



Windover Farms Community Association
P.O. Box 658
Titusville, FL 32781

September 3, 2024

SUBJECT: Home Based Businesses in Windover Farms Community Association

There are many home based businesses operating out of residences within Windover Farms Community Association. These are mostly run as a home office offering professional services or artisan goods on an out-call or highly limited in-home basis conducted by appointment. The Board of Directors has no interest in interfering with internet based or on-premises transactions between private individuals. Both the Florida Statutes and the Brevard County Code of Ordinances have specific provisions allowing for home based businesses and cottage or artisan sales of both goods and services.

Article VI, Section 2 of the February 2020 revitalized CCRs says in part that no lot shall be used in whole or in part as anything other than for residential purposes. Past Boards and the current Board have recognized that a strict and literal interpretation of this restriction seems to be in conflict with the Florida statutes and the Brevard County Code of Ordinances. The current Board has taken the approach that the intent of this particular restriction is to prevent infringement of the right of each lot owner to the quiet and peaceful enjoyment of their lot in this rural residential association. Excessive vehicular traffic , accompanying parking issues and noise generated by a commercial business that has announced business hours and an open invitation to the public to visit without restriction are detrimental to the rights of neighbors to such quiet enjoyment of their property.

From the time of the February 2020 revitalization of the CCR's until very recently the Board had not received complaints from residents concerning this issue. Owners of home based businesses ran those with little or no impact on their neighbors and there was no cause for the Board to become involved. In August 2024 the Board received complaints both in writing and in person about the sudden proliferation of signs advertising a home based business who also posted social media notices that contained announcement of set business hours and an open invitation to the public at large to come to their residence. One particular complaint was that this amounted to commercialization of a residential property. The Board issued a letter to this individual asking them to take down the signs and retract the open invitation to the public and instead make arrangements on an individual, one-on-one basis to visit their lot. This person agreed to do so.

Does the Board want to shut down home based businesses? Absolutely **not**, so long as they do not generate excessive traffic, parking issues and noise that infringes on the right of their neighbors to the quiet enjoyment of their lots and the neighborhood at large. If you have a home based business and conduct it so it does not adversely affect your neighbors, we are fully supportive and wish you success.

Board of Directors
Windover Farms Community Association