

APPROVAL PROCESS

MARKUP #1 ->

1. Homeowner completes a Design Control Board request form. Go to www.JLPOA.com then go to Resident Info, Documents, DCB (*If you do not have the password, you will need to contact management to access the website.*) This must be submitted to the property manager or a CP Board member **PRIOR TO COMMENCEMENT OF ANY WORK**.
2. Cape Pointe Board of Directors reviews DCB form. A Homeowner may be asked to supply additional information such as specifications, blueprints, pictures, in order to obtain CP Board approval. If approved, the form will be signed by a CP Board member and returned to you. The CP Board will also advise you if you do not need to obtain DCB approval.
3. After CP Board approval, you submit the approved/denied form with the appropriate fee to JLPOA for POA-DCB review and approval. The DCB may request additional information from homeowners. **Remember, NO WORK SHOULD BE DONE PRIOR TO APPROVAL.** If you have done unapproved work you can be subject to fines and/or be required to remove the unapproved alterations. Once all requested information is received this process generally takes up to 30 days since the DCB meets once a month.
4. If you have done any work requiring approval without going through the approval process, you will still be subject to DCB approval and may be required to remove or modify work already completed.
5. Refusal to comply with this process may result in fines etc.

PRE-APPROVED PROJECTS: The following are projects which do not require CP Board approval:

- a. Landscaping within your front courtyard.
- b. Repairs to a front yard fence (see Exhibit B for preapproved fences and paint color).
- c. Construction, or repair of your golf cart area as long as it maintains the same appearance as examples in Exhibit B.
- d. Replacement of carport fixtures with those identical to the originals.
- e. Painting your front door with one of the colors on the approved color list.(Exhibit B) If you want another color you must submit a DCB form.
- f. Repairs to your roof using the shingle material in Exhibit B.

ISSUE #1

OTHER RULES RELATED TO THE APPEARANCE OF CAPE POINTE HOMES

1. No planters, signs, artwork, flags (other than the US flag), beach towels etc may be hung from front fences or where they are visible from the street.
2. Signs visible to the public are not permitted on any property without approval by the Cape Pointe Board of Directors.
3. ONLY automobiles may be stored in the carports and driveways of homes overnight.
4. Golf carts must be put into the golf cart sheds overnight.
5. Bicycles, beach chairs, other items may not be kept in carports overnight.
6. Plants in pots outside front fences must be maintained and appear healthy.
7. Statues and similar works of art cannot be displayed in the carport or driveway areas.
8. Trash cans and recycle bins must be stored in a closet, behind a fence, or within an enclosed golf cart shed before and after trash collection.
9. No fences are permitted in the rear of homes in Cape Pointe.
10. Nothing may be tied to or placed overnight on the small docks in the lake.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. OTHER RULES RELATED TO THE APPEARANCE OF CAPE POINTE HOMES (p. 2): Flag or flagpole restriction fails to include statutory exemption for the United States flag under the Freedom to Display the American Flag Act.

Statutory / Legal Reference: Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243)

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

OTHER RULES RELATED TO THE APPEARANCE OF CAPE POINTE HOMES 1. No planters, signs, artwork, flags (other than the US flag), beach towels etc may be hung from front fences or where they are visible from the street.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.