

# ROTONDA SANDS CONSERVATION ASSOCIATION, INC.

New Construction Compliance Program

BOARD APPROVED August 29, 2023

UPDATED 12-24

## INTRODUCTION

The Rotonda Sands 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, comply and abide by all rules, regulations, enforcement and all governing documents during construction, termination, or suspension of construction.
3. Signage: **Builder must** maintain, from approved application through Certificate of Occupancy, a sign NOT TO EXCEED 18” x 24” with Builder Name, Builder Phone Number, Builder Email Address, and Address of Property to be placed so it is legible from **the road but not placed in the county easement.**
4. Portable toilets must be maintained on each site per Charlotte County regulations.
5. 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 metal solid sided dumpster with a bottom – it may not have wire sides or bottom. *Bull bags are not acceptable.*
6. Homes are to be completed with 12 months. If additional time is needed, you must submit a written request to the ACC giving the additional time frame needed. If steady progress on a home is put on hold or stalled, including expired, cancelled, or voided Charlotte County building permit, the dumpster must be removed, the site cleaned and graded and be kept free of debris and weeds. A new application, construction plan, and review fee of \$400 and a new \$5,000 clean site deposit is required and any previous clean site deposit is forfeited.
7. 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. Storing or dumping trash on other lots is not permitted.

8. **Builders/Contractors and owners 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.**
9. All required silt fences must be maintained to prevent eroded dirt from entering waterways and swales.
10. Concrete, construction materials of any type rocks, trees, and other vegetation must be removed from a building site **and not pushed to adjoining lots**. Pictures should be taken prior to the start of construction of adjoining lots as proof of any debris already existing; otherwise the builder/owner will be responsible for same. Failure to meet this requirement may result in fines, fees, invoicing, and deductions from the clean site deposit.
11. A drainage path must be maintained in the swale between the home site and the road to permit proper drainage. Any damage to swale **MUST** be corrected before CO.
12. The Deed Restrictions refer to maintenance and improvements within the waterway easement of Rotonda Sands. 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 owner or their agent/contractor shall finish grade, sod and mow the area between any property line and the water's edge.
13. 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.
14. Article 7 of the Deed Restrictions reflects that any construction or work for which plans, specifications or other materials have been approved by the Association must be completed within one (1) year from the commencement of construction on the Lot unless otherwise approved by the Board of Directors.

### **PROGRAM FEE**

1. A **\$5,000 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 SANDS CONSERVATION ASSOCIATION  
642 N. INDIANA AVENUE, ENGLEWOOD, FL 34223**

3. 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.
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. A higher fee may be required if any other construction sites fall short of all compliance requirements.
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. This process can take up to 8 weeks. Clean site deposits are forfeited if not requested along with required proof is received within six (6) months.

7. In the case of a violation, the cost of any corrective actions, fines, fees, legal fees plus all administrative fee will be invoiced to the Owner/Builder. All clean site deposits must be maintained at \$5,000.
8. Any fees and/or deposits unclaimed after a period of six (6) months following completion of a project are forfeited and 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.
10. In the case of multi-family construction, the \$5,000 deposit will be applied on a per plotted lot basis. Sites covering more than a single lot will be required to pay a \$5,000 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, fees imposed on the builder and/or owner.

ALL SITES MUST BE KEPT IN COMPLIANCE THROUGHOUT CONSTRUCTION. ALL SITES MUST BE SECURED AT LEAST 48 HOURS IN ADVANCE OF ANY NAMED STORM.

Thank you for your cooperation. If you have any questions, please feel free to contact the Management Office.

### **The Rotonda Sands Conservation Association, Inc.**

**Mailing Address:**

**Rotonda Sands Conservation Association, Inc.**

**c/o Legacy Property Management**

642 N Indiana Avenue

Englewood, FL 34223

Email: [bthomas@legacygroupswfl.com](mailto:bthomas@legacygroupswfl.com)

