

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.  
26217 Rampart Boulevard  
Punta Gorda, Florida 33983  
Phone (941)764-6674 Fax (941)764-7914 Email - [info.sec23poa@comcast.net](mailto:info.sec23poa@comcast.net)

BUILDING PERMIT PACKAGE

**HOUSE**

1. Application for Building Permit
2. Contractors Agreement
3. Performance Bond Waiver
4. Acknowledgements
5. Model Home Agreement (If Applicable)
6. Landscaping Requirements (owners copy for future reference)

SUBMITTALS

1. Site Plan from Surveying Company
2. Construction Plans
3. Landscape Plan
4. \$100.00 Application Fee
5. \$1,000.00 Refundable Deposit

Revised 12/15/16

Effective March 1, 2017

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APPLICATION FOR BUILDING PERMIT

HOUSE

OWNERS \_\_\_\_\_ PHONE # \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PROPERTY ADDRESS: BLOCK \_\_\_\_\_ LOT \_\_\_\_\_ STREET \_\_\_\_\_

CONTRACTOR \_\_\_\_\_ LICENSE # \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE # \_\_\_\_\_

MODEL HOME YES NO

ROOF: COLOR \_\_\_\_\_ TYPE \_\_\_\_\_

EXTERIOR COLOR: WALLS \_\_\_\_\_ TRIM \_\_\_\_\_ (Submit Samples)

NOTE:

All buildings, structures, additions or improvements erected or constructed on a building site or lot in PGI Section 23, shall meet the minimum setback limitations of 25 feet in the front, 15 feet in the rear and 7-½ feet at the sides.

Homes constructed on lots zoned for one single family residential building in PGI, Section 23, shall not have less than 2000 square feet of living area.

Deep Creek Section 23 is a Deed Restricted Community. Compliance with all restrictions is required. Refusal of plans, specifications, or location of buildings by the Property Owners Association Architectural Committee, may be based on any grounds - including aesthetic grounds, which the Board may deem sufficient. The POA reserves the right (but has no obligation) to inspect the building as construction proceeds.

**The home must be completed and ready for occupancy within a six (6) month period, commencing on the date of the POA permit.**

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Contractor Signature \_\_\_\_\_ Date \_\_\_\_\_

CHECK LIST FOR SECTION 23 OFFICE USE ONLY

**DO NOT WRITE ON THIS PAGE**

BLOCK \_\_\_\_\_ LOT \_\_\_\_\_ LOCATION \_\_\_\_\_

ITEM	COMPLIES	COMMENT
APPLICATION		
ROOF SPECIFICATIONS		
EXTERIOR COLOR		
CONTRACTOR AGREEMENT		
PERFORMANCE BOND WAIVER		
ACKNOWLEDGEMENTS		
LANDSCAPE PLAN		
MODEL HOME AGREEMENT		
FRONT SETBACK		
REAR SETBACK		
LEFT SIDE SETBACK		
RIGHT SIDE SETBACK		
LIVING AREA		
\$100.00 APPLICATION FEE		
\$1,000.00 REFUNDABLE DEPOSIT		

PERMIT ISSUED \_\_\_\_\_

PERMIT NO. \_\_\_\_\_

APPROVED BY \_\_\_\_\_

COMPLETION DATE \_\_\_\_\_

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

DEEP CREEK

CONTRACTOR'S AGREEMENT

BUILDERS AND CONTRACTORS:

In consideration of approval and issuance of a "Building Permit" from Section 23 Property Owner's Association, Inc., the undersigned hereby agrees to the following:

1. That any and all excess fill will be removed from the building site.
2. The Contractor will maintain a clean and safe work area.
3. The Contractor will not allow any dumping of fill or other material on any right of way, greenbelt, or common areas.
4. The Contractor agrees to remove, clean and restore any right of way, greenbelt, or common area on which it, or its subcontractors, have placed fill or other material.
5. Automobiles, trucks and motorcycles of every description shall be prohibited access to or progress over the common property.
6. A refundable deposit in the amount of \$1,000.00 shall be submitted with this application. The deposit will be refunded after completion of the home. A final survey, showing setback compliance, along with the County Certificate of Occupancy is to be provided to the Association at which point a final inspection of the home and common area will be performed. Damage to the common area will be repaired by the contractor within 10 days of written notice to the contractor or the POA will repair using the deposit funds.

Contractor \_\_\_\_\_

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

DEEP CREEK

PERFORMANCE BOND WAIVER

LOT \_\_\_\_ BLOCK \_\_\_\_\_

It is my understanding that Section 23 POA has a PERFORMANCE BOND and LABOR and MATERIAL PAYMENT BOND provision in their building code restrictions, a portion thereof quoted below:

The builder will provide a PERFORMANCE BOND and MATERIAL PAYMENT BOND. These will be posted prior to the commencement of construction. These bonds are for the mutual protection of the Company and owner. The bond will insure the Company that the building is constructed in accordance with the plans and specifications and also so that partially completed and abandoned structures will not mar the beauty of the area. In addition, the Bond assures the owner that the building will be free and clear of any encumbrances, with protection for all time against any claims of liens or accounts of any nature which may arise from construction of the building.

As stated above, this is for the mutual protection of both the Company and the owner. Understanding the above, I HEREBY WAIVE THE REQUIREMENT OF PAYMENT AND PERFORMANCE BOND and my proposed structure to be built by \_\_\_\_\_. By waiving this requirement, I accept full responsibility for the selection of the contractor and for insuring that the contractor builds the structure in accordance with the plans and specifications. I further agree to accept the responsibility for completing the improvements in the event the contractor abandons construction or I discharge the contractor.

I further understand that by waiving the Payment and Performance Bond that the above described property may be subject to Florida Construction Liens pursuant to Chapter 713, Florida Statutes.

I acknowledge receipt of copy of "Warning to Homeowners" provided by the Charlotte County Building and Zoning Board and/or the City of Punta Gorda.

I further release SECTION 23 POA, INC., its subsidiaries, officers, directors and employees from any and all liability with reference to this structure, and acknowledge that SECTION 23 POA, INC., has and assumes no responsibility with reference and approved the plans, drawings or specifications concerning this structure.

I certify that I have the necessary funds to complete my structure including the "extras" which I may authorize.

Owner's signature \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

DEEP CREEK

ACKNOWLEDGEMENTS

**DEED RESTRICTIONS**

I hereby acknowledge that I, \_\_\_\_\_ have received a copy of the Deed Restrictions for Deep Creek Section 23, and will adhere to them as they are written.

**GARBAGE CONTAINERS**

I hereby acknowledge that all trash and garbage containers are required to be hidden from view from the adjoining properties or the roadways. I am aware that this may be accomplished by placing containers underground, stored in walled-in areas or kept inside the garage.

**LANDSCAPING**

I hereby acknowledge that I am aware that the approved landscaping is required to be installed within ninety (90) days after being issued a Certificate of Occupancy by Charlotte County.

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Property Address \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

DEEP CREEK

MODEL HOME AGREEMENT

Block \_\_\_\_\_ Lot \_\_\_\_\_

In accordance with the Board of Directors Resolution No. 1997-6 dated July 17, 1997, model homes shall observe the following regulations:

1. Model homes are not to be used as a business office.
2. One (1) non-illuminated sign announcing the name of the builder, contractor or realtor, not to exceed six (6) square feet, is permitted.
3. One (1) "Open House" sign that does not exceed eighteen inches by twenty-four inches (18" x 24") is permitted during daylight hours only for each house on display. Said "Open House" sign announcing homes for sale in Section 23, must not be located outside the recognized boundaries of Section 23.
4. No flags or pennants are permitted.
5. Special lighting is permitted only with the use of motion detectors for maintaining security.
6. Parking on the model home lawn, neighboring vacant lots and the common property is prohibited.

\_\_\_\_\_  
Contractor Signature

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## **MINIMUM LANDSCAPING REQUIREMENTS**

**Purpose:** To establish the minimum landscaping requirements for existing homes and new construction in Section 23

**Scope:** Article XI of the deed restrictions states that all homes in Section 23 comply with the landscape requirements established by the Board of Directors. All landscape plans must be approved by the Board of Directors before a building permit is issued. The criteria below shall apply to existing homes as well as new construction.

### **Procedure:**

1. Ground Cover - Full sod is required on all four sides of the home and garage. Front and side lawns areas shall be sodded to the pavement as appropriate or otherwise to the property lines and the back shall be sodded up to the greenbelt.
2. Landscape – Homes shall be attractively landscaped on all four (4) sides of the home, garage and pool cage or lanai. House perimeter plants/shrubs and other landscaping shall be planted in the ground. Potted plants are for decorative purpose only and do not satisfy the landscaping requirements.
3. Two native trees or palms and three non-native trees are required, five trees total. Charlotte County tree requirements shall be adhered to as well. The County requirements are attached.
4. For new construction, all trees & plants must be clearly shown and identified on the landscape plan required at the time the application for building permit is submitted.
5. The following resource can provide suggestions and tips for landscaping:

Charlotte County Extension Service <http://sfyl.ifas.ufl.edu/> Click on “Lawn & Garden”

Adopted: June 15, 2006



## SUGGESTED PLANT LIST

### LARGE SHRUBS

Maui Ixora	Nora Grant Ixora		Arboricola
Firebush	Common Allamanda	Walter's Viburnum	Cocoplum
Firecracker	Wax Myrtle		

### SMALL SHRUBS

Red Taiwan Dwarf	Aztec Grass	Lily turf	Helen Johnson Bougainvillea
Indian Hawthorn	Lantana	Dwarf Fakahatchee	Schilling's Holly
Shore Juniper	Dwarf Bird		

### ACCENT PLANTS

Standard Hibiscus	Pigmy Date Palm	Dracaena	Crepe Myrtle
Christmas Palm	Ti Plant		

## PRESERVED TREES

All trees, 2 caliper inches or larger, including palms with 6 feet or more of clear trunk, preserved on site will count toward compliance for Certificate of Occupancy if the following conditions are met:

1. The trees are protected according to Section 3-2-191 of the Charlotte County Tree Ordinance 98-45
2. Prior to site clearing, a barricade inspection has been conducted and approved by Code Compliance Division for the protected trees
3. The trees are found on the Acceptable Tree Species List below

<p><b><u>APPROVED TREE SPECIES-- NATIVE</u></b></p> <p>American Holly Bald Cypress Baycedar Black Mangrove Blolly Longleaf Bluejack Oak Button Bush Buttonwood Catclaw Blackbeard Chapman Oak Cherry Laurel Coastal Plain Willow Dahoon Holly East Palatka Holly Florida Elm Florida Fiddlewood Gumbo-Limbo Hercules-Club or Toothache- Tree Laurel Oak Lime Prickly- Ash Live Oak Loblobby Bay Longleaf Pine Mahogany Myrtle Oak Pignut Hickory Pond Cypress Pop Ash Red Bay</p>	<p>Red Mangrove Red Mulberry Sand Live Oak Sand Pine Sea Grape South Florida Slash Pine Southern Magnolia Southern Red Cedar Southern Red Maple Stoppers Sugarberry or Hackberry Swamp Tupeolo or Black Gum Sweet Acacia Sweetbay Sweetgum Sycamore Turkey Oak Walter Viburnum Water Oak Wax Myrtle White Mangrove Yaupon Holley</p> <p><b><u>APPROVED TREE SPECIES</u></b> <b><u>--- NON-NATIVE</u></b></p> <p>Black Olive Bottlebrush Chinese Elm Crape Myrtle Golden Rain Tree Jerusalem Thorn</p>	<p>Loquat Royal Poinciana Silver Dollar Eucalyptus Tree of Gold Yellow Poinciana Washington Palm</p> <p><b><u>NATIVE PALMS</u></b></p> <p>Everglades or Paurotis Palm Florida Royal Palm Sabal or Cabbage Palm Coconut Palm</p> <p><b><u>PROHIBITED SPECIES</u></b></p> <p>Australian Pine Banyan Tree Brazilian Pepper Carrotwood Chinese Tallow Cuban Laurel Eucalyptus Indian Rosewood Melaleuca RubberTree Silk Oak Weeping Fig</p>
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## Charlotte County Tree Point Worksheet

### STEP 1.

#### 1 Tree Point Required for Every 2,000 Sq. Ft. of Development Site

Sq. Ft. of Development \_\_\_\_\_ /2000= \_\_\_\_\_ Total No. of Tree Points Required.

Tree caliper (inches)	Retained Native (Except Palms)	Installed Native (Except Palms)	Non-Native* (Installed or Retained)	Native Palms (w/min. 6' clear trunk)	Palmetto 25 sq. ft. of preserved Wax Myrtles (min. 6' tall with at least one 2" stem)
2.0	1.0	1.0	0.5	0.5	0.5
3.0	1.5	1.5	1.0	0.5	N/A
4.0	3.5	2.5	1.5	0.5	N/A
5.0	4.0	3.0	2.0	0.5	N/A
6.0	4.5	3.5	2.5	0.5	N/A
7.0	5.0	4.0	3.0	0.5	N/A
8.0	5.5	4.5	3.5	0.5	N/A
9.0	6.0	5.0	4.0	0.5	N/A
10.0**	6.5	5.5	4.5	0.5	N/A

\*From Charlotte County Approved Tree List which is included on this worksheet

\*\*Add .5 points for every inch thereafter (except in the case of Palms, Wax Myrtles, and Palmetto).

### STEP 2.

#### INSTALLED (Planted) TREES

\_\_\_\_\_ x0.25= \_\_\_\_\_ MINIMUM Number of Tree Points Required from Native Trees  
 (A) (B\*)

\_\_\_\_\_ x0.50= \_\_\_\_\_ MAXIMUM Number of Tree Points Allowed from Non-Native Trees  
 (A) (C\*\*)

\_\_\_\_\_ x0.25= \_\_\_\_\_ MAXIMUM Number of Tree Points Allowed from Native Palms  
 (A) (D\*\*)

\*If *only* Native Trees are to be planted, "B" must equal "A".

\*\*the worksheet Using the maximum number of tree points generated by the calculations above, the following planting combinations may be used in order to receive a Certificate of Occupancy (C.O.):

1. A = B(max);or
  2. A=B+C(max);or
  3. A = B + D(max);or
  4. A = B + C(max) +D(max)
- contains a list of acceptable trees