

St. Augustine Ocean & Racquet Club Condominium Association, Inc.
A Florida Not-for-Profit Corporation

Revised Rules Regulating Use of Patio & Balcony Areas

The following policy is a revision to the existing policy adopted by the Board on August 16, 2003.

These rules were passed by a majority of the Board of Directors during their regular meeting held on April 1, 2015

WHEREAS, the Board of Directors has determined it necessary to clarify rules and regulations regarding the use of the patio and balcony areas including use of storage and decorating at St. Augustine Ocean & Racquet Club Condominium Association, Inc.

AND, WHEREAS, the Board of Directors has the authority to establish these rules and regulations is concluded from the following Articles from the Declaration of Condominium

- A. Article V.C. (Limited Common Elements). "Limited Common Elements, as the term is used herein, shall mean and comprise the Common elements which are reserved herein, or assigned, or granted separately here from, for the use of a certain Unit or Units to the exclusion of other Units."
- B. Article XIII.C. (Limited Common Elements). "The responsibility for the cost of keeping clean and in orderly condition the balconies and patios forming a part of the Limited Common Elements which exclusively serve a certain Unit or Units to the exclusion of other units shall be borne by the Owner(s) of the Unit(s) to which the same are appurtenant."
- C. Article)0(B. "Unless the Unit owner(s) shall first submit plans for such word to the board, and the Board, by resolution unanimously adopted by the affirmative vote of all members thereof, shall approve and consent thereto, no alteration of or improvement or addition to a Unit, or to a Limited Common Element to which the owner(s) has an exclusive right of use, shall be made, constructed, erected on installed which shall change, modify or alter the exterior of any Unit or building so that it thereby differs in appearance from any other Units of the same type."

AND, WHEREAS, the Board of Directors has the authority to "make-and amend regulations governing the use of the property, real and personal, in the Condominium(s) and the Common Area..." as provided in the Bylaws of the Association Section IV, Article L (4).

Now Therefore let it be Resolved, the St. Augustine Ocean & Racquet Club Condominium hereby establishes the following policy regarding use of the Patio and Balcony Areas.

Section 1.

- A. Patios and Balconies may be used for recreational use only. Storage of any items is NOT allowed. This includes, but is not limited to, mops, clothes, blankets, shoes, socks, and garbage cans.
- B. Only furniture designed for outdoor use and that appears to be in good condition may be used on patios and balconies. Items that appear to be rusty or broken or deck chairs with torn or deteriorated webbing would not meet the appearance standard of "good condition". **Balcony**

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- C. Furniture should be the approximate height of the rail and no furniture shall be permitted on balconies or a patio that seriously detracts from the uniform appearance of the condominium property. Indoor furniture such as couches and chairs are NOT permitted on balconies and patios. Owners and renters must keep items on their patio or balcony neat, clean, tidy, and orderly, and not appear cluttered or unkempt.
 - D. Bike storage is allowed on the premises in the bike storage area in a room within the Racquet Ball Building. When housed or stored in the designated area, bikes must be registered with the Community Service Officer and an identifying sticker be placed on the bicycle. Rules regarding bikes, written and effective May 1, 2015 will be strictly enforced. Surfboards and any other objects which are in a height more than the height of the balcony railings are not permitted to be stored on balconies. On patios these objects may not exceed 3 feet in height. Surfboards will be allowed to be stored in the bike storage area.
 - E. D No charcoal or gas grills are permitted to be used or stored on balconies and patios. Charcoal grills are available for use in designated areas on the property. Electric grills are permitted to be used on patios and balconies. It should be noted that it has been reported some electric grills overdraw power in the electric box which has resulted in tripping of the circuit breaker in the unit.
 - F. E No TV tables, ashtrays with cigarette or cigar butts in them shall be left on a patio or balcony after the resident retires during the day or for the evening. All ashtrays must be left clean because the wind tends to pick up and blow ash and butts onto the patio or balcony or onto the grassy area next to the unit. It should be noted that **smoking is not permitted in common areas of the complex.**
 - G. F. Radios, tape decks, or CD players used on patios and balconies must not be left outside when a residence is not using the area. This kind of equipment is not considered furniture that is designed for outdoor use and thus must not be left outside overnight.
 - H. G No outdoor carpeting is allowed on patios and balconies.
 - I. There should not be any items hanging over the balcony or any decorative items outside the confines of the patio. No towels or clothing should hang from the balcony. Drilling or penetrating the walls or ceilings of the patios to hang decorative items is NOT permitted. Penetrating of the waterproof membrane of the Limited Common Element is not permitted. These areas should be kept neat and clean and, should not contain any excessive amount of items.
 - J. D During the holiday season appropriate decor is allowed. All decorating must remain within the confines of the respective patio/balcony and may NOT extend onto the "common grounds" adjacent to the patio. All decorating must be tasteful and not reflect a "cluttered appearance" on the patio or balcony. The design, which is subjective, is to be determined at the sole discretion of the Board of Directors. Further, during the Holiday season owners may decorate their respective patio/balcony with lights and other appropriate seasonal decor within the guidelines contained herein. American Flags can be displayed throughout the year.

K. Potted plants are not allowed to be set on top of balcony railings. No plant growth is permitted to be attached to the railings. Hanging plants are not permitted on the walls or railings of balconies or hung from the outdoor light fixture. Growth from potted plants is not permitted to extend beyond the patio floor.

Section 2.

The examples above as to what does or does not meet the appearance standard of "good condition" are not the exclusive examples. In any event, the Board will have the final determination as to what does or does not meet the appearance standards of "good condition".

Section 3.

These regulations are adopted in the interests of having the Condominium property have an aesthetically pleasing appearance and is not a regulation for safety purposes. Neither the Association, nor Management, regulates the safety of items an Owner, resident, or guest may choose to place on a patio or balcony from time to time, because such safety issues are the responsibility of each Owner, resident, or their guests.

IN WITNESS WHEREOF, this instrument has been executed and dates as of _____
April 2015.

Signed Sealed & Delivered
In the presence of:

St. Augustine Ocean & Racquet Club
Condominium Association, Inc.

By: _____
President

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this _____ day of April 2015 by
_____ who is personally known to me.