

Rotonda West Association, Inc.
646 Rotonda Circle, Rotonda West, FL 33947
Deed Restrictions and ResMod Guidelines Town Hall Meeting *
January 19, 2023

Call to order: The meeting was called to order at 9:00 a.m.
Panel: Brian Armen, Les Goodman, Dale Jensen, Loni Kiedrowski,
Barbara Peszko, Andy VanScyoc
Staff: Derrick Hedges, Joe Harris
Members Attending: See Attendee List at end of minutes

Introduction

Dale Jensen convened the meeting at 7:00 p.m. and introduced the members of the panel and the moderator for the evening, Les Goodman.

Presentation

Les Goodman presented an educational overview of the Deed Restrictions and ResMod Guidelines including the purpose and evolution of those documents, the roles of the committees that oversee those documents and the ResMod process. The RWA manager, Derrick Hedges then provided an overview of the Estoppel process followed by the Rotonda West Association.

A full copy of the presentation is available on the RWA website in the “Meeting Minutes” section.

Question and Answer Period

Les then opened this section of the meeting up to member’s questions. The following set of questions were provided to the committee via email prior to the meeting. Following those questions are the questions presented by members during the meeting.

* Note: A complete video recording of this meeting is available on the Rotonda West Association website at [Recorded Zoom Meetings – Rotonda West](#). For a complete recounting of what transpired at this meeting including all discussions and comments, you can always refer to this recording.

Member Questions Received via Email

From Danny Monica

West Pine View Lane

Q1. Who is the developer?

A1. The developer is a gentleman named Gary Littlestar and he is the President of Cape Cave Corporation.

Q2. What control does he have over the HOA (in detail please)?

A2. Section 29 of the Deed Restrictions states the total authority of the developer. The developer currently has the right of final approval for any change to the current deed restrictions and ResMod guidelines.

Q3. Does he own deeded lots or acreage in RWA?

A3. Yes

Q4. Does the developer pay HOA fees on lots or acreage he owns in RWA?

A4. Yes

Q5. There have been a few statements in meetings, stating he plans to turn over the developer rights to RSW. At this time can that be explained?

A5. The association received word from the developer's representative that he will be transferring his rights to the RWA. We have not received anything in writing at this time but the developer requested that his intentions to transfer his rights to the association be made public.

From: Eric Turner

1128 Rotonda Circle

Q1. Regarding the storage of wheelbarrows and miscellaneous items along the side

of homes where they are visible by adjoining homes, is this addressed in the deed restrictions? If not it should be.

A1. Section 15 Deed Restrictions - Nothing shall be done on a Lot/Tract or the Common Areas which is or may become an unreasonable annoyance or nuisance to any person or which would not be consistent with the maintenance of the highest standards for a first-class residential community.

Q2. If a deed restriction violation is brought up to the office is it ever addressed?

A2. All reported violations are addressed and investigated.

From: John Griffiths

158 Marker Road

Q1. Is there a deed restriction for having basketball hoops located on public ways? If not can we add one?

A1. Section 10 ResMod Guidelines - Recreational activity equipment, including permanent basketball hoops and trampolines, may be permitted, with RMC approval, so long as they are not placed beyond the front of the Dwelling or the garage with one exception allowing for portable basketball hoops. When used in front of the Dwelling or the garage, no portion of the portable basketball equipment and hoop may extend over the roadway.

From: Pamela Wright

257 Mariner Lane

Q1. Previously any changes to deed restrictions had to be approved by the developer. With the rumor the developer is moving from involvement with RW, how will changes be approved once lawyer approved? Simply by vote of the BoD?

From: Eric Turner

1128 Rotonda Circle

Q1. Regarding the news that the developer is no longer going to be involved with the HOA how will this affect the changing of and enacting of new or modified deed restrictions?

The following answer addresses both Ms. Wight's and Mr. Turner's question.

A1. **Section 36 Deed Restrictions - METHOD OF AMENDMENT OF DECLARATION**
Following assignment of the reserved amendment authority of the Developer to the Association, a resolution for the adoption of a proposed amendment may be adopted by a vote of a majority of the Members present (in person or by absentee ballot).

From: Robert Ivey

79 Long Meadow Place

Q1. What is the status/ruling regarding companies buying up Rotonda properties to rent out on the AirBnB market?

A1. **At the present time there is no rental restriction in our governing documents but this is a growing concern.**

From: Ed Ostrander

1113 Boundary Blvd.

My question is whether there will ever be any consideration of allowing construction of a small outbuilding (i.e. storage shed, pool house, home office, etc.) that is not physically connected to the house? Any new structure would have to meet current building and zoning codes.

Section 9. SHEDS, TEMPORARY STORAGE UNITS AND ACCESSORY

BUILDINGS: No sheds, temporary storage units, or Accessory Buildings shall be erected or placed on any Lot/Tract, regardless of whether they are Visible or can be seen from any vantage outside of the Lot/Tract.

From: Anonymous.

Q1. The neighbors used to keep the boat in the 3rd garage area. Now they have a new car in the garage and the boat has been moved next to the house FOR MONTHS NOW. There is nothing wrong with the interior of the garage.

They also have their garbage cans outside of the garage in plain view of the street. If this is now allowed, I'll too move my garbage cans out of my garage and bring my boat home as I own the lot adjacent to me (my lots have been killed and combined to form one lot).

If this doesn't apply to your department, please forward my question to whoever can answer it.

I would like an answer so I don't do anything to be in violation of any deed restrictions.

Parking restrictions were suspended at an emergency meeting of the BOD 4 days after hurricane Ian. It was intended to ease the burden on members owning boats, trailers and RV's that needed to be removed from their storage facilities due to damage from the hurricane. It has been 4 months since the storm and most storage facilities have been repaired and are able to accept their customers' boats, trailers and RV's. This is an important issue that needs to be addressed by the BOD to consider amending the motion to suspend all parking restrictions.

Member Questions During the Meeting

From: Sam Besase
474 Rotonda Circle

Sam pointed out that Charlotte County has established a permitting process to allow RVs/travel trailers to park at a home for an extended period of time. First, the home must have been deemed uninhabitable by FEMA. Second, the RV/travel trailer must be parked in a specific spot on the lot. The homeowner can obtain a permit from Charlotte County.

From: Karen Harvey
12 Pine Valley Lane

Q1: Did the developer sell all of his commercial lots?

The lots he sold are zoned as commercial tourism. He still has some remaining lots, both commercial and residential

From: Maureen McDowell
74 Pine Valley Lane

Q1: Is the office following up on homes/lots where there are multiple travel trailers, RVs, campers and large trucks parked on homeowner's property or on vacant lots?

Yes. The office is compiling a list of violations such as those mentioned and have been following up with phone calls and letters advising of the intent to fine if the violation is not remedied.

From: Steve Kirkpatrick
206 W. Pine Valley Ln

Q1: Where can watercraft be stored?

Watercraft can be stored in the canal as long as it is moored closely to the shore or the member's dock. If not in the canal, watercraft must be stored in a garage.

From: Joe Amabile

1129 Rotonda Circle

Q1: Is there any stronger means to enforce remedy of deed restrictions other than the current fining process which the violator may choose to ignore?

No. The RWA must follow the current compliance process. However, the RWA staff have been working with a law firm to begin processing liens and foreclosures on habitual and/or long-term violators.

From: Christyn Scott

186 W. Pine Valley Lane

Q1. Ms. Scott is concerned that the RWA may be considering deed restrictions that would eliminate or limit the ability of member's to rent their homes. She asked if the RWA has any records showing that rental homes are violating the current deed restrictions and/or causing a nuisance more than non-rental homes.

Ms. Scott was advised that the pending deed restriction and residential modification guidelines awaiting developer approval do not contain any language that may impact the ability of member's to rent their homes. Currently, disturbances at rental homes and non-rental homes are handled via the nuisance section of the deed restrictions.

From: Linda Zielke

4 Clubhouse Rd

Q1. Ms. Zielke asked if a list of the proposed revisions to the Deed Restrictions and ResMod Guidelines was available.

Ms. Zielke was advised that the changes were publicly discussed and made readily available during multiple committee meetings over the past two years and during the two workshop meetings and two BOD meetings. Nevertheless, Ms. Zielke's request will be considered, and the change document will be made available in the near future.

From: Randy Keller

29 Sportsman Ln

Q1. Mr. Keller asked if the RWA was processing violations against builders who have not installed a dumpster at their new build site.

Yes, the RWA is actively pursuing builders who are making a mess at their building site. In some instances, the RWA has cleaned the site and back billed the builder.

From: Karen Huber

Unknown

Q1. Ms. Huber asked if during the estoppel process someone from the RWA actually came to the property in question and did an inspection.

Yes, an inspection is done and all potential deed restrictions are noted and provided to the current owner to remedy.

In-Person Attendees

Claudine	Hoffer
John & Jo	House
Bruce	Grosvenor
Leo	VanOrden
Steve & Adin	Kirkpatrick
Sam	Besase
Karen	Harvey
Jimmy	Renfrow
Barry & Mary	Patterson
Maureen & Bucky	McDowell
Jack & Cristy	Metz
Craig	Finck
Don	Kerro
Helen	Schweda
John & Joan	Fournier
Randy	Keller
Connie	Smith
Don	Jeanson
Jack & Cristy	Simmonds
Ann	Weaver
Sandi	Orgovan
Chad	Cochran
Ed	Ostrander

Attendees via Zoom

Joe	Amabile
Kent & Bonnie	Anselment
Dan	B
Alexander	Ball
Liz	Barrett
Bob	Bondeson
ruth ann	Brown
Jeff and Jill	Browne
Steve	Calvin
David & Holly	Carr
cindi	christenson
eric	christenson's
Ann	Cook
Brad	Dahlgren
Mr & Mrs	Daniels
Dave	Doiron
Debbie	German
Gwen	Grace
mike	hack
Derrick	Hedges
Lisa	Howerton
Lynne	Karasek
Tina	Kissane
Tom	L
Jennifer	Lahti
Ron & Jennifer	Lahti
Irene's	Lalrene
Tony	LoFrese
Rita	Lopienski
Donna	Lundelius
Scott	Lynam
Denise	Mazza
Lee	Miller
Danny	Monica
Lanelle	Morris
Lena	Sarver
Christyn	Scott
Darla	Shewmaker
Melissa	Shuey
Julie	Splawski

Jason	Sprunk
Lillie	Stefano
John	Stem
Patrick & Sharon	Szucs
Bob	Thibeault
Todd	w.
James	Wallace
Nancy	Ward-Snyder
Ed	Wiederhold

Full Name Unknown

Linda's
Robert's
Don's
JoAnne's
cathy
Howerton
idin
Jim
Judy
RoseAnne