

Prepared by: Jonathan K. Holtom  
HEHA Resolution No. 002 3724 Dorset Way, Tallahassee, FL 32303 Date Filed: 10/11/19

## Huntington Estates Homeowners' Association, Inc.

### Resolution to Establish Architectural Control Committee Guidelines for Approvable Detached Property Improvements

**WHEREAS**, Chapter 720.3035(1), Florida Statutes (F.S.) specifies that, "The authority of an association or any architectural, construction improvement, or other such similar committee of an association to review and approve plans and specifications for the location, size, type, or appearance of any structure or other improvement on a parcel, or to enforce standards for the external appearance of any structure or improvement located on a parcel, shall be permitted only to the extent that the authority is specifically stated or reasonably inferred as to such location, size, type, or appearance in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants."

**WHEREAS**, Chapter 720.3035(4), F.S., specifies that, "Each parcel owner shall be entitled to the rights and privileges set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants concerning the architectural use of the parcel, and the construction of permitted structures and improvements on the parcel and such rights and privileges shall not be unreasonably infringed upon or impaired by the association or any architectural, construction improvement, or other such similar committee of the association. If the association or any architectural, construction improvement, or other such similar committee of the association should unreasonably, knowingly, and willfully infringe upon or impair the rights and privileges set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, the adversely affected parcel owner shall be entitled to recover damages caused by such infringement or impairment, including any costs and reasonable attorney's fees incurred in preserving or restoring the rights and privileges of the parcel owner set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants."

**WHEREAS**, Chapter 720.3035(5), F.S., specifies that, "Neither the association nor any architectural, construction improvement, or other such similar committee of the association shall enforce any policy or restriction that is inconsistent with the rights and privileges of a parcel owner set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, whether uniformly applied or not. Neither the association nor any architectural, construction improvement, or other such similar committee of the association may rely upon a policy or restriction that is inconsistent with the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, whether uniformly applied or not, in defense of any action taken in the name of or on behalf of the association against a parcel owner."

**WHEREAS**, pursuant to Article Two, Section 1, paragraph j, of the HEHA Covenants and Restrictions, "Improvements" shall mean and include structures and construction of any kind, whether above or below the land surfaces, such as, but not limited to, buildings, out-buildings, water lines, electrical and gas distribution facilities, loading areas, packing areas, walkways, paved streets, storm drains, wells, fences, hedges, mass plantings, entrance ways or gates and signs."

**WHEREAS**, pursuant to Article Ten of the HEHA Covenants and Restrictions, "No structure of a temporary character, bomb shelter, tent, shack, tool or sheds, barn or other outbuilding of any type shall be located on any site or on any lands shown and/or set aside on a recorded map as Green Areas at any time, unless approved by the Architectural Control Committee".

**WHEREAS**, the Board of Directors of the Huntington Estates Homeowners Association intends to comply with the requirements of the Florida Statutes by allowing members to improve their properties to meet personal needs, while providing approval consistency and conformity with the established Covenants and Restrictions.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Huntington Estates Homeowners' Association, Inc., hereby establishes guidelines for the Architectural Control Committee of the Huntington Estates Homeowners' Association to use and follow when responding to members' requests for approval of detached structures/buildings as authorized property improvements, which are defined and provided for in the Revitalized Huntington Estates Covenants and Restrictions, recorded in Official Records Book 5336, Page 114, of the public records of Leon County, Florida. Detached structures/buildings added to a homeowner's property after October 1<sup>st</sup>, 2019, must adhere to the following guidelines:

## Guidelines for Detached Property Improvements for Huntington Estates

**DETACHED STRUCTURE/BUILDING:** Detached structures/buildings include: storage sheds (used for the storage of lawn tractors, garden implements, tools, bicycles, and other common household commodities), gazebos, pavilions, garages, carports, guest houses, pool enclosures, or other structures approved by the committee.

**LOCATION:** Detached structures/buildings shall not be placed within the front yard. Structures/buildings may be located only within the building setback lines specified in Article Twelve of the Covenants and Restrictions (see Item 9, below).

**SCREENING:** An effort shall be made to obscure the detached structure/building from being clearly viewable from the road using plantings and/or fencing.

**UTILITIES:** All utilities servicing the detached structure/building must be underground. No above-ground utilities of any type will be approved by the Architectural Control Committee.

**MAINTENANCE:** Property owners are responsible for the maintenance of all property improvements on their property, including the proposed detached structure/building and any landscaping included, and approved, in the initial request.

**RESTRICTIONS/REQUIREMENTS:** To be approvable, requests for detached structures/buildings must meet the following restrictions/requirements:

1. All requests for detached structures/buildings shall be submitted to the Architectural Control Committee for approval in accordance with Article Six of the Covenants and Restrictions, and written approval shall be obtained prior to commencement of construction.
2. All detached structures/buildings must blend harmoniously with the primary dwelling on each individual property. Exterior cladding should match or blend with that on the primary residence in both style and color. Exterior walls must not be made of any material that may rust.
3. The maximum allowable height of a detached structure/building shall not exceed the height of the primary residence.
4. Detached structures/buildings may be prefabricated or constructed on-site.
5. At a minimum, all detached structures/buildings must comply with the Leon County Municipal Codes governing property improvements in areas zoned for Residential Preservation. Where the Covenants and Restrictions are more restrictive, the Covenants and Restrictions shall prevail.
6. All detached structures/buildings must be constructed following state approved building codes and shall be properly anchored to reduce the potential of becoming a danger to neighboring properties during significant storm events.
7. When required by the County, a building permit shall be obtained prior to commencing construction.
8. All detached structures/buildings must be sited upon the property in a location that conforms to the building location restrictions specified in Article Twelve of the Covenants and Restrictions, including the following:
  - a. No building shall be located on any lot nearer to the front lot line, rear lot line, or nearer to the side street line than the minimum building setback lines shown on the recorded map. In any event, no building shall be located on any lot nearer than 40 feet to the front lot line, or nearer than 30 feet to any side street line.
  - b. No building shall be located nearer than 15 feet to an interior lot line and must be at least 30 feet from an existing adjacent house.
9. All detached structures/buildings used for storage of household hazardous materials (e.g., gasoline, fertilizers, cleaning chemicals, etc.) must have a door that can be latched and/or locked.

**SUBMISSION REQUIREMENTS:** Homeowners must provide the following information to the Architectural Control Committee for requests to be considered:

1. A map (i.e., copy of most recent survey) or sketch of the property including all required set-back lines, with the desired placement of the structure/building clearly shown.
2. A copy of the plans for the structure/building, including:
  - a. An architectural rendering (picture) of the desired structure/building.
  - b. A description of the intended use for the structure/building.
  - c. The dimensions, including foot print (length and width), height, and roof pitch.

### Guidelines for Detached Property Improvements for Huntington Estates

- d. The proposed structural and exterior finish materials, including walls, siding, roof, etc.
- e. Drawings of wall, roof and floor sections, including a detail of the proposed foundation.
- 3. Any further property alterations that may be needed to facilitate construction or placement, such as tree removal, will also need to be approved by the Architectural Committee.
- 4. A description of any proposed screening material.

The officers of this corporation and its Board of Directors are authorized to perform the acts to carry out this corporate resolution.

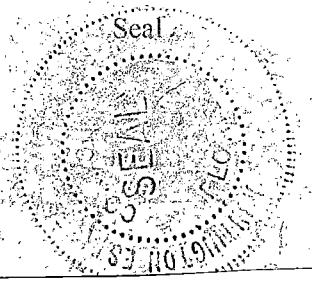
<u>Julie P. Marshall</u> Director Signature	<u>Julie P. Marshall</u> Printed Name	<u>yes</u> Vote	<u>10-8-19</u> Date
<u>Jonathan K. Holton</u> Director Signature	<u>Jonathan K. Holton</u> Printed Name	<u>yes</u> Vote	<u>10-8-19</u> Date
<u>Joshua C. Whitaker</u> Director Signature	<u>Joshua C. Whitaker</u> Printed Name	<u>yes</u> Vote	<u>10-8-19</u> Date
<u>John W. Robinson</u> Director Signature	<u>JOHN W. ROBINSON</u> Printed Name	<u>yes</u> Vote	<u>10-8-19</u> Date
<u>Candace A. Strand</u> Director Signature	<u>CANDACE A. STRAND</u> Printed Name	<u>yes</u> Vote	<u>10.8.19</u> Date
<u>Grant Kimball</u> Director Signature	<u>Grant Kimball</u> Printed Name	<u>yes</u> Vote	<u>10-8-19</u> Date
<u>Debra Page</u> Director Signature	<u>Debra Page</u> Printed Name	<u>YES</u> Vote	<u>10-8-19</u> Date
<u>Terry Maier</u> Director Signature	<u>Terry Maier</u> Printed Name	<u>Absent</u> Vote	<u>        </u> Date
<u>Bull Lowman</u> Director Signature	<u>Bull Lowman</u> Printed Name	<u>Absent</u> Vote	<u>        </u> Date

The above resolution is hereby passed by a majority of those present and voting in accordance with the bylaws and Articles of Incorporation of the Huntington Estates Homeowners' Association, Inc.

Jonathan K. Holton      Jonathan K. Holton      10-8-19  
Signature of President      Printed Name of President      Date

IN WITNESS WHEREOF, I have executed my name as Secretary of the Huntington Estates Homeowners' Association, Inc., and have hereunto affixed the corporate seal of the above-named Corporation this 8th day of OCTOBER, 2019, certifying that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the Board of Directors convened and held in accordance with law and the Bylaws of said Corporation on 10.8.19, and that such resolution is now in full force and effect.

Candace A. Strand      CANDACE A. STRAND      10.8.19  
Signature of Secretary      Printed Name of Secretary      Date



State of Florida  
County of Leon

The foregoing instrument was acknowledged before me this 11 day of Oct, 2019, by Jonathan K. Holton, who is personally known to me or has produced driver's license as identification and who did/did not take an oath.



Gwen Marshall, Leon Co. Clerk of the Circuit Court & Comptroller

Robert C. Buccellato  
Signature of Notary/Deputy Clerk  
ROBERT C. BUCCELLATO  
Printed Name

UNOFFICIAL DOCUMENT