

DOCUMENTS REVIEW COMMITTEE
May 2, 2005
HEARING

Members present: Marlon Hill, Charles Rogers, Mark Ziemba, Winston Lucky, and Gary S. Clinton

Other present, Mr. & Mrs. Ray Pinault

The hearing was called to order at 7:15 PM.

The hearing was opened for questions and comments.

There were no questions or comments.

Mr. & Mrs. Pinault were asked if they had any concerns with the documents. They said that the documents were fine with them and only referred to them when they had a potential concern.

Since there were no other people present the DRC agreed to close the meeting and take any questions from latecomers during the regular meeting.

The hearing was closed at 7:18PM

Respectfully submitted,

Gary S. Clinton

DOCUMENTS REVIEW COMMITTEE

May 2, 2005

Meeting

Members present: Marlon Hill, Charles Rogers, Mark Ziemba, Winston Lucky, and Gary S. Clinton

The meeting was called to order at 7:18PM.

The minutes from 4-4-05 were approved.

There were no comments from the hearing to review.

There was one email from Bob Flanigan asking the DRC to review the time noise and disturbance section of the documents. The DRC had previously recommended that work around the house be allowed until 8:00 PM. It was noted by the DRC members that sometimes 8:00 PM is before sunset and sometimes afterwards. The DRC also asked Mr. Clinton to research when Miami Management started work in the morning before the beginning starting time. It was felt that Miami Management should also adhere to this section and its actions be consistent with the community standards.

Winston Lucky presented the items he researched.

- Docks. Winston Lucky reported that docks were allowed per the documents but that the ACC had not set a standard as yet. It was recommended that the ACC be assigned the task of developing a recommendation to make to the Board of Directors and establish a protocol for the docks. The docks should extend out from the high water mark and not interfere with the shoreline which is maintained by the association.
- Driveway widths. This is under the purview of the ACC. The DRC recommends that the ACC continue to review these requests on a case by case basis.
- Driveway painting and sealing. It was reported that the association lawyer has dealt with this issue and that no colored paints or stains are allowed to be applied to the pavers. Only transparent sealers are allowed and this issue is being handled adequately thru the violations committee and the POA attorney.
- Fences. Fences are allowed at the top of the banks and the ACC has developed a standard for allowable fences. There is a fence in the bank maintenance right of way which has been cited to the violations committee and the attorney. Al Fontana is gathering information on other infringements to the bank maintenance areas.
- Right of way lawn maintenance on the lake front. The documents provide contradictory pronouncements concerning this item. The developer and the subsequent POA boards have dealt with this item at the board level. It was reported that the Board of Directors has deemed it advisable for several reasons including, a uniform standard of maintenance which enhances the value of all properties within the POA, safety concerns including pest & rodent control and providing access to the lake for maintenance purposes. The documents address this in several provisions. Article 13.3: "Association shall also maintain those drainage areas, swales, lakes maintenance easements, driveways that are within the common areas. Article 14.1 each owner shall maintain the property from their Home boundary to the edge of the water. Article 17.9. A non-exclusive easement shall exist in favor of Developer, Club Owner, Association and their designees, and any applicable water management district, state agency, and/or federal agency having jurisdiction over Bonita Lakes over, across and upon Bonita Lakes for drainage, irrigation and water management purposes. An easement or ingress, egress and access shall exist for such parties to enter upon and over any portion

of Bonita Lakes (including Lots and Homes) in order to construct, maintain, inspect, record data on, monitor, test, or repair, as necessary any water management areas, irrigation systems and facilities thereon and appurtenances thereto. No structure, landscaping, or other material shall be placed or be permitted to remain which may damage or interfere with the drainage or irrigation of Bonita Lakes and/or installation or maintenance of utilities or which may obstruct or retard these flow of water through Bonita Lakes and/or management areas and facilities or otherwise interfere with any drainage, irrigation and/or easement provided for in this section or the use rights set forth elsewhere in this Declaration. Due to the contradictory language of this section the DRC is leaning towards making a recommendation to the Board of Directors to amend the declarations and have it voted upon by the membership.

Gary Clinton presented the items he researched.

- Parking. There are concerns about parking. The areas which are of immediate concern are: 1) parking near mailboxes thereby not allowing residents a place to park their cars when picking up the mail, 2) parking on curves (creating a visual hazard) and 3) parking next to fire hydrants creating a public safety nuisance. There was discussion of fines to enforce the provisions in the documents. It was felt the best first steps on these issues were the issuance of fines of up to \$100 for offenders. The documents allow this discretion and are presently being enforced by the Violations Committee. No further action is needed.
- Elections. The documents presently spell out an election process which is working. There had been comments addressed from an alleged petition to the Board to address this and other areas. The petition was never submitted and there were no comments during the hearing. The DRC is not making any recommendations in this area.

Marlon Hill reported on the following.

- He would like to draft a listing of frequently asked questions to assist the homeowners in finding answers to their questions.
- He is also developing a flow chart.
- He suggested posting the documents on the web site. There was a consensus to make a recommendation to the Board of Directors to post these documents and have the fee waived for downloading the documents.

The last item of business was the scooter ordinance. Miami Management had submitted a draft to disallow these types of vehicles. There are issues regarding the coordination of these vehicles with state and Miami Dade law. Marlon will bring back a revised draft for the next meeting.

The members are going to attempt to wrap up the remaining issues at the next meeting prior to a final hearing and recommendation to the Board of Directors

The DRC will conduct its next meeting on Monday, June 6th at 7:00 PM.

The meeting adjourned at 8:53 PM.

Respectfully submitted,

Gary Clinton