

**ROTONDA HEIGHTS CONSERVATION ASSOCIATION, INC.**

**New Construction Compliance Program**

**October 2015**

**INTRODUCTION**

The Rotonda Heights Conservation Association has established a New Construction Compliance Program to ensure that Lots/Tracts are maintained in an orderly manner throughout the construction process and cleared of all construction debris, materials and other debris within a reasonable time following completion, termination or suspension of construction and to further ensure that the Dwelling and other Improvements constructed on the Lot/Tract, together with the Lot/Tract itself, conform to all Association Governing Documents and County, State and Federal requirements and permits following completion, termination, or suspension of construction.

**PROGRAM REQUIREMENTS**

The Association requires that the following are upheld throughout the construction process:

1. All work undertaken in observance of the New Construction Compliance Program shall be in full compliance with all Association Governing Documents and County, State and Federal requirements and permits.
2. All Lots/Tracts shall be maintained in an orderly manner throughout the construction process and cleared of all construction debris, materials and other debris within a reasonable time following completion, termination or suspension of construction.
3. Portable toilets must be maintained on each site per Charlotte County regulations.
4. Portable trash containers (dumpsters) shall be placed on the site at the beginning of construction of the foundation footers and shall remain on site while construction is in steady progress until removal is necessary for final grading and sod. This **must** be a solid sided dumpster with a bottom – it may not have wire sides or bottom.
5. If steady progress on a home is put on hold or stalled, the dumpster must be removed, the site cleaned and graded and be kept free of debris and weeds.
6. All trash must be placed in the dumpster as it is generated. Trash **may not** be placed or stored on the ground. Dumpsters must not be filled over the top plane of the container and must be emptied when they are full to prevent trash from blowing out onto the site and adjoining lots.
7. Builders/Contractors shall be responsible for keeping all construction sites and adjoining lots free of trash and construction debris at all times. The remains of all lunches, snacks or meals must immediately be placed within the dumpster, not left in place to become scattered.
8. All required silt fences must be maintained to prevent eroded dirt from entering waterways and swales.
9. Rocks, trees and other vegetation must be removed from a building site and not pushed to adjoining lots.
10. A drainage path must be maintained in the swale between the home site and the road to permit proper drainage.
11. Article 9, Section 19, of the Deed Restrictions refers to maintenance and improvements within the waterway easement of Rotonda Heights lakes. When a Lot which borders a lake, pond, or canal or other body of water located within the boundaries of the subdivision is improved with any structure, the builder/owner shall finish grade, sod and mow the area between any property line and the water's edge.
12. The Lake Banks, an easement area between the property rear lot line and the water's edge of the various waterways, are NOT public right of ways and come under the authority of the Association. The Association has specific requirements for silt barriers, final grading, sod or improvements to the Lake Bank easement area.

## **PROGRAM FEE**

1. A **\$1,000 refundable fee** is required for each home under construction to ensure the program requirements are met.
2. All checks must be made payable to:  
ROTONDA HEIGHTS CONSERVATION ASSOCIATION  
P.O. BOX 3100, PLACIDA, FL 33946
3. The \$1,000 refundable fee must accompany the Application for Architectural Review form submitted for approval to the Association office. Plans will not be reviewed and construction may not commence without payment.
4. All refundable fees will be placed in a non-interest bearing account linked with the particular home site.
5. A new \$1,000 fee is required for each new application and will not be transferred from a completed project to a new or other project.
6. Refunds will be paid out once a month and will only be refunded to the same entity that submitted the original check. A copy of the Certificate of Occupancy for the particular home must be received by the Association office and the building site inspected for Program compliance before a refund is processed.
7. In the case of a violation, the cost of any corrective actions plus an administrative fee will be invoiced to the Owner/Builder in order to maintain the Fee balance or subtracted from the amount being refunded.
8. Any fees and/or deposits unclaimed after a period of six (6) months following completion of a project will be retained by the Association.
9. In the case of single-family homes, the \$1,000 refundable fee will be applied on a per home basis regardless of the number of lots that home might be sited on.
10. In the case of multi-family construction, the \$1,000 deposit will be applied on a per plotted lot basis. Sites covering more than a single lot will be required to pay a \$1,000 deposit on each lot.

## **VIOLATION OF PROGRAM REQUIREMENTS**

Failure to comply with the Lake Bank requirements or the New Construction Compliance Program including but not limited to ensuring that the Dwelling and other Improvements, together with the Lot/Tract itself, are properly maintained throughout and following completion, termination or suspension of construction and further conform to all Association Governing Documents and County, State and Federal requirements and permits following completion, termination or suspension of construction, may, in the Association's sole discretion, result in a forfeiture of the required fees and possible fines imposed on the owner.

### **The following procedure will be used in the event of a violation:**

1. If any of the above requirements are violated, the Association will notify the builder/owner and communicate the nature of the violation together with a request that the problem be corrected.
2. If this condition has not been corrected within 48 hours – 2 business days – the Association may hire the people and equipment necessary to correct the problem and direct them to do so.
3. A letter will then be sent informing the builder/owner of the Association's corrective actions and the cost of these actions which will include an administrative fee.

Thank you for your cooperation. If you have any questions, please feel free to contact the Management Office at 941-697-9722

Rotonda Heights Conservation Association, Inc.  
3754 Cape Haze Drive  
Rotonda West, FL 33947  
941-697-9722

Mailing Address:  
P.O. Box 3100  
Placida, FL 33946