

**ARCHITECTURAL CONTROL GUIDELINES
AND UNIFORM GENERAL REQUIREMENTS
FOR COMMERCIAL LOTS
FOR ROTONDA SANDS CONSERVATION ASSOCIATION**

The definitions contained in the Amended and Restated Declaration of Restrictions for Rotonda Sands Subdivision are incorporated herein as part of these Uniform General Requirements for Commercial Lots. Any business or commercial activity being planned for the Rotonda Sands subdivision must be submitted to the Association for review. The following guidelines have been adopted to help integrate commercial activity into this residential neighborhood. Each business will be reviewed on a case by case basis to try to accommodate the needs of the business and to protect the nature of the residential area.

1. The exterior façade appearance and all exterior building materials must be approved by the Association prior to construction.
2. Loading, Service and Outside Storage. Each Commercial Lot shall provide sufficient on-site loading facilities to accommodate site activities, and all loading movement, including turnarounds, shall be made off of the public right-of-way. Loading docks shall be located and screened so as to minimize their visibility from any residential street or residential lot. Screening shall meet or exceed the requirements of the applicable sections of the Charlotte County Code of Ordinances. Screening of service areas, loading docks and so forth may consist of any approved combination of each: mounding, landscaping or fencing. Rubbish and garbage facilities shall be screened so as not to be visible from any residential street or residential lot.
3. Site Accessories. Site accessories including exterior lighting fixtures and mechanical equipment visible from a residential street, shall be considered as landscape elements and shall be continuously maintained to preserve a well-kept appearance.
4. Building/Mechanical Equipment. All mechanical equipment servicing buildings, including roof mounted equipment, shall be enclosed or screened so as to be an integral part of the architectural design.
5. Parking. Parking on the residential streets in the Subdivision is strictly prohibited. All parking shall only be in designated parking areas within the boundary of the respective properties. There shall be no parking in the right-of-way, on an unpaved lot or on the roads.
6. Maintenance. Buildings, landscaping and other improvements shall be continuously maintained so as to preserve a well-kept appearance, especially along the perimeters and boundaries between any Commercial/Industrial Lot and Residential Property.
 - a. Trash. All trash and garbage shall be placed in designated contained service areas and all trash areas shall be screened and properly landscaped. Yards and landscape areas will be kept free of trash, litter and dead landscaping materials.
 - b. Landscaping. All landscaped areas, including sodded areas, shall be regularly irrigated as required, and shall receive regular maintenance trimming, fertilization, mowing and replacement of diseased plant materials as required. All irrigation systems shall be underground, automatic, kept in good repair, and shall not discolor any wall, sign surface or other structure. Perimeter landscaping shall be maintained so as to avoid blight and preserve the beauty, quality and value of the subdivision and to maintain a uniform and slightly appearance.

- c. Parking Lot and Sidewalks. All parking lots, sidewalks and other hard surface areas shall be swept and cleaned regularly and cracks and damaged areas of sidewalks shall be repaired or replaced as required. No materials, equipment or personal items may be stored or left outside of the building located on the Lot unless totally sight screened. Broken bumper stops or curbing shall be replaced as required and drainage inlets, storm sewers and any surface drainage facilities shall be maintained in good repair and shall remain clear of debris so as to enable the proper flow of water.

7. Planting and Landscaping. All landscaping located within any Commercial/Industrial lot which abuts or adjoins any Residential Lot shall be, pursuant to an approved landscaping plan, which plan shall include provisions for appropriate maintenance, including sprinkling if necessary, properly maintained so as to provide appropriate screening between Commercial Lots and Residential Lots.

8. Protective Screening. Protective screening areas must be established on the Commercial Lots along the property lines abutting Residential areas. Planting fences or walls shall be maintained throughout the entire length of such areas by the owner or owners of the lots at their own expense to form an effective screen for the protection of the residential areas. No building or structure except a screen fence or wall or utilities or drainage facilities shall be placed or permitted to remain in such areas. No vehicular access over the area shall be permitted except for the purpose of installation and maintenance of screening, utilities and drainage facilities.

9. Prohibited Uses. The following uses are, without limitation, expressly forbidden:
 - a. Excessive loud noise between the hours of 10:00 p.m. and 8:00 a.m.
 - b. Commercial activity or business that is not conducive to a residential neighborhood environment.
 - c. Illuminated signs and site lighting will be limited and addressed on a case by case basis.

10. Prohibition Against Discharge of Certain Wastewater. The discharge of any substance that is not normally part of the waste waters produced by the following activities: toilets, kitchen, showers and laundry, is prohibited. An exception may be granted after an agreement is signed with utilities that should establish the individual requirements of that exception for compliance with government regulations and utilities operations.

11. Prohibition Against Toxic Substances. There is a prohibition against activities that involve toxic and hazardous substances regulated by Federal, State, regional or local governmental agencies. An exception may be granted on the basis of:
 - a. evaluation of its possible impact on the environment by Utilities;
 - b. full continuous disclosure of the handling (use, storage, disposal) of these substances by agreement to provide Utilities with copies of reports, manifests and any other documents required by the corresponding regulatory agency. Notification to Utilities should be concurrent with notification to the regulatory agency.