

CLARCONA RESORT CONDOMINIUM ASSOCIATION, INC.  
COVENANT COMPLIANCE COMMITTEE  
HEARING  
DECEMBER 15, 2004  
**MINUTES**

CALL TO ORDER: Chairman: Rina Schoen

Roll Call of Committee Members:

Joan O'Toole  
Odell Walker (leave of absence)  
Rina Schoen  
Gary Voigt  
Mattie Highstreet  
Nancy Gray  
Gigi Adams

All members were present.

Chairman: "The purpose of this hearing is to provide to the Unit Owners, for whom a fine is being recommended for Non-Compliance, to have an opportunity to be heard, before a fine is imposed. The Unit Owner may present any information he or she chooses, in order to show cause why the non-compliance has not been corrected or to show that it was corrected prior to this hearing and to ask the committee not to impose a fine. The decision of this committee will be based upon evidence presented by the Unit Owner and/or any other evidence that the non-compliance has been abated. Let it be noted that numerous inspections have been made of the property prior to this Hearing and that evidence of those inspections, letters to the Unit Owners and all other evidence is of record in the records of the Condominium and are available to the Unit Owner upon request.

The following Unit Owners have been summoned to this hearing, for the following non-compliance:

1. **Gonzalez, Unit 110:** Grass remains uncut and weeds and saplings have grown up on the property. The Association has cut the lot once and billed the Unit Owner for the mowing. Since that time, the Owner has shown no effort to keep the lawn in accordance with the Documents of the Association and has not responded to the numerous letters regarding the non-compliance. The Committee recommends a fine of **\$20.00 per day of non-compliance beginning with the date of: December 15, 2004 and continuing for 50 days** until a maximum fine of \$1,000 has been assessed as provided by Florida Statute 718. Is the Owner present and have anything to say?
2. Simpson, Unit 326: There are 4 violations of Covenants: a. Yard needs mowing, b. The unit is dirty, c. The skirting needs repair, and d. the unit has been ordered to be removed. The Unit has been removed, making violations b., c. and d. no longer applicable. On the charge that the yard needs mowing, the committee maintains that non-compliance still exists and notes that in addition, that non-compliance is complicated by the fact that after the removal of the unit, the owner left cut tree trunks, tires, propane tanks and large piles of rubbish on the lot. For the neglected mowing, the Committee recommends a **fine of \$20.00 per day of non-compliance beginning with the date of: December 15, 2004 and continuing for 50 days** until a maximum fine of \$1,000 has been assessed as provided by Florida Statute 718. Is the Owner present and have anything to say?

3. Schroeder, Unit 407: Two violations were noted: a. the unit was dirty, in need of washing and b. there was debris on the roof. An inspection by the Manager of the Condominium today, December 15, 2004 revealed that both violations have been corrected. The Committee recommends the following action: **No fine or administrative fee recommended.**
4. Sippel, Unit 410: Two violations were noted: a. debris on the roof and b. the unit was dirty. An inspection by the Manager of the Condominium today, December 15, 2004 revealed that both violations appear to have been corrected. The Committee recommends the following action: **Administrative fee of \$10.00. No fine.**
5. Walker and Tudhope, Unit 424: Two violations were noted: a. debris on the roof and b. mowing of grass. Neither counts appear to have been corrected as of December 15, 2004. The yard is a mess, with hurricane debris compounding the unmowed grass. The owner has shown no effort to keep the lawn in accordance with the Documents of the Association and has not responded to the numerous letters regarding the non-compliance. On Count One (roof), the Committee recommends a **fine of \$20.00 per day of non-compliance beginning with the date of December 15, 2004 and continuing for 50 days** maximum fine of \$1,000 has been assessed as provided by Florida Statute 718. **On Count two (yard), the Committee recommends a fine of \$20.00 per day of non-compliance beginning with the date of December 15, 2004 and continuing for 50 days** until a maximum fine of \$1,000.00 has been assessed as provided by Florida Statute 718. Is the Owner present and have anything to say?
6. Lamothe, Unit 428: Two counts of violation were alleged and proper letters were mailed to the Unit Owner. Count one was for un-mowed grass and count two was for debris on the roof. An inspection by the Manager of the Condominium today, December 15, 2004 revealed that both violations have been corrected. The Committee recommends the following action: **Administrative fee of \$10.00; no fine.**
7. Markham, Unit 430: One violation of debris on the roof. An inspection by the Manager of the Condominium today, December 15, 2004 reveals no evidence of continued violation of non-compliance. The Committee recommends the following action: **Administrative fee of \$10.00; no fine.**
8. Sharp, Unit 462: Two counts on non-compliance were issued and the proper letters and notices were mailed to the Unit Owner in a timely manner. The violations were: 1. Debris on roof and 2. Plastic on the roof. An inspection today, December 15, 2004 by the Manager of the Condominium revealed that there are only a few leaves on the roof and a small (24"x24") piece of plastic are visible on the roof (probable to guard against a leak.). The recommendation of the Committee is: **Administrative fee of \$10.00; no fine.**
9. Carrow, Unit 470: Three counts were issued to this property. 1. Debris on roof, 2. Debris in gutter and 3. Mold on the awning. An inspection by the Manager of the Condominium on December 15, 2004 revealed that the entire unit appears clean and there is no awning visible from the street (it must have been removed.) The Committee recommends the following action: **Administrative fee of \$10.00; no fine.**

CHAIRMAN: Is there a motion that the recommendations of the Committee at this time be presented to the Board of Directors for Validation?

Mattie Highstreet so moves. Joan O'Toole seconds the motion. Those in favor are Unanimous.

ADJOURNMENT: Time: 7:40 p.m.

Prepared by Management for the Secretary

Minutes

C.C. Committee Meeting

Date 12-15-04

Meeting called to order at 7 PM by Rina Schoen. The meeting took place in Rec. Hall Kitchen.

Committee members present Jean O'Soole - Odell Walker - Rina Schoen - Mary Voigt, Mattie Highstreet, Nancy Gray, Gigi Adams. & Mr Pierce

Minutes of the meeting held on \_\_\_\_\_ were ( ) approved as presented, ( ) approved as amended. The motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Old Business: Discussed the units that had 3rd letter.

New Business: Decided that if the violation had been corrected they would still get a \$10<sup>00</sup> administrator fee fine.

If it had not been corrected it would be a min. of \$20<sup>00</sup> a day for 50 days.

Admin. fine - #410 (2) - #428 (2) #430 - #462 (2) #470 (3)

\* \$20 per day for 50 days - #110 - #326 (4) - #424 + 424

Other Business: Motion to send results to Board - all agreed.

The next meeting is scheduled for 12-16-04 at 7 PM in \_\_\_\_\_.

The meeting was adjourned at 8:10.

Respectfully Submitted,

Secretary Jean M. O'Soole