11. All outbuildings shall require the written approval of the Architectural Committee and be of the same kind of materials as construction of the main building, and shall conform architecturally with the main dwelling.

12. No wheeled vehicles of any kind, and no boats, may be kept or parked in the side yard or front yard of any plot. Wheeled vehicles of any kind, including recreational vehicles and boats, may be kept inside the garage or within a fenced area in the backyard screened from the street and from neighboring plots. This restriction, however, shall not apply to private passenger vehicles which may be parked in the driveways or garages of each lot or parcel of land. Any commercial vehicle with lettering must be parked inside the garage.

ISSUE #1

13. Any owner wishing to rent his property may do so for a period of not less than 12 months. A copy of the lease agreement must be placed on file with the Association within 30 days of the lease signing.

14. No sign of any character shall be displayed or placed upon any home site except "For Rent" and "For Sales" signs which signs may refer only to the particular plot upon which displayed. Said sign shall not exceed eight square feet and shall not be more than four (4) feet above the surface of the ground. A maximum of two signs per plot is permitted.

15. Construction of the main residence and all related structures shown in the plans and specifications approved by the Architectural Committee must be started within twelve (12) months of approval.

16. No animals, livestock, or poultry of any kind shall be raised, bred, pastured, or maintained on any lot, except household pets for the sole pleasure and purpose of the occupants, but not for any commercial use or purpose. Birds shall be confined to cages. No person owning or having possession, charge, custody, or control of any dog shall cause, permit, or allow the dog to stray, run, be, go or in any other manner be at large, in or upon any public street, sidewalk or park, or any private property of others.

17. No clothesline, permanent or portable, shall be placed so as to be visible from the street. All garbage or trash containers, oil/gas tanks, bottle gas tanks, soft water tanks, well and pumps associated tanks, and similar structures shall be placed under the surface of the ground or in walled/hedged in areas so as not to be visible from the street or any other plot.

18. No platted home site may be re-subdivided or re-platted.

19. All trees within the limits of this subdivision shall be protected without regard to their location. They shall not be bulldozed, cut down, damaged, poisoned, burned, or removed except as specifically approved by the Architectural Committee. Any tree intentionally destroyed without said permission shall be replaced by an approved one

MARKUP #1 ->

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

Sec. 12 (p. 4): 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:
backyard screened from the street and from neighboring plots. This restriction, however, shall not apply to private passenger vehicles which may be parked in the driveways or garages of each lot or parcel of land. Any commercial vehicle with lettering must be parked inside the garage.

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.