



*Rotonda West*  
Association

# Deed Restrictions & ResMod Town Hall Meeting

January 19, 2023



*Rotonda West*  
A s s o c i a t i o n

## Agenda

- Purpose of Deed Restrictions and Residential Modification (ResMod) Guidelines
- Evolution of Deed Restrictions
- ResMod Guidelines
- Committee Roles and Responsibilities
  - Deed Restrictions
  - Residential Modification Committee
- Residential Modification Process
- Deed Restriction Compliance Process
- Estoppel Process
- Q&A



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- Deed Restrictions
  - Rules and Regulations
    - Land Use
    - Appearance
  - Enhance property values
  - Maintain neighborhood attractiveness
  - Applies to the property, not the owner

## No Deed Restrictions



## With Deed Restrictions





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- Residential Modification (ResMod) Guidelines
  - Standards for design and construction
    - Alterations
    - Improvements
    - Modifications
    - Additions
    - Accessory structures
  - Statutory committee – required by FL 720
  - Ensure aesthetic appeal
  - Avoids eyesores



- Evolution of Deed Restrictions and ResMod Guidelines
  - Deed Restrictions
    - Original Deed Restriction document filed 1969
    - 7 Revisions – 1984, 1995, 1998, 2003, 2012, 2015 and 2020
    - One pending revision
  - ResMod Guidelines
    - Current version recorded in 2020



- Deed Restriction Committee

- Complete description of role and responsibilities is provided in Chapter 12, Section 12.08 of the RWA *Policy and Procedures* manual (copy available on RWA website)
- Highlights
  - Review Deed Restrictions annually and make recommendations for any appropriate revisions
  - Make recommendations for consistent enforcement of the deed restrictions
  - Develop a transition plan in the event the developer relinquishes control



- Residential Modification Committee

- Complete description of role and responsibilities is provided in Chapter 12, Section 12.07 of the RWA *Policy and Procedures* manual (copy available on RWA website)
- Highlights
  - Review and approve/disapprove applications relative to residential modifications/improvements
  - Create, publish and update as required a set of *Residential Modification Guidelines*



- Residential Modification Process

- Approval required for improvements, alterations, modifications, accessory structures and additions
- Residential Modification Application
  - Available on RWA website under Applications and Forms
- Residential Modification Committee
  - Reviews and approves/denies residential modification applications twice each month
- 2574 applications submitted in 2022
  - Top 3 modifications: roofs, paint, fences and site screens



**ROTONDA WEST ASSOCIATION, INC. – RESIDENTIAL MODIFICATION APPLICATION**

This form must be completed and approved prior to the start of work on any property in the Rotonda West Association.

1. This application is good for six (6) months from the date of approval. All work must be underway or completed within this time frame. If work is not underway within the six (6) months, or there has been a change in the proposed modification, you must resubmit your application. If application is denied, it may be resubmitted to the Residential Modification Committee or appealed to the Rotonda West Board of Directors.

2. **A complete description and location of the proposed work, materials, and colors including any manufacturer's brochure must be submitted with each modification application. SEE CHECKLIST BELOW!**

It is the applicant's responsibility to ensure that all modifications comply with the specifications and requirements described in the Rotonda West Deed Restrictions and the Rotonda West Residential Modification Guidelines ([www.rotondawest.org](http://www.rotondawest.org)). In addition, it is the applicant's responsibility to comply with all Charlotte County requirements, including permits.

**A \$50 DOLLAR FINE WILL BE IMPOSED IF WORK IS STARTED BEFORE APPROVAL**



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Owner's Name \_\_\_\_\_

Modification Address \_\_\_\_\_

Subdivision \_\_\_\_\_ Lot Number \_\_\_\_\_

Owner Phone \_\_\_\_\_ Date of Request \_\_\_\_\_

Email Address \_\_\_\_\_

Owner Signature \_\_\_\_\_

Contractor Name \_\_\_\_\_ Phone \_\_\_\_\_

Date Received \_\_\_\_\_ By \_\_\_\_\_

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments \_\_\_\_\_

**✓ CHECK LIST OF REQUIRED ITEMS:**

**PAINTING/RE-PAINTING AND PAINTING OF HOUSE, ADDITIONS AND/OR ACCESSORY STRUCTURES INCLUDING POOL CAGE, SCREENED FRONT ENTRY, GARAGE SCREEN(S)**

- \_\_\_\_ Current color picture of exterior of house and roof
- \_\_\_\_ Sample of colors, indicating where base color and any trim color(s) will be applied
- \_\_\_\_ Current color picture of addition, accessory structure, screened front entry, garage screen(s), and/or pool cage denoting color/trim location, and materials that will be used.



**NEW ROOF/RE-ROOF**

- \_\_\_\_ Current color picture of exterior of house and roof
- \_\_\_\_ Sample of materials to be used and colors



**GUTTERS/SOFFIT/FASCIA/LEAFGUARDS**

- \_\_\_\_ Current color picture of exterior of house and roof
- \_\_\_\_ Site plan showing location of gutters, soffit/fascia/leaf guards along with colors to be provided



**DOORS (Main Garage & Exterior including Screened Doors)/PAINTING OR REPLACING**

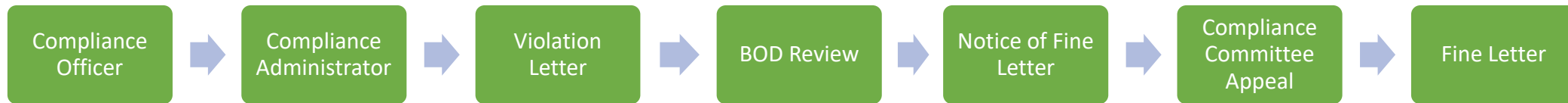
- \_\_\_\_ Current color picture of door & Sample of color (Painting)
- \_\_\_\_ Current color picture of door & Photo example of door to be installed





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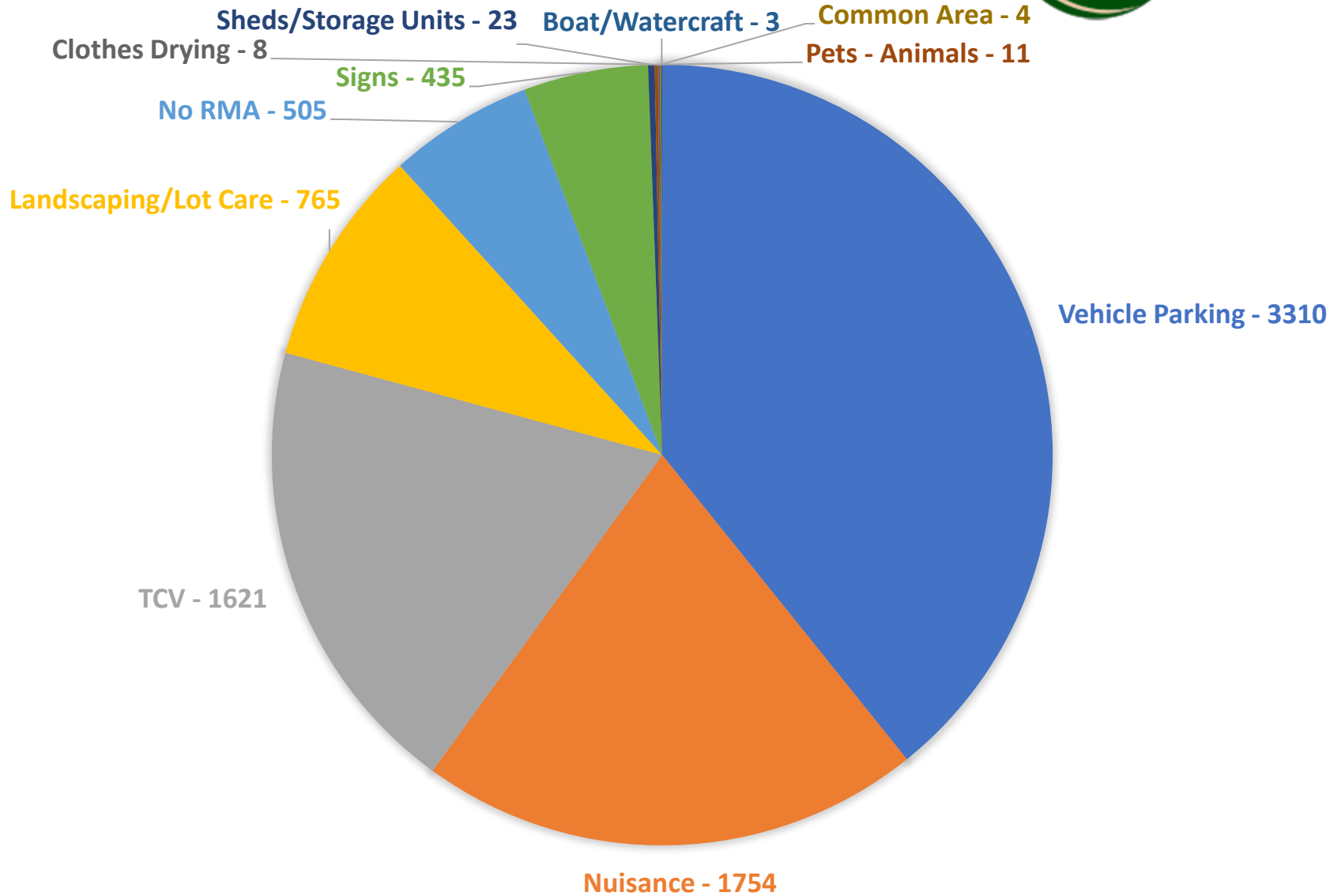
## Compliance Process



# Deed Restriction Violations - 2022



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## Estoppels protect seller and buyer

- Verify no outstanding balances -assessments or fines
- Ensure property is compliant – no violations

## Informs the buyer

- Any special assessments
- Outstanding lawsuits against RWA
- Financial issues
- Up to date RWA insurance
- Copies of governing documents



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Title agency notifies RWA of upcoming sale

- Date of closing
- RWA completes estoppel in 10 days

RWA identifies

- Assessment and violation fine delinquencies
- Claim of liens
- Existing violations
- Owner verification



## Estoppel Inspections

- Compliance officer checks for violations
  - Sheds
  - Wood fences
  - Unauthorized structures
  - Presence of invasive species – vacant lots

RWA notifies title company of any outstanding violations

RWA held up 33 closings due to non-compliance



# Rotonda West Association

- ESTOPPEL FEE \$250.00
- TRANSFER FEE \$150.00
- RUSH ESTOPPEL FEE \$100.00



ROTONDA WEST ASSOCIATION, INC.

### ESTOPPEL CERTIFICATE

ESTOPPEL FEE	\$250.00
TRANSFER FEE	\$150.00
DUE AT CLOSING	\$400.00
WITH COPY OF DEED	

Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_

Segment: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Annual Association Fees are payable in one installment due on 01/01 of each year.

Annual Assessment for Current Year: \$190.00

Special Assessment which the Board levied in the Past Months: NA

ROTONDA WEST ASSOCIATION INC  
646 ROTONDA CIRCLE  
ROTONDA WEST, FL 33947

Estoppel Certificate Fees: \$250.00 Per Lot/Tract, payable to Rotonda West Association, Inc., 646 Rotonda Circle, Rotonda West, Florida 33947. The Estoppel Certificate Fee must be paid within thirty (30) days of the date of closing for which the written estoppel certificate request was submitted. In the event that the Estoppel Certificate Fee is not timely paid, the amount due shall be treated as a delinquent assessment and subject to all remedies for the collection of delinquent assessments set forth in Chapter 720, Florida Statutes and the Association's Governing Documents, including but not limited to the assessment of late fees, interest, and lien and foreclosure rights.

As of \_\_\_\_\_, 2023, the amounts unpaid to the Association for Annual Assessments and Special Assessments (inclusive of any interest, late fees or attorney's fees) which have accrued for the Lot/Tract are \_\_\_\_\_

The responses herein are made in good faith and to the best of my ability as to their accuracy.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ROTONDA WEST ASSOCIATION, INC.

**IF PRESENT -  
Brazilian Peppers  
Must be REMOVED PRIOR TO  
THE SALE**

By: \_\_\_\_\_

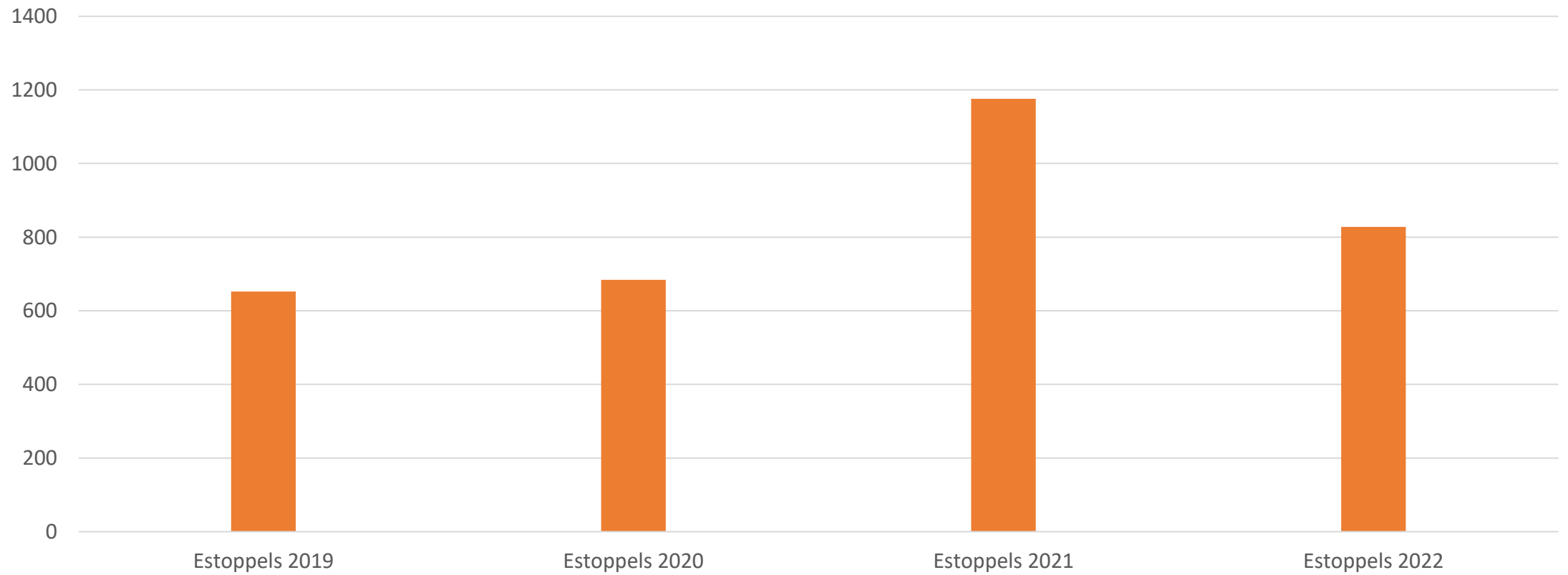
Jenny Bulle  
Bookkeeper

(CORPORATE SEAL)



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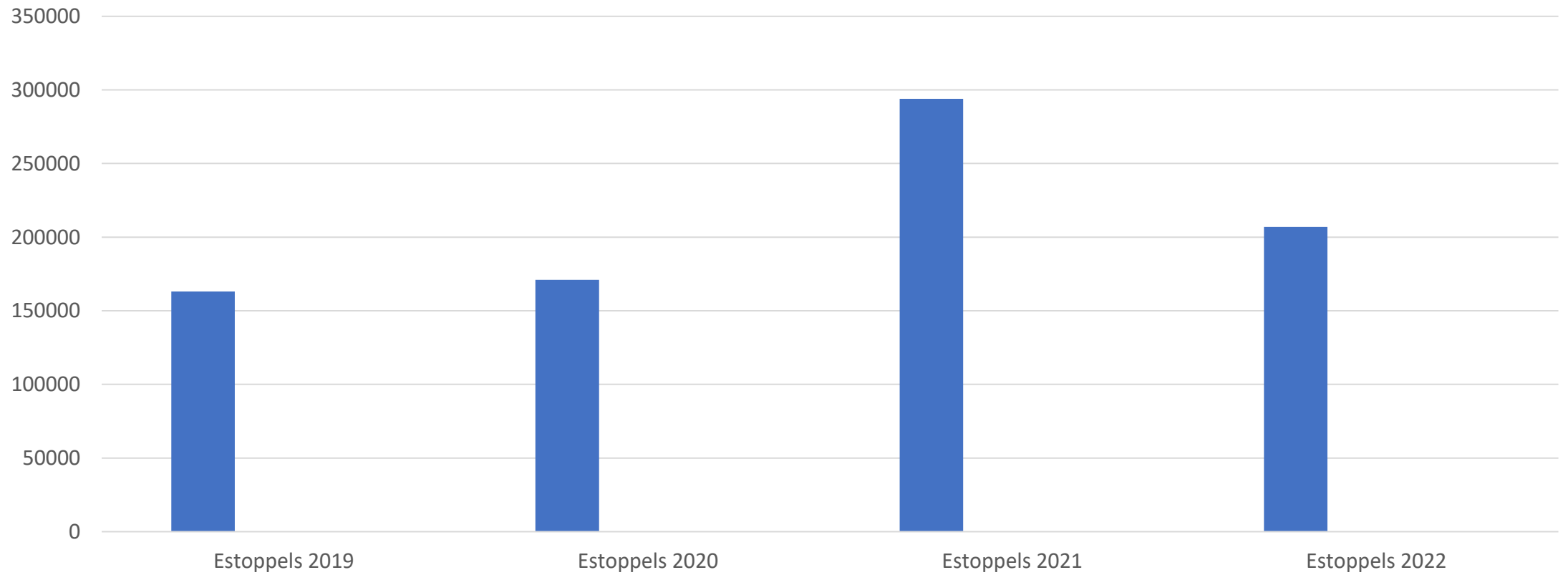




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Dollars

RWA





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Q&A

???????



- **Post-Ian Emergency Motions**

- Motion to suspend the requirement for an RMA, until 3 April 2023, for any repairs needed as a result of damage caused by Hurricane Ian. Repairs should be limited to “like for like” and the same footprint as previous to the storm. The Deed Restrictions and Residential Modification Guidelines must still be followed.
- Motion to suspend all parking restrictions until 3 April 2023.
- Motion to suspend all regularly scheduled activities at the Community Center and Broadmoor Park until further notice.
- Motion to suspend all mowing of vacant lots, greenbelts, and other RWA maintained areas until such time as the Manager determines sufficient staffing is available to accomplish the tasks.