

# memo

**To:** Yvonne Knowles, President –Villages of Homestead Board of Directors

**From:** Andrea Butler – Architectural Control Committee Chair

**cc:** Villages of Homestead Board Members

**Date:** 8/19/2017

**Re: Statues, Fountains, Unusual Mailboxes and other Monuments on Audubon Lots**

The Architectural Control Committee (ACC) is charged with maintaining a uniform and attractive appearance among the properties that comprise Audubon Village as a part of the Villages of Homestead. In order to do this, the *Audubon Village Declaration of Restrictions* and the *Villages of Homestead Protective Covenants and Conditions* contain strict provisions that require owners to obtain approval from the ACC prior to making changes in the outward appearance of their properties and the structures that are placed upon them. These are reproduced below:

## Audubon Village Declaration of Restrictions - Section 15 - Architectural Control

No building, wall, or other structure or improvement of any nature shall be erected, placed, or altered on any Lot until the construction plans and specifications and a plan showing the location of the structure have been approved in writing by the Architectural Control Committee as set forth more particularly in the VILLAGES of HOMESTEAD PROTECTIVE COVENANTS and CONDITIONS recorded (or to be recorded) In the Public Records of Dade County, Florida.

## Villages of Homestead Protective Covenants and Conditions Article V- Architectural Control

Refusal of approval of plans, specifications', and plot plan, or any of them, may be based on any ground, including but not limited to purely aesthetic grounds and/or energy conservation, which in the sole and uncontrolled discretion of said Architectural Control Committee seems sufficient. Any

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change in the exterior appearance of any building, wall, other structure, or improvement and any change in the finished ground elevation, shall be deemed an alteration requiring approval

Owners are made aware of these requirements both through the Homeowners Association documents that they receive and accept in conjunction with the purchase of their property, and through further amplifying explanations that are available on the Villages of Homestead website ([www.villagesofhomestead.com](http://www.villagesofhomestead.com)).

In most cases, particularly with respect to painting and roof replacement, owners are aware of, and comply with, these requirements, as evidenced by 75 ACC Requests that have been processed during the past year.

Owners appear to be less aware that these same requirements apply to statues, fountains, unusual mailboxes and other types of monuments that they may choose to place on their lots.

The ACC inspects all Audubon lots for compliance with the Audubon Village deed restrictions on a monthly basis, and has identified a number of artifices for which the proper approval has not been obtained. These range from small additions which are aesthetically pleasing, and would likely be approved, to some which are large and obtrusive and would not have been approved if the proper request for approval process had been followed. A list of the additions that are currently being tracked is attached to this memo. These issues are being addressed with the applicable owners on an individual basis.

However, the number of instances that have been identified is indicative of a larger lack of awareness on the part of owners that the requirement to obtain approval also applies to statues, fountains, unusual mailboxes and other monuments that may be placed on Audubon lots.

For this reason the Architectural Control Committee recommends that a letter be sent to all Audubon Village owners, reminding them of the existence of the requirements cited above and the fact that they apply to statues, fountains, unusual mailboxes and other monuments that may be placed on Audubon lots as well as (in one unusual instance) driveway color.

Attachment