

ROTONDA LAKES CONSERVATION ASSOCIATION, INC.

New Construction Compliance Program

June 2023 – Updated 3-22-24 – 2-2025

INTRODUCTION

The Rotonda Lakes 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 prior to submitting the CO or request for the clean site deposit refund or upon 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, Association Standards 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, Association Standards, 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 upon notice from the Association and prior to submitting the CO or submitting a request for the clean site deposit refund or upon completion, termination, or suspension of construction.
3. Portable toilets must be maintained on each site per Charlotte County regulations.
4. Portable metal 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. Bull bags are not permitted.
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. Bull bags are not permitted.
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. Sites must be brought into compliance within 48 hours' notice from Association to prevent fines of \$100 a day per violation and to prevent a stop work order being placed on the premises.
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. It is strongly recommended that you take pictures of the adjoining lots if there is debris on these lots prior to start of construction; otherwise you may be required to remove the debris from adjoining lots to get your clean site deposit refund.
10. The drainage path must be maintained in the swale between the home site and the road to permit proper drainage. Ruts from equipment or damage to pipes **must** be repaired immediately and prior to CO to allow proper drainage.
11. Rotonda Lakes Governing Documents refer to maintenance and improvements within the waterway easement of Rotonda 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

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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 **\$5,000 refundable fee** is required for each home under construction to ensure the program requirements are met. This check must accompany your application for construction.
2. All checks must be made payable to:

ROTONDA LAKES CONSERVATION ASSOCIATION
642 N. INDIANA AVENUE, ENGLEWOOD, FL 34223
3. Again, the \$5,000 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. Be sure the check indicates the address of the property.
4. All refundable fees will be placed in a non-interest-bearing account.
5. A new \$5,000 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 (CO) for the particular home must be received by the Association office **along with pictures of the front and sides of the home showing windows, landscaping, and sight screens** and then we will have the property reviewed for compliance to ensure everything meets with the Association's compliance program, including the landscaping installed matching the landscape plan submitted. The Association will ensure the pictures of the front, and sides comply including the landscaping and approved plants. Once this is completed and the review shows compliance and no debris is left on the adjoining properties, the Association will then begin the process for your clean site deposit refund. This process can take up to 8 weeks. All clean site deposit refund requests, the CO, and pictures must be received within 6 months of CO to be eligible for a refund, or it is forfeited.
7. In the case of a violation, the cost of any corrective actions, or fines plus an administrative fee will be invoiced to the Owner/Builder. The Association also has the right to deduct these costs from your clean site deposit. Should the invoice remain unpaid, resulting in fines being deducted from the clean site deposit, construction activities cannot resume until the clean site deposit is reinstated to the mandated \$5,000 amount. To eliminate costs and delays, or stop work orders, monitor your site regularly to ensure your site is in compliance.
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 \$5,000 refundable fee will be applied on a per home basis regardless of the number of lots that home might be sited on.

VIOLATION OF PROGRAM REQUIREMENTS

Failure to comply with the Lake Bank requirements or the New Construction Compliance Program, Association documents, 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.

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2. If this condition has not been corrected within 48 hours – 2 business days – The Association reserves the authority to impose fines of \$100 per day, per violation, until the issue is rectified. Moreover, the Association retains the right to issue a stop-work order until compliance is achieved. Additionally, the Association may opt to engage the required personnel and equipment to rectify the issue, with the choice to deduct the expenses from the clean site deposit or invoice you directly for the costs incurred.
3. An email will subsequently be dispatched to notify the builder/owner of the Association's corrective measures along with the associated costs, inclusive of an administrative fee.

ALL CONSTRUCTION SITES MUST BE KEPT IN A NEAT AND CLEAN CONDITION. ALL CONSTRUCTION SITES MUST BE SECURED 48 HOURS IN ADVANCE OF A NAMED STORM.

We welcome you to build in Rotonda Lakes and thank you for your anticipated cooperation. It is imperative that you understand and adhere to the stringent regulations governing construction activities within the community. Should you have any inquiries, please do not hesitate to reach out to the Management Office at Bthomas@legacygroupswfl.com.

The Rotonda Lakes Conservation Association, Inc.

Mailing Address:

Rotonda Lakes Conservation Association, Inc.

c/o Legacy Property Management

642 N Indiana Avenue

Englewood, FL 34223

Email: Bthomas@legacygroupswfl.com

