

Sec. 25 (p. 16): Covenant prohibits clotheslines in direct violation of Fla. Stat. § 163.04.

Statutory / Legal Reference: Fla. Stat. § 163.04

Statutory Comparison: Florida Statute § 163.04 renders null, void, and unenforceable any deed restriction, covenant, or rule that prohibits or has the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources.

CURRENT WORDING IN DOCUMENT:

Clotheslines. No clotheslines or other clothes drying facility shall be permitted in any Common Areas, or any area of a lot where the same may be visible from any street or other lot.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 163.04, solar collectors and clotheslines shall not be prohibited, subject only to reasonable architectural guidelines regarding placement that do not impair performance.

ing the property for rent. Signs used by a builder to advertise the property during the construction and sales period must be approved by the ACC prior to being displayed. The entranceway identification sign shall be exempt from this provision and shall remain for the enjoyment of the owners of all Lots. The ACC shall have the right to promulgate standards for the quality, size, appearance, location and type of all signs to be displayed to public view.

ISSUE #1

18. Clotheslines. No clotheslines or other clothes drying facility shall be permitted in any Common Areas, or any area of a lot where the same may be visible from any street or other lot.

19. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavation or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

20. Livestock and Poultry. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets in reasonable numbers may be kept provided they are not kept, bred or maintained for any commercial use and do not create safety, health or nuisance problems.

21. Exterior Appearance and Maintenance. Every house and lot shall be maintained so as to present a pleasing appearance. Window coverings and decorations shall be of conventional materials, e.g. draperies, blinds or shutters. Windows shall not be covered with aluminum foil, paper, or the like. Lawns shall be maintained in a neat manner. Houses shall be kept in reasonable repair and excessive visible deterioration shall not be allowed.

22. Garbage and Refuse Disposal. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other