

# DEEP CREEK GAZETTE

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

PUNTA GORDA, FLORIDA

August 2016

---

## PRESIDENTS MESSAGE

On behalf of myself and the Board of Directors, I want to take this opportunity to thank the property owners, of Deep Creek Section 23, for your continuing support. I also want to welcome those who have recently joined our community.

I am happy to announce that we have finally overcome the challenging situation on Padre Lane after many years in the court system. We were also able to conquer the proposed group home on Montpelier Road without any costly court intervention.

This past year the Board established a Deed Restriction Committee. This committee has been tasked with reviewing policies, procedures and the deed restrictions. The committee first focused on the deed restriction violation procedure and found that compliance times were too long, sometimes as long as 65 days. With the help of the inspector and new time-frames, compliance times have drastically decreased.

It is imperative that Section 23 has a strong set of deed restrictions and procedures in place for strict compliance. While small deviations from the deed restrictions may seem unimportant and of no concern to the residents, they open the door to larger infractions which negatively impact others.

We are diligently updating the POA website. Our goal is to make it easier to navigate and provide more information. The website currently offers everything from building permit applications, minutes, documents, policies, forms and FAQ's.

In closing, I want to bring to your attention the efforts of Vice President Harvey Goldstein and several property owners who have been in contact with County and State officials to get a sound mitigation wall installed on the east side of I-75. As of this writing, this request has been denied based on a "sound study" that was done in August 2005, one year after Hurricane Charlie, it is now 11 years later with no follow up or new "sound study" done. We as a community must come together and right the injustices by the State who has erected an 18 foot tall sound wall on the west side of I-75, which creates additional sound and dirt toward Deep Creek. Even though you may not live close to I-75, this situation affects the health and welfare of the entire Deep Creek community. I urge all Deep Creek property owners to contact Governor Scott and voice your concerns for this injustice to our community.

Nancy Peraine, President

## BOARD OF DIRECTORS

President	Nancy Peraine
Vice President	Harvey Goldstein
Treasurer	Donald Peters
Secretary	Victoria Craig
Director	Kathleen Gill
Director	Nicholas Theiss
Director	Ronald Daugherty

## VICE PRESIDENT'S REPORT

We are still trying to obtain a sound mitigation wall on the east side of I-75. The State Highway Department continues to deny our request, even though they are using flawed data. They have constructed an 18 foot tall wall on the west side of I-75 to protect Benderson Corporation's Kings Gate Development and the Port Charlotte Village mobile home park. This wall reflects sound directly into Deep Creek. The noise will only get worse once the additional lanes are open to traffic.

I urge all homeowners to write Governor Scott's office and our elected representatives in the Florida House and Senate protesting this misguided decision. I also suggest calls to our County Commissioner Ken Doherty, who is a resident of Deep Creek Section 23.

This will be my last year on our Board of Directors. I would like to thank all previous and present Board members for their assistance over the years. I also give thanks to the many homeowners here in Deep Creek who have helped me work towards creating a better Deep Creek for all of our residents. I hope to stay active on our Deed Restriction Committee as we work to clarify and improve our operating procedures.

Once again, thanks to all.

Harvey Goldstein, Vice President

## ARCHITECTURAL REVIEW

Permits issued  
October 2015 thru July 2016:

Single Family Homes	9
Multi Family Dwellings	4
Pools	12
Fences	21
Enclosures	9
Additions	4

## DRAINAGE

The greenbelts and lakes in our beautiful community provide great open spaces and vistas. They are also our storm water management system.

We are continuing with our normal surface drainage maintenance projects. These are prioritized and funded under the expense side of the annual budget.

It is important to understand the dynamics of the storm water drainage system. The overall design of this system takes the water produced by a rain event off of your property to the swales in the right-of-way along the road. These swales are maintained by the county. The water then flows from the county swales into the greenbelts swales - maintained by the association. Finally, the water flows from the greenbelt swales into the lakes and out to the Peace River via the Desoto Canal.

By design, the slope of the swale system is minimal - usually 1 inch in 100 feet. This allows the storm water to percolate through the soil and filter out impurities. The rule of thumb for this process requires the swale to hold water from a 1 inch rain event for 24 to 36 hours. So, if we experience a 1 inch rain event every day, as is common in the summer months, the swales appear as though they are not draining properly when in fact they are performing as designed.

## DEEP CREEK CIVIC ASSOCIATION

The DCCA provides many services to the community, such as, publishing a monthly newsletter to keep us informed, a Garden Club to keep us beautiful, a Neighborhood Watch to keep us safe, recognition to the youth for a job well done and other planned events. Connect with the community - join today! Find out how to join and more on the **blue** paper.

## ATTENTION PLEASE!

This package contains VERY important information, some items must be returned promptly. For your review are:

- Newly adopted Rental Policy & Rental Contact Information & Changes Form - (**yellow paper**) : please complete this form if your property is a rental (excludes condominiums)
- Vacant lot maintenance requirements & 2017 Lot Mowing Selection Form (**green paper**) : please complete this form with your mowing preference and return with payment (if applicable)
- Official Ballot - elect Directors to the Board, adopt amendment to Article XVI of the Deed Restrictions and adopt the 2016-2017 Operating Budget
- Annual Maintenance Assessment Statement (**pink paper**)

## VACANT LOT MAINTENANCE

In 2007, the Board of Directors adopted a policy outlining the maintenance requirements for vacant lots, specifically, the removal of undesirable vegetation and lot mowing.

In 2014, the Board of Directors implemented a lot mowing program - we are finishing up the 3rd year and it is working very well.

The Board of Directors continues to identify lots that are overgrown with undesirable vegetation. This is an ongoing project, as there are approx 1000 vacant lots and the vegetation never stops growing.

**VACANT LOT OWNERS**, please read the notice located on the **green paper** included in this package for pertinent information regarding your vacant lot.

## DEED RESTRICTION COMMITTEE

In March, the Section 23 Board of Directors established a standing Deed Restriction Committee. The purpose of this committee is to review and update our Deed Restrictions where appropriate and to develop specific Policies which facilitate the enforcement of those restrictions. Florida Statutes 720 refers to those policies as 'reasonable rules of the Association.'

Our Deed Restriction Enforcement Policy was reviewed and modified, with an eye toward getting better compliance in a timely fashion. A new courtesy letter was instituted which informs the property owner of any violation, the remedy for that violation and the time frame to bring that property into compliance or work out a remediation plan.

The committee also developed a policy for Rental Properties and a revised Landscape Policy. All of these policies are posted on the POA website under the 'Document' tab. The committee also developed a series of FAQ's which are on the POA homepage: [www.secton23poa.com](http://www.secton23poa.com).

The Committee reviewed and amended Deed Restriction Article XVI which deals with vehicular parking. This proposed amendment was in response to concerns from many property owners regarding clear violations of our parking rules. The proposed amendment is included in this mailing and requires a vote of the membership. We urge you to vote "Approve".

We invite any property owner who has suggestions for our committee to contact the office to pass along those ideas. The Committee will address your suggestions at future meetings and any updates will be posted on the website.

Craig Deidrick  
Deed Restriction Committee Chairman

## LAWN MAINTENANCE, PARKING, GARBAGE CONTAINERS & PETS

The purpose of the Deed Restrictions is to protect and enhance the property values of the entire community, provide a common denominator for the care and condition of our property and to give some assurance that our neighbors and their actions will be complimentary to us and to our community. Below you will find the most violated restrictions:

**Lawn Maintenance :** Properties are to be maintained in an attractive condition, the lawn is to be mowed, weeds are to be removed and trees/shrubs are to be trimmed on a regular basis. If you have contracted with a lawn mowing company, check the terms of your contract. Most contracts include mowing the lawn and string trimming around the house, most times, it does not include weeding of flower, mulch, and rock beds, etc. The most neglected area of the lawn is weed removal and tree/shrub trimming. Weeds must be removed - not sprayed and left to die - REMOVED! Please make arrangements to have weeds removed and trees/shrubs trimmed.

**Parking :** Vehicles are not permitted to be parked on the grass, this means private property, vacant lots, greenbelts, cul-de-sacs and right of ways. There are a number of vehicles that continue to park on the grass. The rule is that parking on the grass is never allowed in Section 23.

**Garbage Containers :** All garbage containers and recycle bins must be stored out of view. Containers can be stored in the garage or behind an enclosure not to exceed 5' in height. Garbage containers may be placed at the roadside the day prior to pickup and be put away within 24 hours of pickup.

**Pets :** Pets are to be leashed. Pet owners are responsible for picking up all waste from vacant lots, neighbor's lawn, right of way and the street. Please be mindful of your responsibilities and be a good neighbor.

## HOW TO REACH US

Section 23 POA, 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)  
Website: [www.section23poa.com](http://www.section23poa.com)

## BUDGET NOTES

This year's budget reflects a \$10.00 assessment increase per parcel. This is based on an increase in Worker's Compensation rates, which affects all of Section 23's vendors, cul-de-sac projects, drainage projects and increased costs associated with the new deed restriction system.

The **Financial Statements** for fiscal year 2015-2016 will be available at the Association office for your review by December 31, 2016.

## COMMUNICATION IS KEY!

It is important that we keep our property owner information current. Anytime your address changes please notify Section 23, in writing, of the change as soon as possible.

Additionally, we ask that you provide us with your email address. There are many times when we need to get a quick message to a property owner and email is the best way to do that.

Please complete the top portion of the billing statement, located on the **pink** paper, with an address change and provide your email address and return along with your payment.

## ASSOCIATION OFFICE STAFF

Assoc. Manager	Jay Carlson
Office Manager	Teresa Boucher
Office Secretary	Dorothy Cabott
D/R Inspector	Russell Fewster