MARKED-UP PAGE 1: 1 COMPLIANCE ISSUE (#1) - SEE REDLINE COMMENTS AT RIGHT ->

Section 15 - Sample Provision Excerpt (Public Preview)

access to either the side or rear yard. It may be parked or stored on the front driveway, provided it is 20 feet from the front property line and five feet from side property line. a. Except all recreational vehicles, hobby vehicles, utility trailers and private pleasure craft great than ten feet in height shall be setback seven and one-half feet from the...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

Sec. 15 (p. 3): Covenant restricts storing or installing items in rear/fenced areas not visible from the parcel frontage in direct violation of Fla. Stat. § 720.3045.

Statutory / Legal Reference: Fla. Stat. § 720.3045

Statutory Comparison: Regardless of any covenants or restrictions in the governing documents, Fla. Stat. § 720.3045 prohibits an HOA from restricting parcel owners or their tenants from installing, displaying, or storing any items on a parcel which are not visible from the parcel's frontage or an adjacent parcel, including artificial turf, boats, RVs, and vegetable gardens.

CURRENT WORDING IN DOCUMENT:

access to either the side or rear yard. It may be parked or stored on the front driveway, provided it is 20 feet from the front property line and five feet from side property line. a. Except all recreational vehicles, hobby vehicles, utility trailers and private pleasure craft great than ten feet in height shall be setback seven and one-half feet from the...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

access to either the side or rear yard. It may be parked or stored on the front driveway, provided it is 20 feet from the front property line and five feet from side property line. a. Except all recreational vehicles, hobby vehicles, utility trailers and private pleasure craft great than ten feet in height shall be setback seven and one-half feet from the side and front property lines.