



THE COTTAGES
Covenants Update
Town Hall

2021

www.cottagespl.org

Covenants Update Team



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Thank you for your time and expertise!

IS IT TIME TO AMEND YOUR DOCUMENTS?

- Cottages documents 26 years old
 - Florida laws have changed
 - The way we live has changed
 - Guidelines are to update every 5 years
 - Florida law - amend before 30 years
- 
- An isometric illustration of a workspace on a light blue background. It features a laptop on the right with a yellow envelope icon on its keyboard, a tablet on the left displaying a document, a round analog clock in the center, a coffee cup on a saucer, a pencil, and several sticky notes. In the background, there are gears and a calendar, suggesting a busy, organized environment.

What was changed?

Eliminated provisions that are:

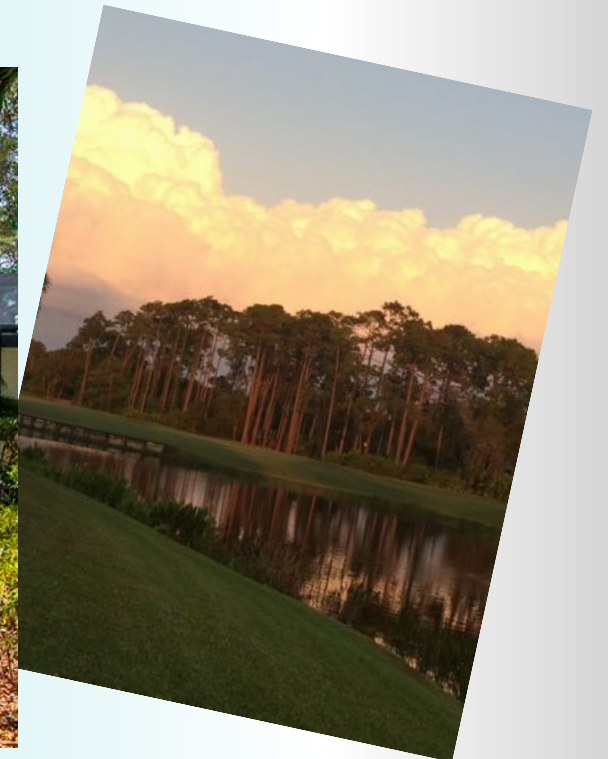
- Related to the developer and no longer needed
- Obsolete, no longer observed or enforced
- Conflict with current Florida law
- Conflict with PLCA documents

What was changed?

- Updated to required Florida statutes
- Updated to reflect current financial requirements
- Improved poorly drafted sections
- Made documents more "user friendly"
- Better organization and descriptive section headings
- Provided for changes in technology –such as electronic voting, solar energy, drones



Tailored the new documents to reflect our 20+ years of living experience in The Cottages



Hierarchy of Governing Documents

COVENANTS, CONDITIONS & RESTRICTIONS aka, "DECLARATION"

The top governing document of the Association

ARTICLES OF INCORPORATION

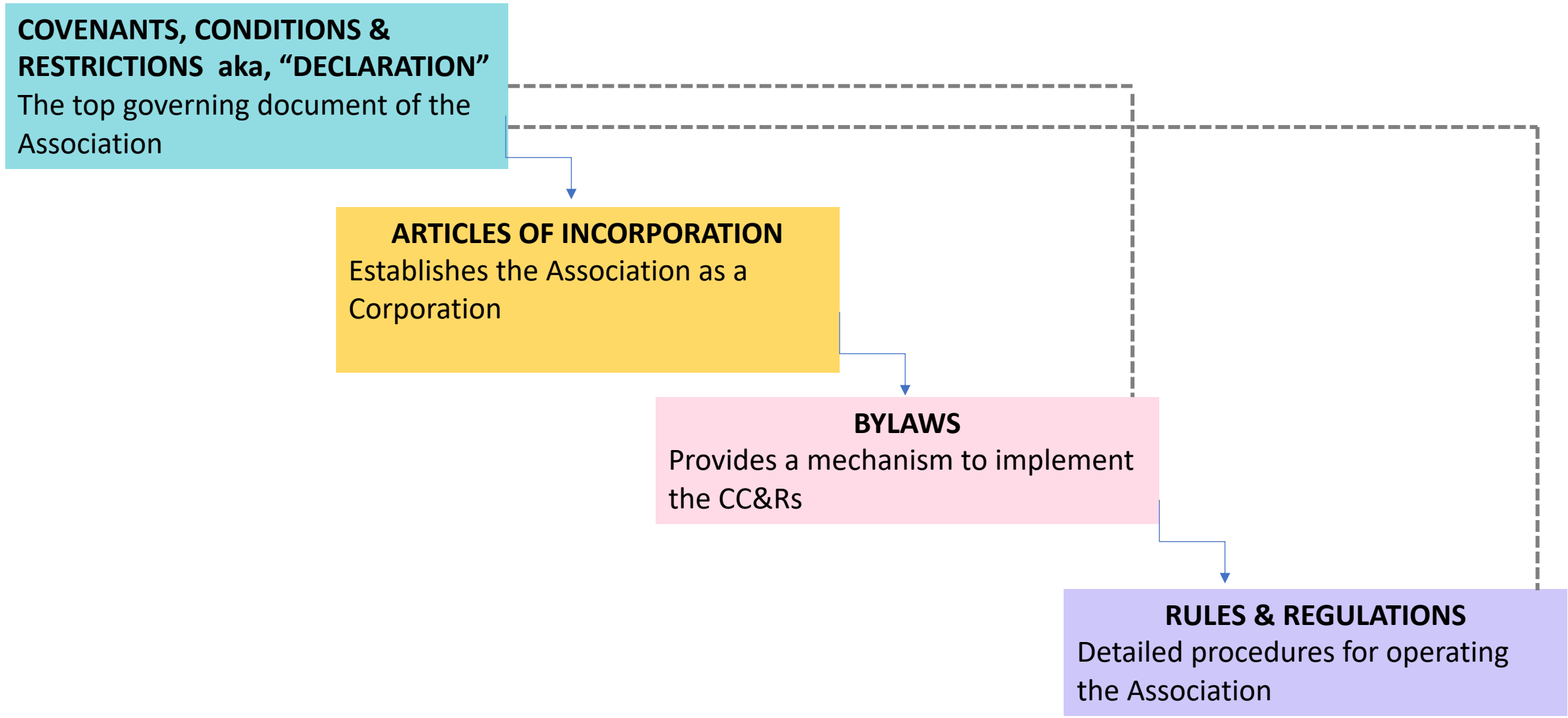
Establishes the Association as a Corporation

BYLAWS

Provides a mechanism to implement the CC&Rs

RULES & REGULATIONS

Detailed procedures for operating the Association



Covenants, Conditions and Restrictions

CC&Rs are the highest level of documents

- Often referred to as “The Declaration”
- Part of the Owner’s deed
- Outlines how The Cottages operates and lives together
- Rules of our neighborhood with respect to individual Units and Common Areas
Examples: garage door closed, garbage cans, street parking, exterior appearance
- Defines both HOA and Homeowner responsibilities



Articles of Incorporation

- ➡ Legally filed with State of Florida
- ➡ Documents the creation of The Cottages Homeowners' Association as a Corporation
- ➡ Provides a process for amendment

Bylaws

- New Bylaws coordinate with new Declaration
- Cover how the HOA operates as an organization
- Guidelines on the internal affairs of The Cottages
- Membership and number of Members (41)
- Explains duties of the Board of Directors

Bylaws

- Establish meeting & quorum requirements
- Membership voting rights and voting process
- A process to change or amend documents
- Record keeping

The Cottages is Unique

A single-family home community where the exterior of each home is architecturally similar in order to create a uniform appearance throughout the neighborhood

Specific architectural guidelines and covenants are required to maintain the overall look and ambience of the neighborhood

A unified streetscape of canopy trees and palms

Owner Responsibilities

Owners are responsible to comply with all covenants and architectural guidelines of both PLCA and The Cottages

Maintain all aspects of your Unit in good, clean, neat and attractive condition

Examples:

Roof & Driveway:

Keep clean, replace or repair according to Board pre-approved specifications

Fill out a DRC form for all exterior projects, repairs, and replacements

Owner Responsibilities

Lawn and Landscape

In general – Owner maintains all aspects of the yard in good, clean, neat and attractive condition

- Owners can use any landscape contractor for yard improvements
- Owners are required to use the HOA contracted irrigation specialist because irrigation is one interconnected system
- DRC approval process is required for major re-landscaping projects

Owner Responsibilities

Lawn and Landscape

- Replacement of all landscape to include sod, shrubs, flowers, trees
- Replant bare areas and dead or dying plants as soon as possible
- Maintenance of specialty plantings such as rose gardens & butterfly gardens

Arrangements for maintenance of specialty gardens may be made between the Owner and the landscape contractor and billed directly to the owner



Owner Responsibilities

Lawn and Landscape

- ✓ Removal of weeds, high grass, underbrush or other unsightly growth
- ✓ Mulch, if desired, on the sides and back of the unit (private areas intended for the use of one Owner)
- ✓ Maintenance of plantings within a lanai or other area that does not provide ready access to the landscape contractor

Arrangements for maintenance of lanai plantings may be made between the Owner and the landscape contractor if desired



Owner Responsibilities

TREES

- Each Owner shall be responsible for the replacement of any tree located on their Unit
- If a tree must be replaced due to any action or inaction on the part of an Owner cost for such replacement shall be borne by the Owner
- All tree removals and replacements must be pre-approved by both The Cottages Board and PLCA

Owner Responsibilities

*Irrigation:
one
interconnected
system*

- ✓ Irrigation system changes, due to improvements or alterations to the Unit or landscape shall be billed to the Owner, then the HOA does the maintenance and repairs
- ✓ Owners must use the HOA irrigation contractor for any modifications or additions
- ✓ Irrigation system components located within a lanai or other area that does not provide ready access to the irrigation contractor
- ✓ East side controllers are maintained and replaced by the HOA. East side Owners are not authorized to change settings on the controllers.

Owner Responsibilities

Other Examples

- ✓ *Yard Drains* – maintenance and repair if located on your Unit
- ✓ *Woodpecker Damage* - Owners repair and re-paint damaged areas
- ✓ *Utilities* - separately metered for the use of the Unit
 - *Submit a DRC form before any exterior project, repair, or replacement*
 - *Notify the HOA about items for which the HOA is responsible*

HOA Responsibilities

In general, the HOA exists to maintain the Common Areas and has the responsibility to enforce the Covenants in order to:

- Promote a quality environment
- Preserve the value of the Members Units
- Foster the attractiveness and functional utility of The Cottages as a place to live



*Lawns and
Landscaping on
Individual Units*

HOA Responsibilities

- ✓ Routine scheduled landscape maintenance on the Units
- ✓ Tree trimming of oaks and palms on a schedule set by the Board
- ✓ Mulch on the front of the Units

HOA DOES NOT:

- *Replace dead or dying shrubs, sod, trees, or flowers on a Unit*
- *Maintain specialty gardens or private areas intended for the use of one Unit such as lanai or area not easily accessible to contractors*

HOA Responsibilities



Irrigation

- ✓ Routine maintenance, repair, and replacement of irrigation system components once installed on a Unit
- ✓ Irrigation water is a Common Expense. Water is provided to the HOA through the Bay Creek CDD which controls all irrigation water access. The HOA pays the CDD for the water
- ✓ HOA is not responsible for irrigation maintenance in private areas such as a lanai or area not easily accessible to irrigation contractors

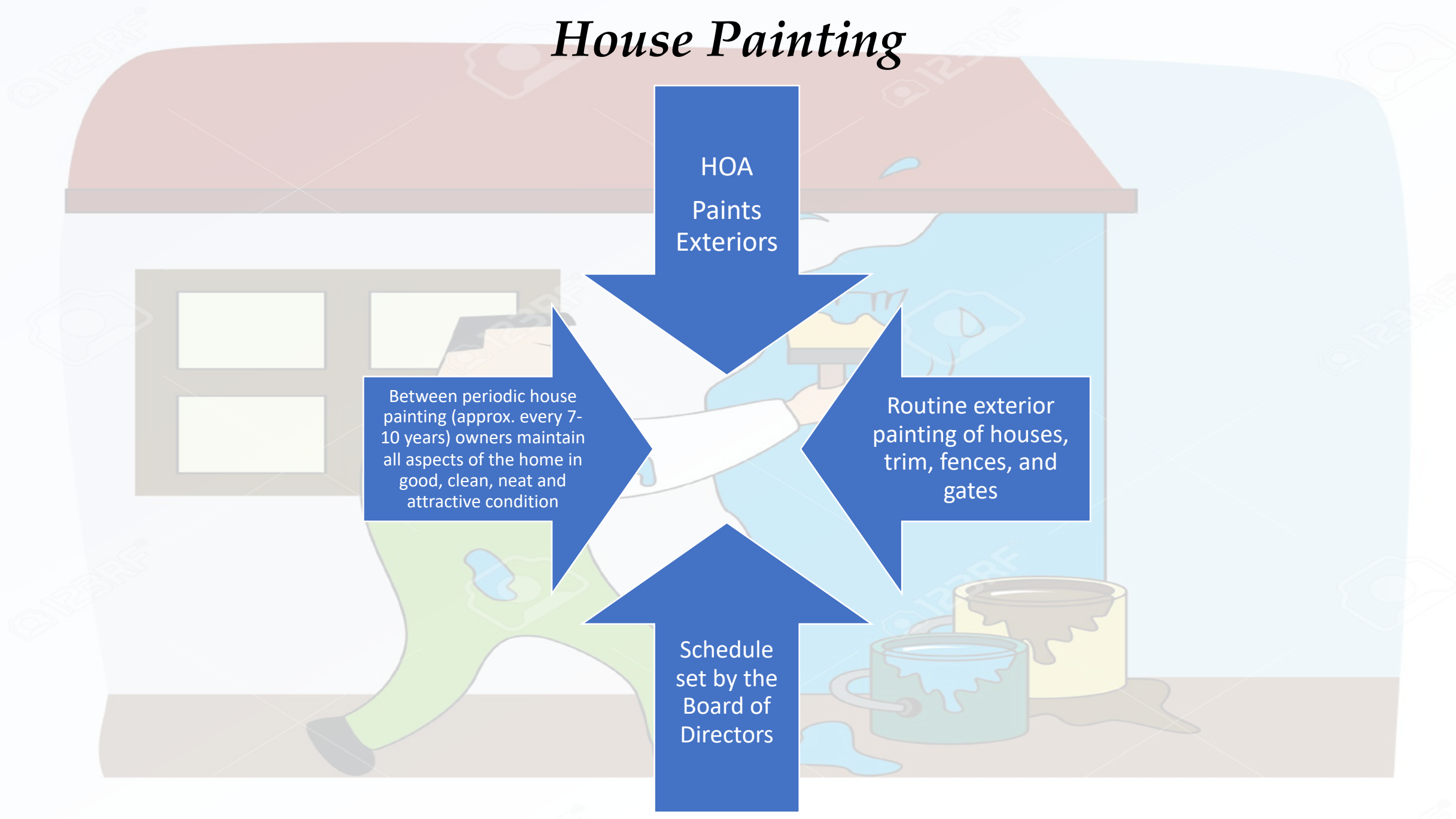
House Painting

HOA
Paints
Exteriors

Between periodic house painting (approx. every 7-10 years) owners maintain all aspects of the home in good, clean, neat and attractive condition

Routine exterior painting of houses, trim, fences, and gates

Schedule set by the Board of Directors





*HOA Responsibility
Common Areas*

- **Road, common area fencing, street signage**
- **Fountain and fountain light**
- **Landscape maintenance, replacement, and litter removal**
- **Gazebo, deck, pergola, gazebo lights**
- **Landscape lighting**
- **Light fixtures and street lights**

*HOA
Responsibility
Common Areas*

- **Entry monument and sign**
- **Common area utilities such as electric, fountain, and landscape lighting**
- **Mailbox maintenance, repair and replacement**

*HOA is not responsible
for repair of mailbox
damage caused by
negligence on the part
of an Owner or invitee*



HOA Responsibility Common Expenses

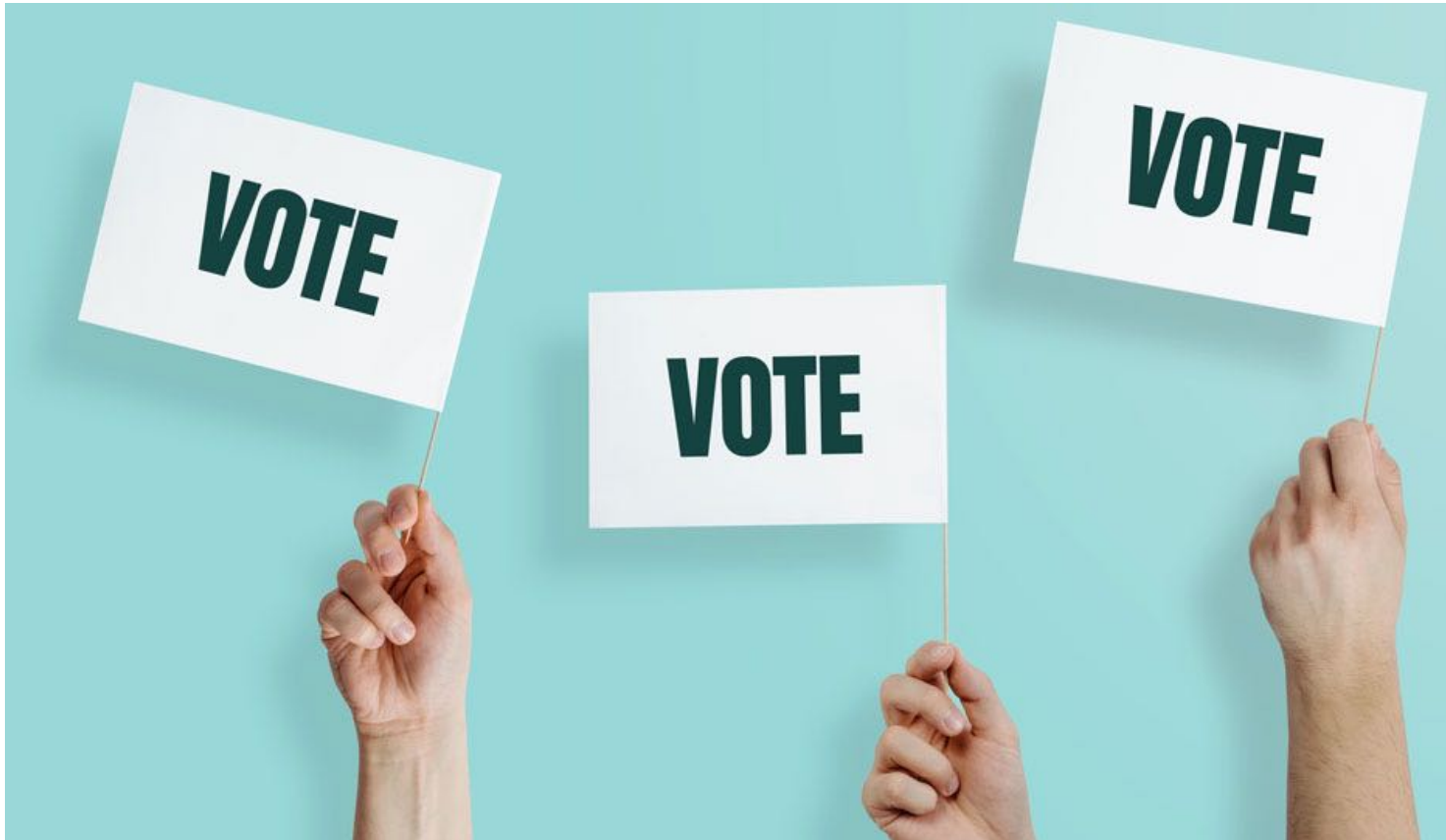
- Required insurance and liability expenses
- Taxes, if any
- Legal expenses
- Specified Reserve funds
- \$30,000 limit on expenditures
- Social activities sponsored by the HOA
- Administrative & miscellaneous expenses of HOA



Steps Remaining to Final Approval

- ✓ Town Meeting March 22
 - Presentation via Zoom and feedback from Members
- ✓ Working with lawyer on final version
- Final version emailed to Members for review
- Vote**
- Record Amended CC&Rs at the County Recorder's office
- Documents available on-line at www.cottagespl.org
- Documents available on request from Resort Management

VOTING



Vote

Vote will be overseen by Resort Management

Ballot

Vote by Zoom
Vote by Ballot or Proxy

Send

Return Ballot or Proxy by
Email
Mail to Resort Management
Give to a Board member

Any Questions...



