

Kensington Estates Homeowners Association, Inc.

*1471 Olde Kensington Lane
Deltona, Florida 32725*

Welcome to the minutes of the 2026 Community Meeting!

Apologies for the month-long delay since our meeting – travel and other personal matters kept me from focusing on this. Let's get started.

Contents of this envelope include:

- The written minutes
- The roll call so we can see who was in attendance
- 4 written ballots that will be explained in the minutes
- A reply envelope for mailing in your ballots and/or 2026 dues.
- An invoice for this years dues.

Agenda:

The meeting started promptly at 1:30, and between 1:30 and 2:00 pm we were able to call the roll, move to skip the reading of the previous years minutes, and discuss the 2025 financial report that was sent out prior to the meeting.

Dues:

During the financial report, we recommended that the dues be either \$150 for the bare minimum costs of yearly activities OR \$200 to also include some extra money for landscaping of the front. Towards the end of the meeting, after the new board was called, the community decided to leave it at \$150, and since we have extra money in the budget already, that we can just pay for any extra landscaping if we want without charging anything extra up front.

However, as will be discussed in the new covenants and restrictions, the board and the community represented in the meeting room that day agreed that we should begin to charge late fees for anyone who does not pay dues by the end of the grace period. For context, while most neighbors pay their dues by May or June (even though we ask for it by April, I do tend to chase dues down until late October year after year. So, \$150 this year due by April 30th, with a 60-day grace period. Anyone who has not paid by June 30th should expect a late fee of \$50. That really should be more than enough time.

Introduction of Helena Malchow of Orlando Law and the Dissecting of the new covenants and restrictions.

We can't realistically go through the 16 pages here in the minutes. However, the changes to the rules and covenants as listed on our website (<http://www.thekensingtonhoa.com>) were overwhelmingly

positive, save for a few items that eventually caused the resolution to fail. We had 19 in attendance via in person OR proxy, and we needed exactly 19 to be able to pass.

The changes listed were fell into a few categories –

- Striking sections or parts of sections because they no longer made sense for our community, i.e., building your home on a newly purchased lot. We're all built up, so several of those sections are not needed.
- Things that we can't really control anyway due to the FL Statute having changed and our restrictions becoming obsolete, such as commercial vehicles not being able to park in our driveways. The FL Statute allows it, so we must allow it as well.
- Things that are allowed in City of Deltona but weren't previously allowed here. Things under this section could include discussing our yard signs, trees, renting, animal policy, or building free-standing apartment homes in your back yard. The last three points will be voted on again via mail in ballot.
- Other language suggestions from the lawyer for protection or benefit of the HOA., for example collecting dues from a bank in the instance a home was foreclosed on, we could still get our due from the bank vs. trying to go after the homeowner.

During the meeting, we had two votes. One, was a vote on the entire document. The second was regarding the leasing section in which because we were trying to allow renting with many restrictions in our neighborhood.

We need to be clear that because of the lack of enforcement of any rule over the past 30 years, we could not enforce the no leasing rule on the sole person who is renting currently. Trying to do so would be a losing battle in the court. So, moving forward we either try to enforce the non-ability to lease OR we put several restrictions on how someone could lease if they needed to. While I know this separate resolution already lost in the room, I'm still putting it out there for the mail in ballot. We need 100% participation for an undisputed view of what wins or loses. If it still loses, perfectly fine, but that and the following other items had enough discussion to at least warrant its own vote.

The Ballots:

1. Resolution One – The amended and restated covenants and restrictions.

- a. Save for the next three topics, this ballot is stating a For or Against the changing of the C & R's. The way the votes go will be the way the next three topics will be written in the C & R's. This first ballot is just saying, **“Yes, I accept the proposed changes to our covenants and restrictions to take place on [Date of recording]”** or **“No, We will keep our covenants and restrictions as is, and a letter will be sent out to the community stating that as of [This future Date] Kensington Estates will be enforcing every rule as written going forward.”**

2. Resolution Two – Leasing

- a. This will say either **“Yes, I accept the change as shown in Article V Section 1 of the Final Draft as seen on the website”** (don’t worry, I’ll have it written in full on the ballot) or **“No, I would rather Kensington Estates stay with it’s original amendment to not allow leasing.”**

3. Resolution Three – Animals

- a. This was an interesting discussion. We wanted to change it to stay in compliance with City of Deltona rules and regulations, which does not limit amount of dogs or cats, vs. our current written rule of 2. The number of pets a family has is not something we could easily enforce anyway. We found that the city allows yards like ours to have Chickens as well so long as they are kept in coops and the several other restrictions found in City of Deltona’s golden book. Surprisingly, there was enough discussion in the room that more than a few families liked the idea of chickens and therefore warrants its own ballot. It will read as follows:
 - i. **I vote to change the covenants and restrictions article V section VI to read “refer to city of Deltona guidelines on residential animals” and follow said guidelines or**
 - ii. **I vote to allow city of Deltona guidelines but without allowing the ability to keep chickens.**

4. Resolution Four – Building of an ADU.

- a. This came as a request from a neighbor to allow the building of a mother-in-law suite in his backyard. I understand that during the community meeting the neighbors discussed this and shot down the idea of allowing someone to build an ADU on their property. The only reason I’m including this vote again on the ballot now is because there’s FL State Legislation afoot that may alter this in the future and we as a community could get ahead of it if we’d like.
 - i. The law as of TODAY states that FL Statutes encourage but do not mandate that HOA’s and counties allow construction of ADU’s. There is a law however stating that we cannot restrict anyone from installing something that’s not visible from the front or from the adjacent parcels, meaning that currently we CAN prohibit ADU’s so long as such a construction would be visible from the front or adjacent lots. If a person can build such a thing without it being visible (good luck to that,) then we couldn’t prohibit it.
 - ii. However, there is legislation with 100 % bipartisan support expected to pass later in 2026 (**SB 48 and HB 313**) that would make it so **counties**

must allow for ADU's, but it doesn't have language (yet) that would make HOA's follow that guidance. If between now and the time that this law passes they change the wording to include HOA's needing to comply, then that law would override our decision to prohibit ADU's. So if we vote in favor of allowing, we can at least have the restrictions for it written in the covenants. If we keep it prohibited, then we'd have to update again later IF we want to have a say in what is allowed. **Therefore, the ballot is going to be as follows:**

- 1. I vote to change Article V section 9 to allow the building of accessory dwelling units with the following restrictions (again, I'll write that out in the ballot), OR**
- 2. I vote to keep Article V section 9 as is and keep it prohibited.**

The 2026 board:

The 2026 Board will be as follows: Ricardo Cook, Martha Rogers, John Martin, Kelly Pisciotta. So, no change.

Other considerations / New business:

We discussed a few people with time on their hands and a knack for landscaping to help take out the bushes in the front and buying new plants, keeping them healthy. Being almost March, I will be reaching out to those of you within the next couple of weeks as I'll be traveling again for work.

It was also observed by Tony that the office of Treasurer doesn't actually exist in our bylaws. I will consider updating that once the headache of these covenants is gone.

Our next tentative board meetings will be April 30th, then TBD for July, October, and December. All dates and zoom meeting addresses will be updated in the website. If something is rescheduled within 2 weeks of a mailed letter, I'll put signs out to raise awareness.

We will be asking for the return of these ballots by also by April 30th, hopefully alongside your 2026 dues of \$150 (same due date).

Thank you,



3-8-26

Ricardo Cook