction as far as the applicable Standards are concerned, but CORE's processes are less formal in terms of needed documentation because of the lesser scope of most alteration projects.

CORE's approval of re-landscaping plans or exterior alterations and all required municipal permits
 must be obtained before any work begins, and if work commences before CORE approval it is at the
 risk of the homeowners.

Prior to commencing any exterior alteration CORE approval is required before any exterior improvement of a home (other than an addition in which case ACC approval is required as with new home construction), including: (i) adding to, or in any other way changing the exterior appearance of a home, (ii) exterior painting – even if the paint is the same color of that which was applied initially, or (iii) installing or modifying landscaping (except for the planting of annuals).

All applicable Design Guideline Standards [see § IV] and Construction Matters [see § V] must be
 complied with by the contractor and the homeowners making exterior alterations to homes.

Applications for CORE approval, together with the supporting required backup material, are to be
 submitted to CORE through the HOA Administrator.

CORE has 15 business days after receipt of all required materials to approve, approve with conditions, or reject a project, and if not rejected it is deemed approved. However for Approval applications filed between May 15 and October 15, the time allowed for the CORE response is extended for up to an additional 15 business days.

Applications for CORE approval must provide it with sufficient information for its members to
 adequately evaluate the project. Insufficient details will delay CORE's consideration of the application.
 CORE applications for alterations may require the submission of the detailed construction drawings,
 and be accompanied with samples of the typical building materials.

There is no fee for a CORE approval of a proposed alteration, unless the work is commenced before the CORE application and approval, in which case the fee is \$250.

CORE will not approve any alteration or re-landscaping if the exterior materials, colors or other
 changes in the features of the home are too similar or dissimilar to the surrounding neighbors. CORE
 may reject an application based on the judgment of its members for the following reasons, among
 others: (i) insufficient information to adequately evaluate the design, (ii) poor overall design quality,
 (iii) incompatible design elements, (iv) inappropriate design concept or design treatment, or (v) a
 design that might have an adverse effect on the character of The Community or its other residences.

As a condition of CORE approval of a project and before commencement of the work, CORE may require the posting of a deposit with the HOA Administrator of a deposit of up to \$1,500 by the contractor. The HOA may, in its discretion, use such funds to remedy any damage caused to The Community's common grounds, to clean up any jobsite not maintained to its satisfaction to the standards of The Community and/or or to satisfy any fines levied against the contractor for failure to follow the Association's construction rules [see § V]. Following a CORE or HOA demand for remediation of any damage or a cleanup and the failure remedy the situation for 5 business days, the HOA may cause the damage or cleanup to be accomplished and assess the owner [and/or contractor] for its costs plus 20%, apply the deposit to that cost, and require the deposit to be restored to its original amount within 10 business days. Additionally, the HOA may seek all appropriate legal remedies, including injunctive relief, damages and/or a cease and desist directive, and may deny the contractor further access to The Community until the damage or cleanup is accomplished and the deposit restored. All unexpended deposit funds will be returned within 10 business days of CORE's Final Approval.

CORE will conduct such number of inspections as it feels necessary during the course of construction to verify compliance with the approved project.

CORE decisions adverse to the desires of homeowners may be appealed in writing within 10 business days to the HOA Board, while requests for variances from the required Standards must be made before commencement of any alterations to the ACC, both through the office of the HOA Administrator.

THE BASIC COMMUNITY STANDARDS IV.

The diverse, natural character of The Community's setting on Sanibel, a sanctuary island, is one of its unique qualities. Retaining the natural environment of The Community is an important component of these Design Guidelines: landscaping and construction should emphasize each home site's special natural, native features.

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Stemwall construction (or fill if permitted - not pilings) is a requirement for conditions where the finish floor is two feet or more above the natural grade of the lot.

Lot drainage must conform to The Sanctuary Master Drainage Plan and be consistent with the South Florida Water Management District Permits for The Community. If rain gutters and downspouts are installed, downspouts must drain to a rock-filled pit to encourage ground absorption. Grading and drainage must be designed so that no drainage problems to adjacent properties are created, and must be included on the Site Plan.

Sites which border or include protected wetlands require may specially designed walkways and 197 special use of natural vegetation. THE .

Landscape Design:

The advice of a landscape architect/designer is strongly recommended when preparing landscape PAR (mill) plans. Preservation of existing vegetation should be a major consideration of the landscape design. Landscape Plans must show the house location and the proposed landscaping plan with an overlay of 19100 1 the tree survey for the ACC review for new construction or for CORE if re-landscaping. Landscape View Plans must show existing areas to be left undisturbed, proposed planting areas, sodded areas and all tree locations. Landscape Plans must include a plant list that reflects both the common and botanical names, the plant sizes, spacing and irrigation plan.

Lawns may be Seashore Paspalum, Zoysia grass or one of the St. Augustine species: Floratem, Bitter TIT Blue or Seville. Neither Bahia nor Bermuda is allowed as a lawn grass. Gravel or rock may not be used as a ground cover, mulch or lawn, but may be used for walkways or paths. (39)

Roadway, lake and golf course views toward a landscaped yard should complement the appearance of the existing natural vegetation. The landscape design must conform in all respect to the requirements of the City of Sanibel, including the required ratios of native plants in the front, back and side yards and especially in the 20' conservation easement toward the golf course or lakes. Plantings of ornamental nature may be used close to the house. To accentuate the landscape design, existing native trees and shrubs may be trimmed or shaped. All preservable trees should be left undisturbed

from the trunk outward to the drip line of the canopy, and fill should not be placed on the top of the roots. To help curtail undesirable weed growth, pine straw or bark mulch should be placed in natural areas

Each lot has a Conservation Easement on its rear 20', the purpose of which is to create a natural wildlife corridor throughout The Community. Only if permitted in the City's Development and Building permits may selected pruning and vegetation removal occur in the Conservation Easement.

The planning of a home should include accommodation for air conditioning compressors, garbage cans, the electrical service and other items that, by their nature, present an unsightly appearance. The service areas should be convenient to the utility service of the site and screened from view by enclosures that are integral to the site and the home, and use materials and colors that are harmonious with the home it serves. Shrub masses can be used to screen service areas.

Elevations:

Equal attention must be given to detail and architectural definition to all sides of the home including, but not limited to, stucco banding, accent materials, roof character and window treatment. A major statement of the type of architecture is made by the elevations and the roof structure. To help relate the structure to the ground and to break up the facade of the building, retaining walls, planter walls and privacy walls can be used. Consideration must be taken in the building elevation where required stemwalls exist. Garages should be near or at the existing grade of the lot.

Light, warm earth tones and natural materials are encouraged. Approved materials and color include: (i) stucco in light, warm earth tones, (ii) keystone or coral rock, and (iii) light warm earth tone brick accents.

Roofs and Roofing Accessories:

Plumbing stacks and roof vents must be placed as inconspicuously as possible and must match roofing colors.

Approval must be given to the exposure of flashing gutters and downspouts, and the color of their paint must match the fascia and siding of the house. Exposed attachment straps are not permitted.

Prefabricated fireplace units may be used but must have an architectural terminal cap, and the cap has to be painted.

The appearance of a skylight should be given to any solar installation. It must be installed with a finished trim material or curb. Solar panels for pool heating, hot water heaters or otherwise require approval, and must be not be not to be visible from the street unless that is the only possible site for

their acceptable functioning, and they are to be located as inconspicuously as practically while functionally acceptable.

Suggested roofing materials are tile (whether concrete, clay or other acceptable material) or natural slate. No seamed metal roofs are permitted.

As necessitated by the architectural design, roof pitches and overhangs may vary but no flat roofs are allowed as a major structural element. The standard is set at a minimum of 8:12 slope. Roof overhangs serve as protection from the sun and, along with trellises, will provide passive energy conservation. The minimum roof overhang will vary as necessitated by the architectural design. Fascias must be a minimum of 10". No metal or vinyl sidings or fascia will be permitted.

One exterior aerial, antenna or satellite dish ["Antennae"] is permitted in/on a residence: its placement requires the prior approval of the HOA. Antennae must be erected in the least conspicuous location that will allow the reception of a clear signal. Satellite dishes over 18" in diameter are prohibited. Antennae are not permitted to rise above the upper-most level of a roof. Antennae are not permitted to be mounted on trees. Guy-wires are not permitted. Locations where Antennae are discouraged are: (i) tops of roofs, (ii) at the peaks of gable walls, (iii) on the eave line of a roof where they protrude above the fascia line, (iv) on poles away from house walls (such as how a flag pole might be positioned), and (v) in full view from the street or the golf course. Preferred Antennae locations are: (i) a low elevation, at the rear or sides of a house, out of view from the street, the neighbors, and/or the golf course, (ii) inconspicuous locations on building walls, (iii) mounted to a house wall, and (iv) hidden by landscaping. Television antennae may not be mounted on free-standing poles, but must only be located within the house or attic.

Exterior Lighting:

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In all possible circumstances, exterior light sources should be concealed, and all exterior lighting must be white lights, not colored lights. Exterior lighting should be shielded to prevent glare, and should not spill over onto neighboring properties. Through eave-mounted, wall or ground lights, wall washes can be achieved. Garden lights or walkway bollards should be placed so that the light is directed downward.

The location of all exterior lighting as well as the automatic garage door opener must be indicated on the electrical plans.

Openings and Trim:

All elevation openings - doors, windows or garage doors - are important features as are the trim and banding around each opening, as they link the opening to the building. Horizontal trim should be emphasized to break up height of structure. Materials for windows should be clear glass or a tinted glass of bronze, grey or smoke colors. Use of reflective glass or reflective tinting is not permitted. Mill-finish aluminum is not permitted.

Hurricane Shutters:

Permanent Hurricane Shutters must be installed to appear to be integral to the approved design of residences. All Permanent Hurricane Shutter installations must be approved by the Association before installation.

Types of Hurricane Shutters which may be readily approved are: removable metal panels finished to match the residence or its trim color, fabric shutters of a compatible design, transparent plastic-type panel shutters, operable Bahama or colonial shutters if finished appropriately, or roll or accordion shutters in approved applications and locations. Metal channels designed to hold panels in place may be left mounted in most cases, provided they are painted to match the color of the residence - but those over octagon or other decorative windows must be removed when not in use.

Pool Enclosures, Screenings and Garages:

A dark material of black, grey or white must be used in windows, or porch and pool screenings. A repetition of the architectural and shapes should be used in the pool enclosure screening, so that it is in harmony with the exterior of the residence. All pool enclosures must tie in or match the building structure with a matching fascia, roof line and/or slope. No flat-roof poll enclosures are permitted. Pool enclosures must be indicated on all approved plans, including the Roof Plans, Floor Plans and all Elevations. No mill-finish aluminum is permitted for pool enclosures or porches. Stemwalls are required for pools which are raised over 2' above the existing grade. No pool deck may exceed 5' above finished garage floor. No extension of a pool enclosure may extend beyond the side of the home, such that it is visible from the street in front of the Unit.

Emphasis should be given to entry areas accenting the porches, walkways and special door materials. Entries should be either ground or mid-level and lower piling areas must be enclosed, and be in the same architectural style and material as the home. To appear as habitable area by use of windows, doors, etc., no lattice enclosure is permitted. This will help relate the structure to the ground, and make it seem larger, while avoiding the piling look. Garage doors are to be de-emphasized. Garages should preferably be side entry and under a single floor roof out in front of the structure. This helps to break up the shear height and also pushes the main building away from the street giving it more curb appeal. Should it be necessary for a front entry garage because of site constraints, it should be designed to incorporate staggered doors and deep overhangs to soften impact of garage doors. The garage may have either a single door or two overhead doors sized for single cars. Garage doors should be compatible with the exterior design of the home. Automatic garage door openers must be installed in all homes and, when the garage doors are not in use, they should be kept closed. Golf carts must be garaged.

Dimensional Items:

Subject to requirements of the City of Sanibel, the setback requirements for construction in The Community are: (I) to the front -30', (ii) to the rear -30' [20' of which is a Conservation Easement], (iii) side yards -10' each, and (iv) pool setback -25'. No residence may be erected, on any lot unless it is greater than 2,500 sq ft of living area, with not less than 2,000 sq ft on the first floor, exclusive of open-porches, garages, and other areas which are not air-conditioned.

Building heights for single-family homes in The Community may not exceed 35' as measured and determined by the City of Sanibel standards.

Augusta Greens and Wulfert Villas:

Construction or remodeling of villa residences on the Augusta Greens Villa lots and on the Wulfert Villa lots, if executed substantially in accordance with the plans of the model villa residences originally offered by their developers will be approved even if not strictly in accordance with the Basic Community Standards of the Design Guidelines. All other provisions of the Design Guidelines, including its landscape design standards, will be applicable to the villa residences in The Community.

Other matters:

The inappropriate use of colors and materials will not be allowed. Inappropriate materials include concrete flowers, plastic or simulated brick materials, plastic and particle-board siding materials and simulated stone. Inappropriate color usage would be considered a bright color used as an entire wall surface or roof material. The HOA Administrator has available approved color samples and materials.

The building of every residence or other improvement must be diligently and continuously pursued until completed, and may not be abandoned without completion. All ACC and CORE approvals expire and become null and void if work is not started within 90 days from the issuance of the Approval.

Mailboxes must be identical to the other mailboxes in The Community and must be acquired from or through the HOA Administrator.

V. CONTRACTOR CONDUCT - CONSTRUCTION MATTERS

These rules apply both to contractors and homeowners, and apply on new construction and alterations.

One job site sign identifying the principal Contractor is permitted for new home construction, subject to the approval of the ACC [or CORE for alterations projects]. No "yard signs" [like those often used by landscaping, painting and screening contractors] and no other signs are permitted except the "permit sign" mandated by the City of Sanibel. Job site signs may not be erected within 25' of the edge of the street. No signs, including permit signs, may be nailed to a tree or affixed to any building exterior wall. Permitted signs are to be aesthetically pleasing in appearance, conservative in size, shape, color, and graphics, and substantially as reflected on the appended sign page. No lighted signs are permitted.

A job toilet is required for use by the workers at each new home construction site. Job toilets must be placed in an inconspicuous location with the door facing away from the street, and must be shielded by a 3-side wooden screen [across the street side and down substantially the full width of the sides.

Fires are not permitted on any job site.

Care should be taken when hauling off trash to prevent spillage to occur while in transit. The cleanup of any trash and debris falling from the construction vehicles are the responsibility of the Contractor.

A commercial dumpster is required to be placed and used on each new home construction site and on any alteration site where the trash generated cannot be or is not being removed the same day it is generated in order to keep a clean and neat construction site. Trash must be placed in the dumpster at the end of each workday, and at no times should there be any trash strewn about a job site or otherwise piled openly.

Job sites must at all times be maintained in a clean and tidy manner. To maintain a neat street rightof-way, all construction materials must be kept within the property lines. The storage of materials must be in an inconspicuous location on the job site, and should be neat and orderly. The use of adjacent properties is prohibited. No large construction trailers are permitted, but in some instances, temporary storage structures for the storage of materials may be approved, but under no circumstances may they used for living quarters

Working hours for construction personnel (including delivery of construction materials) in The Community is only permitted from 7:30 am to 5:30 pm Monday through Friday, and 7:30 am through 12:30 pm on Saturday: All personnel associated with the construction and their trucks are expected to be out of The Community by 6:00 p.m. on weekdays and 1:00 on Saturdays Except for emergency repairs, no construction is permitted on Sundays or the following holidays: New Year's Day, Easter,

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Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. After-hours work may be permitted only as an occasional or emergency occurrence and not a regular practice. Permission to extend normal working hours must be obtained in advance from the HOA Administrator. Requests shall be made to the HOA Administrator, and leaving a voice mail message during hours when that office is closed is not sufficient. When after-hours work is permitted, the contractor must have a responsible supervisor on-site to supervise its employees or subcontractors. If approved after-hours work disturbs residents, the approval may be rescinded (and work must be stopped immediately) at the discretion of the HOA Administrator, the HOA President, the ACC or CORE, or their designee(s).

Worker's vehicles and trailers must not be parked in the roadway. Vehicles must be parked within the site or pulled off the road in the culvert area. Continued violation of this restriction could result in being denied access to The Community.

The posted speed limit in The Community is 30 mph. and all worker and contractor vehicles must adhere to the speed limit and be cautious and courteous toward, pedestrians, bikers and golf carts. Vehicles not comporting these requirements will be warned one time, and continued violations could result in being denied access to The Community.

Personal entertainment audio devises [radios, MPG3 players, CD players and the like] must be at a low volume to avoid disturbing neighbors.

The lakes, golf course and clubhouse area are recreational amenities for residents of The Community and/or members of the Sanctuary Golf Club: non-members, including workers and contractors are not permitted to use them for any reason. All undeveloped lots are privately owned and are not to be used by contractors or workers for any purpose.

For a violation of these rules, the contractor involved, will be assessed a fine of \$100 for the 1st violation, \$300 for a 2nd violation and \$500 for each subsequent violation, and until the fines have been paid, no additional construction will be permitted at the site.

The HOA has the authority to, and will, restrict access to contractors if the Design Guidelines and the rules relating to construction in The Community are not adhered to.

VI. VARIANCES and APPEALS

Homeowners may apply for a variance from a specific requirement of the Design Guidelines if they feel that one or another portions of the Design Guidelines are inappropriate, based on the design elements of their particular residence. Applications for variances are to be filed with the HOA Administrator. Homeowners have the burden of establishing the reasons why a specific requirement of the Design Guidelines is not appropriate: variances may be granted when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations make a strict application of the Design Guidelines particularly inappropriate or burdensome, but only in instances where the overall intent of the Design Guidelines can still be substantially realized. In accordance with its procedures as delineated in the Declaration, variance requests are decided by the ACC, regardless of whether the requested variance relates to new construction or an alteration. In keeping with the overall objectives of the Design Guidelines, each variance will be reviewed on a case-by-case, residence-by-residence basis. The granting of a variance for one particular situation does not imply or warrant that a variance in a similar situation will be granted for another home site, and the grant of a variance in no way alters any permits, regulations or other governmental requirements.

An appeal on any variance decision of the ACC or a decision by CORE may be made to the HOA Board of Directors if made in writing within 10 business days of the decision being appealed. Supporting any appeal must be technical design information buttressing the rational for the appeal. Homeowners appealing an ACC or CORE decision will be responsible of all costs incurred by the HOA for any fees of any outside consulting services [architectural, engineering, legal or other] that the HOA deems necessary for its consideration of the appeal. In keeping with the overall objectives of the Design Guidelines, each appeal will be considered on a case-by-case, residence-by-residence basis. The granting of an appeal for one particular situation does not imply or warrant that the decision in a similar situation will be applied for another home site, and the grant of an appeal in no way alters any permits, regulations or other governmental requirements.

Design Guidelines -- Appendices:

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- A. Permitted and Prohibited Uses a summary
- **B. Native Plant Information**
- **C. Site Analysis Drawings**
- **D. Architectural Details Drawing**
- E. Exterior Lighting
- F. Contractor Signage
- **G. HOA Administrator Information**
- H. Project Review Request Form

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Appendix A - Overview of the Declaration of Covenants and Restrictions' Permitted and Prohibited Uses

In addition to the approvals the HOA Committees are responsible for, the HOA is charged with the responsibility to compel maintenance of all residences and lawns in the Community in "a manner befitting the standards of The Community". The Declaration provides that, if a homeowner does not cure violations and correct deficiencies, the HOA can (i) engage contractors to enter a home site, cause the work to be done and charge back the homeowner, (ii) seek damages, or (iii) seek injunctive relief to force compliance with its Covenants and Restrictions.

In addition to mandating prior approval of all exterior alterations [including colors], the Declaration of Covenants and Restrictions:

- » mandates that driveways must be kept in "style originally established"
- » restricts trash container storage and timing of street-side placement
- » requires approvals of exterior electronic devises and antennae
- » limits automobile parking to driveways and garages
- » prohibits RVs, boats, trailers and commercial vehicles from being parked or stored overnight except in garages
- » prohibits all unapproved signs
- » prohibits all temporary structures
- » mandates animal controls
- » requires approval of "yard art"
- » prohibits commercial activities out of residences
- » prohibits window A/C units and reflective window treatments
- » places restrictions on leases of residences
- » prohibits any fences without approval
- » mandates uniform mailboxes
- » prohibits unapproved shutters and awnings, satellite dishes and antennae
- » requires approval of pools and pool screening
- » permits the HOA to adopt other Rules in the 'best interest' of its members

Fences and Fenced Yards

The Sanctuary Community, a community on a sanctuary island, next to a renowned wildlife refuge, has been a place where natural beauty and living harmoniously with nature is viewed as one of our premier and unique attributes, and fences, although not prohibited, when permitted are restricted in many ways and minimized. Retaining the natural environment of The Community is an important component of our Community and is emphasized in our Design Guidelines, such that all landscaping and construction must emphasize each lot's special natural, native features. Additionally, each residential site in the Community has a Conservation Easement on its rear 20', the purposes of which are for the preservation and maintenance of permanent open space for a wildlife corridor and "habitat for indigenous and migratory wildlife, and for the preservation of existing native vegetation" throughout The Community. The Conservation Easement area in each lot must remain in its natural state with native vegetation, free of exotics, and is not permitted to be pruned or vegetation removed unless authorized by a City permit: no fencing is permitted under any circumstance in the rear 20' of any lot.

Approved fences:

Require the Association Board, the ACC or CORE to timely notify (and provide copies of any pertinent documents) the immediate neighbors of any meeting at which an application for approval of a fenced yard is to be considered;

Are not permitted to be installed without the approval of the ACC or CORE, and, after approval, delivery of a copy of the Permit from the City of Sanibel not less than 5 business days before any installation is begun to allow ACC/CORE to examine the Permit to confirm that the permitted fence complies with the approved fence;

May not be constructed of any material other than metal, wrought iron or aluminum specifically prohibited are chain, chain link, wire, mesh, plastic, fiberglass, rope and bamboo, solid wood, barbed wire, razor wire (or other potentially harmful material), and Pre-fab fences such as commonly sold in home improvement stores are prohibited;

May not have artistic designs or decorative elements incorporated in/on them;

Pet shelters of any type are not permitted in fenced yards.

Must be installed in a manner equivalent to an installation by a professional fence installer;

Must be 3' street ward from the Conservation Easement; and not forward (street ward) of the rear line of the house, but may be (if permitted by the City of Sanibel) within the sideyard setback but no closer than 3' from the side-yard property line in order to accommodate the required vegetation buffer and insure the maintenance of a wildlife corridor between homes in The Community; Require the planting of a dense vegetative buffer (which must be reflected in detail in any fence approval application) in order to screen the fence from the street, the immediate neighbors, and the golf course/lakes;

Must be maintained in good condition and repair, free of mildew and algae, and not be permitted to become unsightly or impede drainage flow;

May not exceed 48" above grade level, unless required to comply with Florida and Sanibel safety standards for residential swimming pool barriers;

May not be an inappropriate color, to wit, any bright color which is out of character with neighboring homes;

May not be have any above-ground portion charged or connected with an electrical current in such a manner as to transmit electrical current to persons or animals which might come into contact with the fence; and

Require the filing of a survey reflecting the lot lines and the setback lines (side and rear) and the Conservation Easement, as well as location of the proposed fence and its vegetation buffer.

In order to protect the views of the golf course and its lakes and pond from the adjacent properties, vegetation which has the effect of a natural fence will be permitted only if it is not allowed to grow higher than the approved fence. Vegetation in the side yard buffer should not be permitted to become so dense as to effectively eliminate the side yard as a wildlife corridor, and-all vegetation buffer areas must be kept neat and orderly.

All fenced yards intended or used for the purpose of pet control/protection must be kept neat and orderly such that pets (including service and comfort/companion dogs) and must not be permitted to be or become a nuisance to the neighbors or those on the golf course or otherwise in the Community. Pets kept in a fenced yard which endanger the health, make objectionable noise, or otherwise constitute a nuisance by disturbing the peace, quiet, safety, comfort, or serenity of The Community may subject their owners to fines, required imposition of bark collars or other like bark-control devices, or even removal.

Fenced Yards must conform to the following standards:

- Fenced yards may not be permitted to become in an unclean, unhealthy, unsightly, or in an unkempt condition;
- Pets in fenced yards must be managed so as not to cause a disturbance by creating a nuisance, making excessive noise, threatening individuals or other animals;
- No pet may be left (whether tethered or untethered) in a fenced yard unattended for any length of time when its owners are not present in the home so as to become an annoyance or nuisance (excessive barking is considered a nuisance);
- All animal waste in fenced yards should be promptly removed at or about the time of the occurrence, and in any event no less frequently than daily;

- Pets may not be fed in fenced yards if the feeding area is not picked up immediately afterward such that it will not attract rodents or other animals; and
- The Sanibel and Lee County applicable pet laws must be complied with.

It is recognized that there are some fences erected without Association approval prior to the adoption of these standards ("Non-Conforming Fences"). Non-Conforming Fences for which delayed approvals are voluntarily sought by June 31, 2014, and for which any conditions required in connection with their approval are effected within 3 months of the approval, may remain in existence only so long as they are maintained in good condition and repair and do not become unsightly. Non-Conforming Fences not conditionally approved (and those whose conditions are not timely satisfied) are subject to removal directives and other Association action after July 1, 2014, to effect their removal. No Non-Conforming Fence may be altered in any way that is contrary to any of these standards for new fences. At such time as any Non-Conforming Fence becomes more than 50% destroyed or more than 50% is to be replaced for whatever reason, the Non-Conforming Fence must be removed in its entirety and may only be reconstructed or replaced if approved by the Association in conformance with the fencing standards then in effect.

APPENDIX B - NATIVE PLANTS (Cont.)

\$ Shrubs (Cont.):
Rapanea
Wild Coffee
White Indigo Berry
Inkberry
Necklace Pod
Spanish Bayonet

Palms:

 Paurotis Palm Needle Palm
 Royal Palm
 Scrub Palmetto Cabbage Palm Saw Palmetto

Small Trees: * Pitch Apple

Gelger Tree Dahoon Holly

* Wax Myrtle Southern Willow Paradise Tree

Shade Trees:

* Red Maple* Black Olive

- Laurel Oak
- Water Oak
- Live Oak
- * Mahogany

Special or Accent Trees:

Gumbo Limbo Satinleaf Pigeon Plum

Sea Grape

* Sweet Bay Mastic Tree Red Bay Sand Pine

 Slash Pine Jamaican Dogwood Turkey Oak Bald Cypress Myrsine Gulanensis Psychotria Undata Randia Aculeata Scaevoia Plumieri Sophora Tomentosa Yucca Aloifolia

Accelorrhaphe Wrightil Rhapidophyllum Roystonea Regia Sabal Etonia Sabal Palmetto Serenoa Repens

Clusea Rosea Cordia Sebestena Hex Cassine Myrica Cerifera Salix Carolinia Simaroub Glauca

Acer Rubrum Bucida Bucera Quercus Laurifolia Quercus Nigra Quercus Virginiana Swietenia Mahogoni

Bursera Simaruba Chrysophyllum Oliviforme Coccoloba Diversfolia Coccoloba Uvifera Magnolia Virginiana Mastichonendron Foetidissumum Persea Borbonia Pinus Olausa Pinus Elliottil Pisoidia Piscipula Quercus Laevis Taxodium Spp.

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APPENDIX B - NATIVE PLANTS

To minimize maintenance and long term costs, the use of native plants is encouraged. The use of natives will preserve the natural beauty that first attracted you to the community of the Sanctuary. Attractive flowers such as the rose and hibiscus could be used but in the appropriate location.

The placement of the native plants is very important. Keep in mind that all plants are not suited for your lot. Many species require almost constant water while others prefer no water. Your Landscape Architect/Designer should give careful study and consideration to the native plants anticipated for use on your homesite. Whether the creation be Pinelands, Hammock or a Scrub community, consideration needs to be given as to the location and owners desires.

Some native plants that are adapted to environmental conditions and are easily incorporated into the landscape design of the sites found at The Sanctuary are listed below. The asterisks represent those plants which are more readily available at nurseries.

- Ground Covers:
- String Lily Gold Creeper Beach Sunflower
- Spider Lily
- * Lantana Sword Fern Tuber Sword Fern
- * Boston Fern * Adam's Needle
- * Coontie
- Coontie

Shrubs:

Marlberry Beautyberry Jamacia Caper Seven Year Apple

- * Coco Plum Coco Plum
- Buttonwood Varnish Leaf Firebush Gallberry Large Gallberry White Stopper Gopher Apple Wax Myrtle

Ardisia Escallioniodes Callicarpa Americana Cappariss Cynophallophora Casasia Ciusifolia Chrysobalanus Loaoo Chrysobalanus Loaoo var. pellocarpus Conocarpus Ereota Dodonara Viscosa Hamelai Patens Ilex Glabra Ilex Coriacea Eugenia Axillaris Licania Michauxii Prance Myrica Cerifera

Crinum Americanum

Hymenocallis Latifolia

Nephrolepis Biserrata

Nephrolepis Cordifolia

Nephrolepis Exatata

Yucoa Smalliana

Zamia Integrifolia

Ernodea Littoralis

Helianthus Debilis

Lantana Depressa

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Based on the standards siven by the Design Review Administrator, a standard sigh and permit board sumt be used by the builder (and the Architect/Designer if desired). It is not seraisable for sub-contractors of any type to have a sign on the homosite.

Appendix G

The HOA Administrator is Island Management Co.: Its mailing and physical addresses are P.O. Box 100, 711 Tarpon Bay Road, Sanibel, FL 33957. Its phone number is 239.472.5020

The HOA's principal contact person is Janette Macksey: she can be reached by email at janette@islandmgmt.com

The Sanctuary at Wulfert Point Community Association
Proposed Project Review Request
Island ManagementCOREACC Attn: Melissa Lodwick P.O. Box 100, 711 Tarpon Bay Road, Sanibel 33957 Melissa@islandmgmt.com Date:
Address of Proposed Project
Owner(s) email
Owners' telephone number(s) [h] [m]
Owners' address [if different]
Description of Proposed Project: painting landscaping exterior roof other
Estimated start date Estimated time to complete
Building Permits: Deeded Dapplied for secured
Principal Contractor Contact person
telephone [o] [m]
Contractor's physical and email addresses
Architect/Designertelephone
********* [to be completed by Administrator] ******** Date of receipt of Review Request Date of administrative response Date of receipt of application with documentation Date of CORE/ACC meeting CORE/ACC action:approvalapproval with conditionsdisapproval CORE/ACC inspections
Final Approval request Dapproved D disapproved