

SOMERSET HOMEOWNERS' ASSOCIATION

ARCHITECTURAL CONTROL AND REVIEW

In order to help residents understand the Architectural Review Process and to know what changes are likely to be accepted, the Board has adopted the following Standards:

- I. **AUTHORITY:** Any changes to the exterior of units or permanent installations on the grounds for properties within Somerset are subject to the prior review and approval of the Board of the Homeowners' Association or its Architectural Review Committee under the authority granted in Article VII of our Amended Declaration dated February 4, 2008, which states:

“Architectural Control. No structural or exterior repair, additions, modification or rebuilding of or to any parcel shall be commenced or performed until the construction plans and specifications and a plan showing the exact work to be performed have been approved by the Association as to the quality of workmanship and material, harmony of external design and appearance independent of and with existing structures, and as to the location with respect to topography and finished grade elevation. No fence, walls or hedge shall be erected or placed on or around any parcel unless similarly approved. The purpose hereof is to maintain SOMERSET AT WINDSTAR with the same appearance as when completed by the original Developer and any of the foregoing which, in the sole opinion of Association, will not improve or enhance such appearance will be denied. The Board of Directors shall have the right to adopt specific guidelines regarding the size, locations, types and materials for exterior improvements and alterations and shall have the authority by itself or through a duly appointed architectural review committee to review and approve plans and specifications based on such guidelines, as permitted by law. Approval or disapproval shall be granted within 30 days and in writing. In assessing the merits of any application, impact on neighbors and the incorporation of landscaped privacy features will be especially taken into account. The Association's Board of Directors shall have the right but not the obligation to delegate responsibility for architectural review decisions to a committee of members.

In addition to fines and suspension of use rights as provided herein and by Florida Statutes Chapter 720, the Association has the right to enter any parcel and remove any unapproved alteration, improvement or structure and/or proceed in equity to compel the removal of said unapproved alteration, improvement or structure, and the owner(s) in violation shall be responsible for costs incurred by the Association to compel compliance, including the costs of labor to remove the unapproved item and/or reasonable attorney's fees and costs. “

- II. **ARCHITECTURAL CHANGE PROCESS:** Any changes to the outside of a unit, including for example swimming pools, swimming pool cages, screened enclosures, roof replacement, concrete walks, large tree plantings, garage carriage lights, mailbox lights, garage door replacement, shutters, walls, gutters and downspouts, glassing of lanais, and screening in the front entry require the following:

- A. A written application and written approval from the Board. If the change(s) require(s) a building permit, the application must include the following:
  - a. A completed Building and Exterior Change Request Form with a completed detailed description of the work to be performed;
  - b. A conceptual drawing or sketch of the proposed change(s);
  - c. A certified plot survey with the proposed addition(s) shown if the change(s) extend(s) beyond the existing footprint;
  - d. A valid and up-to-date copy of the Contractors and Subcontractor's license;
  - e. A valid and up-to-date copy of the Contractors and Subcontractor's Worker's Compensation Insurance Certificate; and
  - f. A valid and up-to-date copy of the Contractors and Subcontractor's Liability Insurance Certificate.
- B. Upon approval by the Board, the Master Association Architectural Review Committee must also approve the application. The Board shall forward the application and request to the Master Association Architectural Review Committee.
- C. If a building permit is required, the building permit is issued after Collier County receives the Somerset and Windstar approval and request from Contractors and Subcontractors.
- D. The approval is valid for one (1) year from date of approval.

### III. ROOFS:

- A. Roof tile submitted for approval must be in conformance with the established style and color for the structure and community, and must match as close as possible to the abutting or immediate neighbor. Samples must be provided for comparison.

### IV. PAINTING:

- A. All exterior paint colors must use the approved colors under the Board established color scheme. Any changes in color of the residence must use one of the approved colors and be agreed to by connected owner. All approved colors are available upon request to the Board. Both units in one building must be painted the same colors.

### V. LANAIS, SWIMMING POOLS AND CAGES:

- A. Installing, modifying, or repairing swimming pool or cage enclosures require approval. (*See Section II. ARCHITECTURAL CHANGES for approval requirements.*) Pool cages can be in either white or bronze. Enhancements to the exterior and/or attachments in the lanai screen, such as animal or flower profiles, latticework, or any exterior decorations are not allowed if visible from the street or golf course.

### VI. WINDOWS:

- A. All new windows, window replacements, or window repair, must conform to the original mullion style of the window, or plain glass, and must meet current building codes. Window trim in white color only.
- B. Any installation of windows must be submitted by application to the Architectural Review Committee with full details to be approved or declined by the Board. (*See*

*Section II. ARCHITECTURAL CHANGES for approval requirements.)*

VII. HURRICANE SHUTTERS:

- A. All existing hurricane shutters as of the effective date of these standards are grandfathered. All new hurricane shutters must be in roll down or accordion style and white or clear in color. All new hurricane shutters must be permitted by Collier County.
- B. Emergency Hurricane Shutters are permitted if approved by Collier County Code and may be installed when there is a hurricane warning, and removed immediately after the hurricane has passed, or the hurricane warning is over.

VIII. GATES AND FENCES:

- A. Front and side yard gates and fences may be removed at the discretion of the owners. If the owner retains the original gates and fences, they must be maintained in the original style and color. Collier County codes require that private pools be fenced. Any gates or fences repaired or reinstalled subsequent to removal by an owner or new owner of such property must conform and be compatible with the gates and fences of the Somerset neighborhood.
- B. Aluminum fences atop the courtyard walls may be removed upon written approval of all adjacent owners and submitted to the Board for final approval. It will be the responsibility of the removing owners to fill and seal the holes in the walls after removal of the fences.

IX. GUTTERS:

- A. Gutters are not required on the residences. New gutters, or repair or replacement of existing gutters, must meet industry standard in style and white in color.

X. FRONT ENTRY FRAMING AND SCREENS:

- A. Front entry aluminum framing and screening and screen doors may be removed at the discretion of the owner after approval by the Somerset Board.
- B. Any new or modified front entry changes must be approved by the Somerset Board.

XI. AWNINGS:

- A. Awnings of the fixed frame or retractable style must be approved by the Somerset Board.

XII. SOLAR PANELS:

- A. Rollup and down solar panel screens are permitted in lanais only. The solar screens must be neutral in color and must be approved by the Board.

XIII. GARAGE DOORS:

- A. All owners must retain garage doors in the original style and white color.

XIV. GARAGE CARRIAGE LIGHTS:

- A. All garage carriage lights must be uniform in style and color through out the community and approved by the Somerset Board.

XV. LANDSCAPING:

- A. All vines over the garage, doors and front of residences as of the effective date of these standards are grandfathered. Any new plantings over the garage doors are permitted, except bougainvillea vines. However, the homeowner is ultimately responsible for keeping the vines trimmed for a well-groomed appearance, particularly during the summer rapid growth cycle of the vines.
- B. All front yard existing trees as of the effective date of these standards are grandfathered. Any new front yard replacement trees are to be on the approved list of the Board.
- C. Decorative rock is discouraged in the front yard. Any front yard with decorative rock as of the effective date of these standards are grandfathered. Any new yard ornaments, statuary fountain, concrete or decorative flowerbed outlines are not permitted.

XVI. ONE AND TWO STORY UNITS:

- A. One-story units must remain as a one-story unit, and two-story units must remain as a two-story unit.

XVII. SIGNAGE:

- A. For sale signs must comply with Windstar Master Association guidelines as to size and shape. Alarm signage is permitted in windows, and standard size signs posted in front of the residences are permitted.
- B. Political campaign signs are discouraged but are limited to one per yard and must be removed immediately after the election results.
- C. Contractor or other signs must be no larger than eighteen inches by eighteen inches (18"x18") and may be posted for a maximum of thirty (30) days.