

Burnt Store Isles Association, Inc.
Policy and Procedure
2000-0004

Title: Interpretation of BSI Deed Restrictions related to prohibiting businesses

Purpose: This policy is to clarify Restriction 25, Nuisances, which states: No activity or business or any act shall be done upon the property covered by the restrictions which may be or may become an annoyance or nuisance to the neighborhood.

Policy and Procedure-Historic perspective: From time to time, the BSIA, Inc., Board of Directors is called upon to determine if various activities are in violation of Deed Restriction 15. Historically, this restriction has been interpreted by determining whether or not the activity under question is, or has the potential, for being a nuisance to the neighborhood. This determination generally considers whether there is any activity outside the dwelling in question that, in the opinion of the Board of Directors or General Membership, causes or might cause a nuisance.

Application of Policy: If it is the opinion of the Board of Directors or the General Membership that a referenced or contested activity does not cause, or is not likely to cause a nuisance, then there shall be no interpretation of a violation of Deed Restrictions. Reciprocally, if the Board of Directors or General Membership decides the referenced activity causes or is likely to cause a nuisance or subsequently modifies the activity to become a nuisance, then the activity will be considered in violation of the BSIA, Inc., Deed Restrictions and shall be referred to the City of Punta Gorda, Code Enforcement Officer, for such actions or remedies as are required by applicable City Code. Examples of nuisance activities include, signs denoting the presence of a business, presence of employees, commercial deliveries, client or other non-resident traffic, or any other visible activity normally associated with a commercial business.

City of Punta Gorda - Applicable Code: (This Code is currently being researched)