

MARKUP #1 ->

Any additions to the front of a house that is not an upper floor addition on a one-story house must be in proportion to the existing residence and follow all of the guidelines as set forth in this section and section 9 of this manual and meet all setback requirements.

Front Yard Porches. Other than developer approved or builder installed front porches:

- a) Application is required and County permit may be applicable.
- b) Front porches are permitted off the front façade of the home and within the street facing footprint of the home;
- c) Front porches may be no wider than 12'-15' and no deeper than 6';
- d) Front porches are only permitted if the total front yard impervious surface area and landscaped beds does not exceed 50% (50% of the visible portions of the lot must be sodded);
- e) Front porches must be finished with floor of concrete, pavers, tiles, stamped concrete or similar which shall complement home exterior coloring and walkway and/or driveway;
- f) Front porches may be enclosed with a porch balustrade/decorative fencing which shall not exceed 3ft in height and material shall be restricted to precast stone or similar, black aluminum, wrought iron, landscape pvc OR shrubs/bushes which shall be maintained at a height of 2ft-3ft. All porch enclosing balustrades/decorative fencing or similar must be anchored to the home;
- g) Front porches may be furnished with appropriate neutral color furniture which shall be maintained in a first-class condition at all times.

Rear Yard Decks. Rear yard decks must be attached to the house and approved by ACC

Sunrooms

All sunrooms must be only on the rear of the home. The wall height shall not be higher than the wall it is connected to, nor shall the roof be higher than the roof of the house. The sunroom must be manufactured and installed by a contractor licensed to conduct business in the state of Florida. The sunroom must meet all hurricane requirements as set forth in the state building code.

ISSUE #1

6. Pools and Screen Enclosures:
- a) Above-ground pools are not permitted and in ground pools are restricted to the rear yard
 - b) All pools on lots which abut a golf course or waterway must be screen enclosed and the screen enclosure which is required to attach to the home must be constructed at the same time the pool is constructed
 - c) Unscreened pools are permitted for other lots where rear yard fencing is permitted.
 - d) Screen enclosures are permitted for backyard pools, backyard covered porches, and backyard open patios.
 - e) All screen enclosures must be manufactured by a contractor licensed to conduct business in the state of Florida. All screen enclosures must meet all hurricane requirements as set forth in the current Florida Building Code.
 - f) Acceptable screen enclosure frame colors are black, bronze, and white.
 - g) All screen enclosures must be attached to the dwelling.
 - h) The screen enclosure wall height may not exceed the wall height of the house where it is attached and may not exceed the height of the house roof.
 - i) A pan roof shall only be considered for approval on a case-by case basis and shall be subject to, although not limited to, the following criteria: it shall only be installed between original roof and a screen enclosure;

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 6 (p. 10): 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:

Pools and Screen Enclosures: a) Above-ground pools are not permitted and in ground pools are restricted to the rear yard b) All pools on lots which abut a golf course or waterway must be screen enclosed and the screen enclosure which is required to attach to the home must be constructed at the same time the pool is constructed c) Unscreened pools are permitted for other lots where rear yard fencing is permitted.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 720.3045, this restriction shall not apply to any items, artificial turf, recreational vehicles, boats, or gardens installed, displayed, or stored on a parcel that are not visible from the parcel's frontage or an adjacent parcel.