

03/20/2007

**6. Perimeter fences:** Mike reported that the meetings with the golf course have been productive. The issue of ownership of the fences has been resolved. At the January meeting with the golf course a document was produced by the owner that showed the issue had gone to mediation and was signed by the interested parties but not signed by the courts. Mike reported that he contacted the attorney of record and that the attorney contacted the court and found the signed copy of the document that had been recorded. A legal opinion from Michael Whitt of Becker & Poliakoff said the document was legal and we had to follow it. Mike reported that at his last meeting with the golf course he stated that the association would maintain the fences and the golf course would maintain the foliage around the fences. Mike asked for a signed document stating that we had permission to go on golf course property to maintain the fences. He reported that the golf course said they would sign a document when it is written. He further reported that the golf course intends to clean up the foliage starting with hole 1 and continuing to hole 14 within the next 90 days. They will keep a 5-7 foot area around the fence cleaned.

04/24/2007

**7. Open House Signs:** Mike stated that a letter was sent to all realtors that have listings in the community. The letter informed the realtors of the existing rules in our documents pertaining to For Sale and Open House signs.

c. Reported that he has inspected the approximate 16,800 feet of perimeter fencing and approximately 2,000 feet of fence needs to be replaced. He reported that 25% of that fence has vegetation that needs to be removed before the fence can be repaired. He proposes to start repairing the fence beginning with hole number 12 to hole number 13 at the weir and then remove vegetation from holes 15, 16, and 17. Discussion among board members followed. Jack M stated that we need to have a legal paper stating the golf course has given permission for the HOA to maintain the fence on their property. Gary reported that he does not yet know the cost of repairs but there is money budgeted for repair. A motion was made by Jack M. and seconded by Burt O. to authorize the common grounds committee to seek estimates for removal of vegetation around the fences and replacement of approximately 2,000 feet of fence. Motion carried unanimously.

03/18/2008

h. Architectural Review by Mike Wesner

1. Reported and read the proposed amendment to the Design Review Guidelines to be inserted on Page 9 under item a) **Garages, Driveways and Walkways** or attached on Page 12- **Miscellaneous** to the guidelines regarding garage door screens. The proposed amendment is as follows:

**Garage Door Screens**

Homeowners wishing to provide additional cross ventilation to their homes may install a garage door screen for said purposes. Screens must be one piece, full width of garage opening, and of the vertical, roll-down type. Screens must be color compatible with the house and/or trim. Screens must "disappear" when rolled up. All garage door screen applications must have prior approval for installation from the ARC.

This issue will be further discussed at the next meeting.

10/20/2009

- i. **ARC:** The ARC has developed a proposed policy concerning portable basketball hoops. The policy would allow a variance to the current ARC guidelines which require that sport and play equipment be stored out of sight each night by 8 PM. Following discussion, the ARC motioned the Board to accept the revision to ARC Guidelines, Article 12, "Sports/Play Equipment" and adopt the proposed "Basketball Hoops Variance Application" with the following additional requirements: the hoop must be stored out of sight if the resident is gone for 7 days or more; the hoop must be stored in a safe place in the event of a hurricane; and if, the request is from a renter, the renter must obtain the written concurrence of the homeowner. Motion was seconded by Pat Rich and passed unanimously.

11/16/2010

- V. **Board Members' Comments:**
  - A. George Watson commented that there were four security incidents in the last month: an individual offered a bribe to the guard in return for entry into the Community; bikes were stolen from the Community Center on two separate occasions; a golf cart was stolen from the golf course. (Sheriff Deputies arrested the individual).
  - B. On behalf of the Board, Jack McManus made a public apology to Mr./Ms. John Daniels for the Board's failure to provide documents they requested in a timely fashion.
  - C. Mr. McManus advised that the annual review of roofs has been completed. Residents who receive a notice to have their roof cleaned were asked to respond to Tropical Isles.
  - D. Residents were reminded to remove/open hurricane shutters when the home is occupied, in accordance with Section 5.24 of the Governing Documents.
- VI. **Open Forum - Public Comments:** The Board heard the following:
  - A. Comment that roof cleaning in Governors Run I & II and Fairloop Run is the responsibility of the neighborhood association.

12/21/2010

- A. The Annual Meeting will be held on March 15, 2011. Residents will receive information about the meeting in mid January, including a solicitation for candidates for three Board of Directors positions that will be elected at the Annual Meeting.
- B.** The ARC meets on the second Tuesday of each month. Requests for ARC approval should be submitted at least a week before meetings.
- C. Securitas Security Company will replace Weiser Security as of January 7, 2011.
- D. The three new wells have been drilled.
- E. The County will hold two more public comment meetings prior to issuing a decision on the request by Troyer Farms to open a mine on SR 82.
- F. The Governing Documents Committee has completed its review of the Declaration and Bylaws. In addition to numerous minor corrections/changes, the Committee has added provisions for rental of properties. Following a review by our attorneys and the Board, a copy of the revised documents will be provided to each owner and a vote will be required by members. There will be a public hearing in the Spring.

## Basketball Hoops Variance Application

I/we, the undersigned, request a variance to the Westminster Community Associations Architectural Review Committee (ARC) Guidelines concerning the placement, use, and retirement of portable basketball hoops, which states:

(pg 12" ...Any sport and/or play Structure, [except an approved Structure] must be placed out of sight by 8:00PM, or when the children have finished their play.")

I/we understand that by signing this variance I/we agree to abide by the following guidelines:

1. The placement of the portable hoop must be approved by the ARC.
2. The placement must, if possible, be located on its own pad (pavers, blocks, etc.) off of the driveway.
3. As much as possible, and approved by the ARC, landscaping must be used to hide the basketball hoop from the neighbors and the street.
4. The noise level, while in use, should not be excessive as to disturb the neighboring residents.

Failure to comply with the above will result in actions requiring the removal of the equipment and possible fines for breach of contract.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Home Phone \_\_\_\_\_  
Cell phone \_\_\_\_\_

Signed \_\_\_\_\_

Approved \_\_\_\_\_  
(ARC Chairman)

Denied \_\_\_\_\_  
(ARC Chairman)

Reason for denial:

11/15/2011

7. **ARC:** Stan Dzedzy reported on the Design Review Guidelines which were recently revised by the ARC. The revisions were due to the planned changes to the governing documents. He answered several questions and the guidelines were presented for a first reading. They will be presented for adoption at the December meeting of the board of directors. In the meantime, the revised documents will be put on the website and posted at the Community Center so that residents will have the opportunity to review the proposed changes. The changes are as follows:

On page 3, under items not requiring ARC notification and/or approval, subsection f) was changed from

~~f) Landscaping which occurs within five (5) feet of the exterior of the house or which does not exceed 20% of the available permeable area and which does not change the grading and/or drainage pattern of the property or interfere with a neighbor's view.~~

To

f) Landscaping that occurs within existing planting beds, which does not, according to the ARC, constitute a major landscaping change, and whose plantings are taken from the list of approved plants/trees as listed in the ARC Guidelines. (see Addendum B)

On page 4, under the same category, subsection j), k), l), and m) were changed as noted below

~~j) Seasonal decorations, providing they are placed and removed within 30 days of the event, and do not create a nuisance for the neighborhood.~~

12/20/2011

1. **ARC:** See minutes dated December 13, 2011 for information regarding approvals of requests from Owners. The second reading of the revised Design Review Guidelines was presented. The ARC Chairperson, Stan Dzedzy, remarked on the updated guidelines. He suggested three changes due to comments made by residents. The changes were as follows: 1. On page 8, under **Building Exteriors**, add ", not limited to," to the second sentence so it reads "The homeowner is responsible for the upkeep of the homes' exterior including, but not limited to, repainting and refinishing." 2. On page 4, eliminate letter "k", regarding US Flags and relettering "l)" and "m)". 3. On Addendum B, add Poinsettias to the **Shrubs/Medium Sized Plants** section of the **Landscape Materials**. A motion was made by Jack McManus, seconded by Rick Coronati to adopt the new Design Review Guidelines, effective immediately and passed unanimously.

09/25/2012

2. **Compliance:** Helen Leddy reported on Compliance issues and the meetings of the committee on August 9, 2012 and September 13, 2012 and of the compliance hearing held on August 16, 2012. She reported there were no hearings held in September.

a. **Mailboxes:** It was reported that the ARC intends to revisit the issue of mailbox uniformity and replacement at an upcoming meeting. Compliance will not make any further decisions regarding mailbox violations until after the ARC issues updated/new guidelines. The Committee decided to allow the residents on Fairloop to keep their already installed mailbox. Second notice letters will, however, be sent to the residents on Berkley Way who received first notice letters in August regarding mailbox non-compliance.

b. **Home Maintenance:** The committee decided to divide up the community into sections with a committee member agreeing to take responsibility for reporting compliance issues to the chair and to the manager. Members of the committee with voluntary assignments will report back to the committee for a discussion on their findings. The committee will also work to compile a checklist of items that will be considered during the compliance rounds.

c. **Compliance Hearings:** Helen reported that there were three issues before the Hearing Committee. Two had been resolved. Helen Leddy made a motion to fine a homeowner \$50 per day, up to a maximum of \$1,000 for failure to comply with landscaping requirements and after 20 days, if compliance is not met and the fine unpaid, the homeowner will be barred from use of the community amenities. Pat Rich seconded the motion. After some discussion regarding the lack of a specific address of the home being subject to a fine, a vote was taken. The motion passed by a 6-1 margin with Jack McManus voting no.

d. **Failure to obtain ARC approval:** The ARC asked the Compliance Committee to consider the following: "The ARC recommends that the Compliance Committee consider the establishment of a fine for homeowners who, for the second time, fail to get ARC approval for work that requires such approval." The Compliance Committee already has a fine schedule for this issue in its Uniformity of Fines policy, so the Committee agreed that we didn't need to add anything to that policy. It was recommended that the ARC send letters to homeowners who have not received prior approval for work that requires such approval with the following wording: "That failure to apply for ARC approval for future improvements will be considered as a violation of our documents and will be subject to a fine."

11/27/2012

8. **ARC:** For information on ARC activities, see the minutes dated November 13, 2012. The ARC has recommended revisions to the **Westminster Community Association Design Review Guidelines, revised 12/20/2011** as follows:

a. Add the following sentence to the paragraph on Page 10, under the heading lighting:

The homeowner must receive permission from the ARC to install motion sensor lighting. ARC wants to be sure the homeowners are considerate to their neighbors when choosing a location for the installation, direction and intensity of the lighting.

b. Add a Step 4 in The Design Review Process on page 3 as follows:

Step 4: Procedure for notifying homeowners of Denied ARC requests:

1. The Property Manager (PM) will send a copy of the "Denied" ARC form along with a cover letter which explains the ARC position to the homeowner. The PM will also send a copy to the ARC Chair and the Compliance Committee Chair.
2. The Property Manager's letter will state the homeowner has two weeks from the date of the letter to respond to the PM in **writing or by email** as to their intent.
3. The letter from the PM will give the homeowner two options:
  - a. Rectify the denial by complying with the guidelines set forth by the ARC; or
  - b. Appeal the decision of the ARC in **writing**, to the Board of Directors no later than one board meeting after the date of the ARC denial.
4. The PM will forward the homeowner's response to the ARC Chair, the CC Chair and to the Board of Directors in the case of an appeal.
5. The Board of Directors will rule on the appeal with their decision being final.

c. Add to the Lawns and Landscaping section as letter "m" and letter "n" on page 6 of the guidelines as follows:

- m) The ARC views vegetable gardens as a landscaping issue and should be considered on an individual basis.
- n) Tree branches must be trimmed with a clearance of **7 feet over sidewalks and 14 feet over streets**.

d. Add to Shutters on page 9 as letter "d" as follows:

- d) No fabric, including Kevlar, shutters will be allowed on the exterior of the house with the exception of inside of the lanai.

e. Add to Garages, Driveways and Walkways as letter "d" and "e" on page 10:

- d) For aesthetic reasons, only roll-down garage door screening will be approved by the ARC.
- e) The ARC's position is that, for both aesthetic and practical reasons, the painting of stamped concrete driveways a solid color will not be approved by the ARC.

f. Add to Lawns and Landscaping as letter "o" on page 6:

- o) Trees or other plantings, that are not included in the approved list of Landscape Materials, will be added to the approved list when the ARC committee gives approval to an individual homeowner's request.

g. Add to Lawns and Landscaping as letter "p" on page 6:

Any change in the type of mulch will be considered a change in the landscaping and will require ARC approval

h. Add the following approved trees and shrubs to Addendum "B" Landscape Materials:

Japanese Fern Tree	Chinese Fan Palm (30 ft. max.)
Miami Gardenia	Aradian Jasmine
Magnolia Little Gem	Carissa Boxwood (2' H X 2'W)
Hong Kong Orchid (20-40 ft.)	

i. Add to "Mailboxes" as letter "c" on page 13 as follows:

11/27/2012

c) When mailbox &/or post replacement becomes necessary, the replacement mailbox & or post should be the same style as installed by the builder. However, if the homeowner wishes to replace the mailbox & or post with a different style, **the new style must be approved by the ARC (at a regularly scheduled meeting) PRIOR TO THE INSTALLATION.**

**j. Add to Lawns and Landscaping on page 6 as letter "p" as follows:**

p) In order to be consistent with previous construction by all of the builders in Westminster, and with past ARC policy, **all newly ARC approved lanai extensions are required to have ARC approved landscaping on all sides.**

**k. Add to Items NOT REQUIRING ARC Notification and/or approval as letter "n" on page 4 as follows:**

n) Window replacement that does not alter the appearance of the house

This will be considered as the first reading of the recommendations and they will be acted upon by the Board of Directors after being posted and allowing input from the residents of the community.

04/29/2014  
Special BOD Meeting

**G) ARC discussion on Rule regarding parcel use.** The Design Review Guidelines adoption or changes is considered a change in limits of parcel use and require the 14 day notice of the meeting for the board to consider adoption. Various items were discussed including the mailboxes, lanai extension, shrubbery around the new lanai, tree removal, are all considered changes in parcel use and require the 14 day notice before adoption. There was a discussion of the exceptions made in the past regarding these matters and the attorney advised the members to provide a list of the address of the exceptions which can be included with the resolution which she can prepare for the board to adopt. This is the resolution discussed earlier in the meeting and noted in C) 1. of these minutes.

1/17/2015

**a) ARC: Barbara Kenworthy** stated that the minutes of the ARC meeting, November 11, 2015 were posted for review. She reported that ARC received 17 requests. 15 were approved and 2 were tabled for more information. She stated that Fairloop Run Association has posted their meeting date, agenda, reviewed, approved all their requests and have posted their minutes according to the Florida Statutes. **Motion was made by Ron Read, seconded by Al Joseph, to adopt the changes proposed by the ARC to the Design Review Guidelines as submitted to the owners. Motion passed 6-1, with Jeanne St Jean, voting no.**