

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
September 28, 2006

1. CALLING OF THE ROLL

In attendance: Robert Bracken, Gladwin Unrau, Joseph Harris, Ron Woods, Harvey Goldstein, Gene Perry and Jay Carlson

Guests: Property Owners, David & Ruth Lapio, Robert Lavelle, Joseph Ballard, Sam Hamsharie, Mark & Janet Sollis, Joseph Fillman and Rep from Atlantis Pools.

2. CALL MEETING TO ORDER

The meeting was called to order by President Bracken at 1:00 PM.

3. APPROVAL OF MINUTES

A motion was made by R. Woods and seconded by G. Unrau to approve the minutes of the meeting of August 24, 2006 as written. Motion carried.

4. DAVID & RUTH LAPIO- 25523 TERRAIN LN (729-24) - PERGOLA

Mr. and Mrs. Lapio received a violation letter for having a separate structure in the rear yard of their home. The owners state that the pergola was damaged during Hurricane Charley and they refurbished it and that the structure enhances their landscape scheme. The Board agrees that the Lapio's property is very well maintained and attractive, however separate structures are not permitted. **A motion was made by R. Woods and seconded by G. Perry to deny the request to keep the pergola.** Motion carried.

5. ROBERT LAVELLE – 25342 NARWHAL LN (638-02) – VIOLATIONS @ 25350 NARWHAL LN

Mr. Lavelle addresses the Board with his concern of the unsightly and unhealthy condition of the property at 25350 Narwhal Lane. The Board explains that this case is in the hands of the Association Attorney, with the scheduling of mediation being the first step of the court process. The Association has contacted a company to mow the grass and that cost will be passed on to the property owner.

6. SONIA DVORAK – 1070 PARACLETE RD (667-09) – EXTENSION TO REMOVE POD

Ms. Dvorak was not able to attend the meeting. She informed the Association office staff that the POD is scheduled to be removed on October 5, 2006.

7. JOSEPH BALLARD – LINKS EDGE CONDO (737-10) – SAFETY NETTING

Mr. Ballard addresses the Board to appeal their July 27, 2006 decision to deny the request to put up netting in order to keep golf balls from hitting residents while they are in the pool. Mr. Ballard states that other condos have these nettings and he just wants to do what they have done. **A motion was made by R. Bracken and seconded by R. Woods to table this issue to the October 19, 2006 meeting so that the Board can look into the golf course issue.** Motion carried.

Minutes of September 28, 2006 Section 23 POA

8. SAM HAMSHARIE – 26029 CONSTANTINE RD (828-01) – VARIANCE REQUEST

Mr. Hamsharie requests a 1'3" variance of the rear setback in order to accommodate an addition. He obtained a statement from the neighbor indicating they had no objection to the variance. The Board reviewed the site plan. **A motion was made by R. Woods and seconded by G. Perry to deny the variance based on policy that variances are not granted on straight lots.** Motion carried. Mr. Hamsharie may reposition the addition to fit into the setback and reapply for a permit.

9. MARK & JANET SOLLIS – 1401 KINDEL CT (696-08) – VARIANCE REQUEST

This issue was tabled at the August 24 meeting so that the property owner could obtain additional information for the Board's review. Mr. Sollis reports that the County permit for the addition was renewed, the pool & driveway construction will be done by Mr. Sollis and he submits that he has obtained three quotes for the pool cage installation. He further states that the exterior home renovations will be complete by the end of November. **A motion was made by R. Woods and seconded by G. Perry to grant the 4' variance to the rear setback in order to accommodate a pool based on the Sollis' meeting the criteria of having an irregular shaped lot and obtaining statements from the neighbors.** Motion carried.

10. JOSEPH FILLMAN – MALAYA CT (813-01) – VARIANCE

Mr. Fillman requests a 4'7" variance of the rear setback in order to accommodate a pool. The Association was made aware that this home and pool was already under construction without Association permits by a phone call from Mrs. Fillman after she read the POA newsletter of July 2006. Sun Quest Homes immediately provided plans to the Association for review. The site plan showed the proposed pool encroaching the rear setback. The Rep from Atlantis Pools was not aware of the restrictions for Section 23. **A motion was made by R. Woods and seconded by H. Goldstein to deny the variance.** Motion carried.

11. COMMITTEE REPORTS

FINANCIAL REPORT

The Financial Analysis reports were distributed ending August 31, 2006. The ending cash balance is \$193,568.80; operating acct \$67,358.16; money mkt performance acct \$88,618.36; money mkt reserve acct \$19,353.48; storm repair acct 18,238.80. **A motion was made by H. Goldstein and seconded by G. Perry to approve the financial statements as submitted.** Motion carried.

*Rosenberg – 25389 Panache Lane (707-09) – Waive Attorney Letter Charge

The Association sent three notices to the property owner that the house trailer needed to be removed from the front yard of the property. Ms. Rosenberg requests the Board waive this fee because she cannot afford to pay it. **A motion was made by H. Goldstein and seconded by R. Woods to deny the request to waive the \$50.00 attorney charge from Ms. Rosenberg's account.** Motion carried.

Minutes of September 28, 2006 Section 23 POA

COMMON AREA & LAKES

R. Woods reports overgrown rip rap area and fallen trees & branches in the greenbelt in the Templar/Banff area.

J. Carlson reports that the greenbelt mowing cycle for September is being delayed one week in order to allow things to dry up.

ARCHITECTURAL REVIEW

Construction permits issued: 4 houses; 1 pool; 2 fences

CONSTRUCTION REVIEW & COUNTY LIASON

H. Goldstein has a meeting scheduled with Commissioner D'Aprile to discuss the status of the installation of the traffic light at Rampart and the school bus turn around on Luther Rd.

DEED RESTRICTIONS

*NORTH

*Rodriguez – 26114 Rampart Blvd (757-11) – Mediation

The property owner has received several notices in regards to the violation of completing repairs to the home, caging the pool area and maintaining the lawn and landscape on a routine basis. **A motion was made by R. Woods and seconded by H. Goldstein to proceed with filing the lawsuit in order to bring the property into compliance.** Motion carried.

*Lanese – 25380 Vantage Lane (674-25) – Extension

The property owners have requested a three month extension to install landscaping. **A motion was made by R. Woods and seconded by H. Goldstein to deny the request for an extension to install landscaping. Mr. and Mrs. Lanese will be notified that they have 15 days to comply.** Motion carried.

*SOUTH

R. Woods reports 609 violation letters have been sent in the North and 632 violation letters in the South as of August 31, 2006.

*Dubicki – 2091 Mauritania Rd (770-06) – Deed Restriction

The property owner has been notified that there is a violation of having an improper clothesline in the rear yard of the property. Ms. Dubicki responded by telephone to the Association office that the poles are part of a trellis that was damaged by Hurricane Charley. The Boards decision is that the poles have to be removed, a final notice will be sent to the property owner.

Minutes of September 28, 2006 Section 23 POA

*Wester – 2381 Malaya Ct (813-15) – Mediation

The property owner has received several notices in regards to the violation of completing repairs to the home, caging the pool area and storing unsightly items in view. **A motion was made by R. Woods and seconded by H. Goldstein to proceed with filing the lawsuit in order to bring the property into compliance.** Motion carried.

*MULTI FAMILY

*Edward Browne, Sunnydell Commons – Explorer Road – Sign Request

Mr. Browne requests approval to install a 4’x8’ temporary “Apartment for Lease” sign at the entrance of the property for a period of six months or until the units are rented. **A motion was made by R. Woods and seconded by H. Goldstein to deny the request as presented. The Board will allow a 6’ square sign similar to those posted at model homes.** Motion carried.

*Construction Unlimited, George Stanley – Capricorn Blvd. – Sign Request

The property owner, Leonard Mustari, received a violation letter for having an oversized sign on the vacant lot on Capricorn Blvd. The Board received a written request from the construction company to allow the 48”x30” construction sign to remain. The Board will allow the sign to remain until construction is complete.

G. Perry is working on having vacant lots cleaned up that are next to homes in the multi family area, progress is slow but it is working.

12. OTHER BUSINESS

*Charlotte County Sheriff’s Dept – Bob Melendez

Not present.

13. ADJOURNMENT

Meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Ronald Woods, Secretary

Recorded by:

Teresa Boucher