



Rotonda West
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Deed Restrictions & ResMod Town Hall Meeting

October 25, 2023



Agenda

- Purpose of Deed Restrictions and Residential Modification (ResMod) Guidelines
- Evolution of the Deed Restrictions and ResMod Guidelines
- Committee Roles and Responsibilities
- Deed Restrictions and Res/Mod Change Process
- Pending Ad Hoc Committee Recommendations
- Residential Modification Application Process
- Deed Restriction Compliance Process
- Estoppel Process
- Questions/Comments



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- Deed Restrictions
 - Rules and Regulations
 - Land Use
 - Appearance
 - Enhance property values
 - Maintain neighborhood attractiveness

Without Deed Restrictions



With Deed Restrictions





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- Residential Modification (ResMod) Guidelines
 - Standards for design and construction
 - Alterations
 - Improvements
 - Modifications
 - Additions
 - Accessory structures
 - Ensures aesthetic appeal



- 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 set of pending revisions with the developer and one set awaiting Board action
 - Developer has indicated he may relinquish rights in late 2023
 - ResMod Guidelines
 - Current version recorded in 2020
 - One set of pending revisions with the developer and one set awaiting Board action



- Deed Restriction Committee

- Complete description of role and responsibilities is provided in the RWA *Policy and Procedures* manual which is available on the 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 to address developer turnover issues



- Residential Modification Committee

- Complete description of role and responsibilities is provided in the RWA *Policy and Procedures* manual which is available on the RWA website
- Highlights
 - Review and approve/disapprove applications for residential modifications/improvements
 - Recommend updates/revisions to the *Residential Modification Guidelines* as appropriate



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- Deed Restriction and Res/Mod Change Process
 - Current (Developer Control)
 - Member, committee and Board recommendations discussed at committee level
 - Vetted recommendations presented to Board for approval
 - After Board approval, changes sent to developer for approval
 - No deadline or requirement on when or if developer must approve all/some changes
 - Post-Developer (Member Control)
 - Member, committee and Board recommendations discussed at committee level
 - Vetted recommendations presented to Board for approval
 - After Board approval, changes sent to membership to vote yes or no
 - Should result in significant reduction in the amount of time it has taken for approval/denial



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- Ad Hoc Recommendations Awaiting Board Action on October 26, 2023
 - Deed Restriction Changes
 - 13 clarifications
 - 4 restrictions eliminated
 - 1 new restriction
 - 1 restriction changed to agree with Res/Mod Guidelines
 - ResMod Guidelines
 - 5 clarifications
 - 4 guidelines eliminated
 - 1 additional guideline
 - 1 guideline revised to be less restrictive
 - 1 guideline changed to agree with Deed Restrictions



- Residential Modification Application Process
 - Approval required for improvements, alterations, modifications, accessory structures and additions
 - Residential Modification Application
 - Available on RWA website under the “Living Here” heading
 - Residential Modification Committee
 - Meets twice each month to review and approve/deny residential modification applications
 - 2,521 applications submitted to date in 2023
 - Top 3 modifications: paint, roofs and fences/site screens (over 1/3 of total applications)



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). 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



Rotonda West
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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

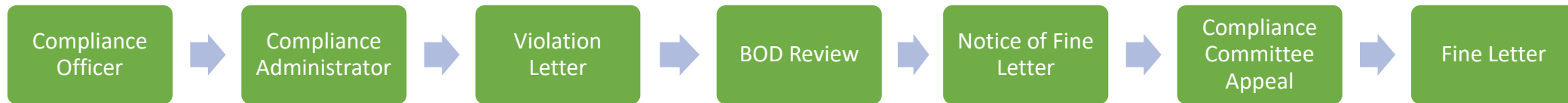


DOORS (Main Garage & Exterior including Screened Doors)/PAINTING OR REPLACING

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



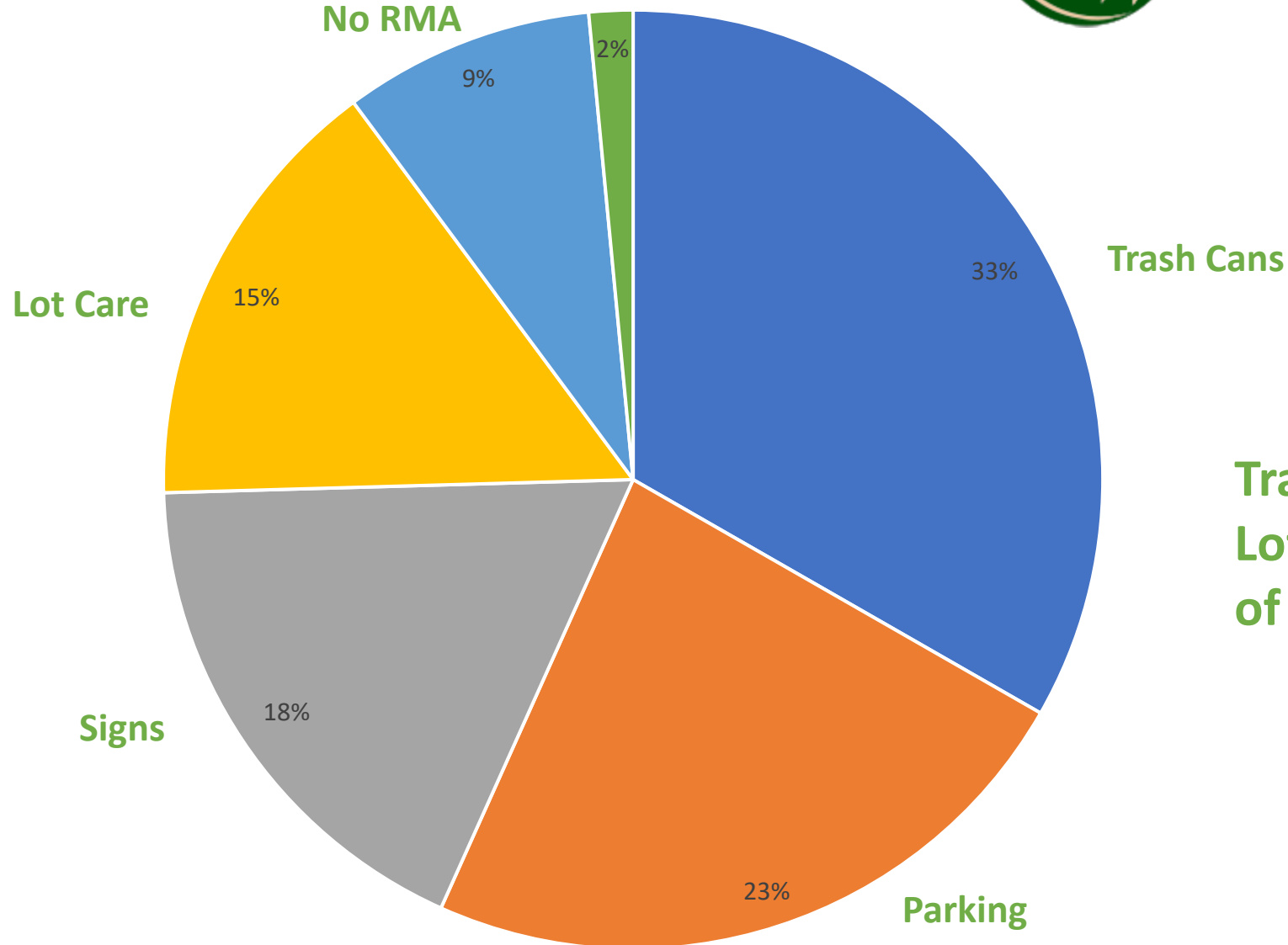
Compliance Process



2023 Violations



Rotonda West
Association



Trash Cans, Parking, Signs, Lot Care and No RMA = 98% of violations



Estoppel process protects seller and buyer

- Verifies that there are no outstanding balances, assessments or fines
- Ensures that the 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 plant species – vacant lots

RWA notifies title company of any outstanding violations

RWA held up 33 closings due to non-compliance



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Current Fees

- Estoppel Fee \$250.00
- Transfer Fee \$150.00
- Rush Estoppel Fee \$100.00

Fees Effective January 2024

- Estoppel Fee \$299.00
- Transfer Fee \$299.00
- 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

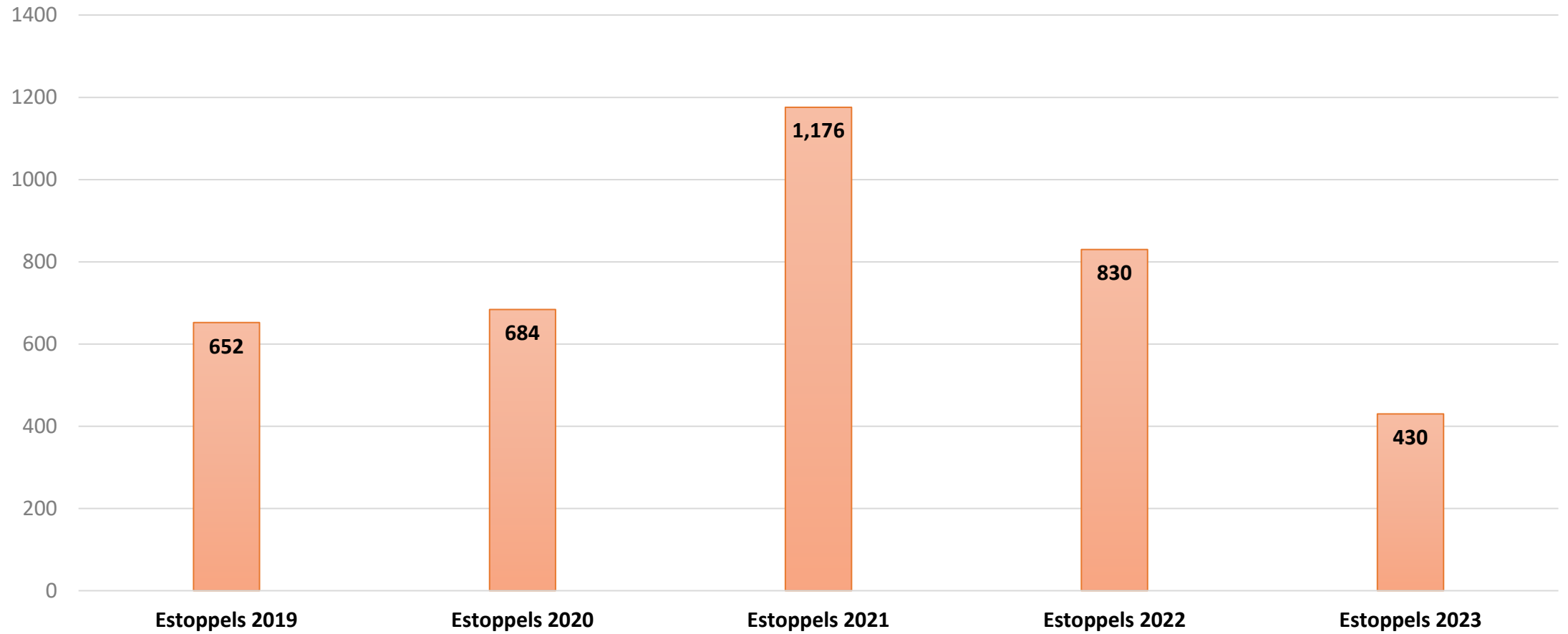
By: _____

Jenny Bulle
Bookkeeper

(CORPORATE SEAL)



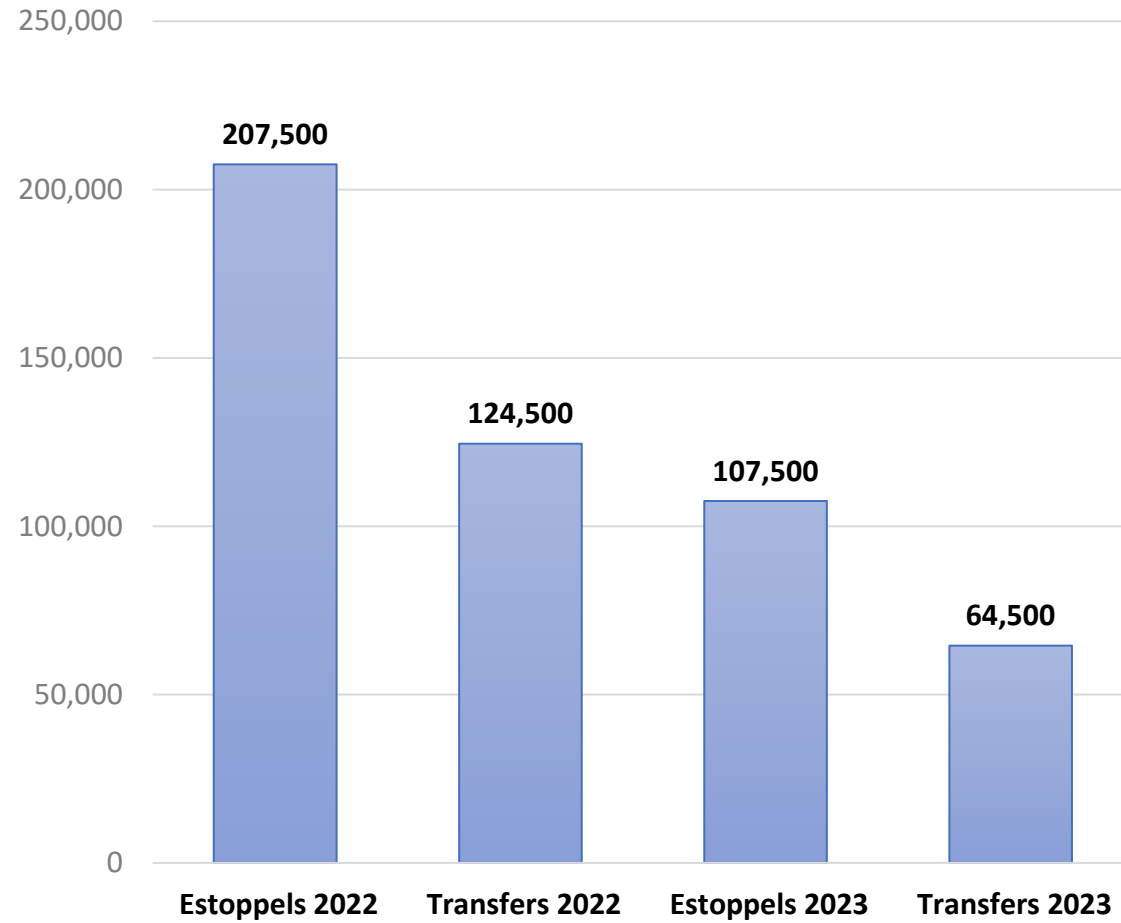
Rotonda West Association





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Association

Dollars





Questions?

Comments?