

LakeRidge Falls

4200 LakeRidge Blvd.
Sarasota, FL 34243

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Here are the more important stories we had this past and upcoming weeks:

LakeRidge Falls' Architectural Review Board – In the last couple of weeks, I discussed the factors that make LakeRidge Falls a desirable place to live in. One of them, which was discussed in length last week, is the governing documents. If you may recall, the governing documents are composed of the following cornerstone: the Declaration, the Articles of Incorporation, the Bylaws, and the Rules and Regulations. Today, I wish to dive into the Declaration and more specifically into Article V, Architecture and Landscaping.

In nonlegal terms but based on past legal interpretations provided to the Association by its legal consuls, Article V establishes the Architectural Review Board (ARB), defines the jurisdiction of the ARB, and provides the tools the ARB shall use to exercise its jurisdiction.

Establishment– Article V states that the “Association, acting through the ARB, shall assume jurisdiction over architectural matters.”

Jurisdiction - Article V also states that “...no structure or thing shall be placed, erected, or installed upon any Lot, and improvements or other work (including, without limitation, staking, clearing, excavation, grading and other site work, exterior alterations or additions, or planting or removal of landscaping) shall take place within the Community, except in compliance with this Article and the Architectural Guidelines.”

Tools/Architectural Guidelines – Article V concludes by stating that “... no construction activities described in Section 5.1 may begin until a request is submitted to and approved in writing by the Reviewer. The request must be in writing and be accompanied by plans and specifications and other information the Reviewer and/or Architectural Guidelines require. Plans and specifications shall show, as applicable, site layout, structural design, exterior elevations, exterior materials and colors, landscaping, drainage, exterior lighting, irrigation, and other features of proposed construction or other activity as the Reviewer deems relevant.”

In sum using super simple terms, the ARB has the jurisdiction to approve, deny, return, or table requests for work to be performed on one's lot based on the Architectural Guidelines.

Why do I bring this up? Well, most homeowners and residents wish to enhance the exterior of their properties at one point or another. Some may want, for example, to add garden statues to enhance their landscape bed appeal while others may want to install hurricane shutters to better protect their homes against a potential hurricane. As one may imagine, however, what may appeal or be important to one may be an eyesore or negatively impact another. Consider this real example: a member of the community installs a motion-detector fixture at the back of the house to better protect her property. However, she does so in a way that each time the light turns on at night it illuminates the neighbor's master bedroom. Here is yet another example used in the past, but this time a made-up one. A resident of the community places a 6-foot pink elephant lawn sculpture that shoots water from its trunk. I am sure, there would be some who would argue this is an interesting choice while others would argue to the contrary saying it is unsightly.

As with the moral of the Miller, His Son, and the Donkey fable, it is impossible to please all because at the end the Association shall please none. Therefore, the Declaration established the notion of the Community-Wide Standard, which is extremely important to understand. The Declaration defines the Community-Wide Standard as “the standard of conduct, maintenance, or other activity generally prevailing throughout the Community, or the minimum standards established pursuant to the Architectural Guidelines, Use Restrictions, and Board resolutions, whichever is the highest standard.”

Therefore, the ARB’s mission statement, as written the Architectural Guidelines – Revision 10, is to “ensure the overall value of the community by preserving its architectural integrity, harmonious design, and aesthetic principles through careful consideration of the ‘Community Wide Standards’ as defined in the Declaration of Covenants, Conditions, and Restrictions.” In order to prevent controversy and disagreement regarding what is an acceptable alteration or addition and what is not, the Declaration of Covenants, Article V, established the ARB to oversee such projects.

Members who wish to enhance the exterior of their lot in any way must obtain an ARB approval first. It is required not to make your life difficult, but because the governing documents were set in such a way to ensure total community value by taking into consideration the impact on fellow residents. Thus, the ARB in reviewing an application takes into consideration the impact it will have on the entire community as a whole and not just the wants and needs of one or a few members. Remember, each action taken by one resident affects another resident in a good or bad way. This is a fact. Therefore, the ARB is here to govern such actions to the benefit of the entire community.

The moral of this entire segment is to emphasize that the ARB has a significant role in making LakeRidge Falls a great place to live in. By preserving its architectural integrity, harmonious design, and aesthetic principles, the ARB ensures the community value always is on the rise. Remember, Article V, being part of the Association's Declaration, is legally binding and members who buy into the community sign and accept these sets of legal principles.

Please feel free to contact me with any further questions and/or inquiries on this matter. Next week, Landscape Procedures.

Decorative Objects – On a related issue, it was brought to our attention that several residents throughout the community placed exterior decorative objects in excess of the allowed number. Article 8, Exterior Decorative Objects, of LakeRidgeFalls’ Architectural Guidelines states that “Homeowners in Stirling and Victoria Falls Neighborhoods are allowed to place **up to three** exterior decorative objects. Sandstone Neighborhood homeowners may place **up to two** exterior decorative objects. These objects may include garden statues, garden flags, plant pots and water features without prior approval by the ARB provided that those objects are within the permitted size... are placed only in the front landscaping bed and are not vulgar, offensive and or obscene in nature as judged by the ARB.” Remember, while you may think that having five items is not a big deal, others may feel it clutters the community. We ask you to please help us follow the ARB guideline by having no more than 3 or 2 decorative items in the front of the home.

Furthermore, we started noticing that more and more residents are installing navigation or security light fixtures. These are the solar or regular light fixtures one may install along the pathway or sidewalk. Please note that Article 17, Exterior Lighting, of Architectural Guidelines may permit such fixtures but an ARB approval is required. Some may install path light fixtures that the neighbors across the street may feel are “too big” or “excessive in number.” Please understand that pleasing all shall mean pleasing none. Therefore, we must follow the Declaration and ARB Guidelines. It is not to punish you but to simply ask you to apply to the ARB if you installed path light fixtures without obtaining approval from the ARB.

Thank you in advance for your understanding and cooperation on the matter.

Palm Trees – Just a quick reminder that ACI Tree Care will be here starting next week to trim all Queen Palms. Please note that ACI will only address 1) Queen Palms and 2) queen palms that are over 15'. Therefore, don't be alarmed if you see them working on your neighbor's house, "skipping" your tree/s, then moving on to a different neighbor's house. If you have a tree that is less than 15' tall, it will be trimmed by West Bay Landscape during their routine pruning cycles. If you have a different palm such as a Sabal or a Chinese Fan palm, they will be addressed in September.

And as always, have a great and safe weekend.

Sincerely,

Oded Neeman - CAM

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