



# MAY MANAGEMENT SERVICES INC.

www.mayresort.com

September 21, 2005

To all Commodore Club owners:

Please be advised that, on September 8, 2005, the Board of Directors of the Association approved changes in the architectural standard regarding fences and walls.

Your covenants require that a copy of the changes be delivered to each member of the Association. Please find a copy of the Resolution on Modification of Fence Standards attached for your information and records.

The attached copy must be consulted for the precise and controlling rules, but the major changes are briefly described as follows:

- A fence or wall must be confined to the back yard of a dwelling. (As in the past, there can be no fences or walls on any part of a lake lot.)
- The physical standards for fences are unchanged except that gaps between upright members may not exceed two (2) inches and the top of the fence must be horizontal (i.e., may not follow the contour of the ground).
- Enclosures for air-conditioning units, pool pumps, waste containers, and similar utilities are not subject to the rules for fences and walls. However, like fences and walls, they must be submitted to the ARB for approval. They must not exceed four (4) feet in height and no part of the enclosure may occupy any portion of the front yard of the dwelling.
- In approving or disapproving a fence, wall or utility enclosure, the ARB must ascertain and consider the views of owners of adjacent dwellings and may require landscaping be installed to screen the view.

We are also enclosing for your review an update about the finances, procedures regarding non-residents use of the pool, and information about the lake maintenance.

If you have any questions, please contact MAY Management Services at 904-461-9708.

Sincerely,

Carla Bowers, Property Manager  
MAY Management, Inc.  
Commodore's Club HOA, Inc.

## RESOLUTION ON MODIFICATION OF FENCE STANDARDS

PURSUANT TO a recommendation of the Architectural Review Board, a motion duly made, seconded, and approved by a majority vote of the Board of Directors of Commodores Club, and the authority possessed by said Board under Article V, Section 2(b)(i) of the Declaration of Covenants, Conditions, Restrictions, and Easements of Commodores Club, IT IS RESOLVED by said Board as follows:

Section 4(h) of Article V of the Declaration of Covenants, Conditions, Restrictions, and Easements of Commodores Club is modified to read as follows (additional language is underlined and deleted language is shown by a strike-through):

“(h) **Fences and Walls.** No fence or wall shall be constructed on any Lot that is adjacent to any lake or adjacent to any Lot that is adjacent to any lake. An applicant for approval of a fence or wall on any other lot shall notify the owners of those lots that are immediately adjacent to the applicant’s lot and provide those owners with complete details of the plans for the fence or wall. The ARB will verify that such notification has been made. If a neighbor objects to erection of the proposed fence or wall, the ARB shall have the power, in its absolute discretion, to deny the application. Subject to the foregoing, A fence or wall may be constructed on any other Lot if it conforms to the following standards:

“(1) ~~No portion of a fence may be erected in the front yard of a dwelling. For this purpose, the front yard of a dwelling consists of those portions of the Lot that are closer to the street than any part of the dwelling; and a garage shall not be considered part of a dwelling. No portion of a fence or wall may be closer to the street than the rearmost portion of the dwelling. For purposes of the preceding sentence, the dwelling shall consist of those portions of the structure that are climate-controlled and those portions only.~~

“(2) ~~No portion of a fence shall extend outside of lines extended from and aligned with the side walls of the dwelling.~~

“(3) (2) The top of the fence shall be flat horizontal (i. e. at a right angle to a line that is perpendicular to the plane of the horizon). In other words, the top of the fence may not follow the contour of the land.

“(4) (3) The fence shall be of the stockade variety or may have gaps between the upright members not exceeding two (2) inches.

“(5) (4) The height of the fence from ground level shall not be more than six feet (6'). If the ground slopes, the fence may not exceed 6-feet in height at any point. For example if the slope is a total deviation of 1-foot along the run of the fence, it would be 5-feet high at one end and not greater than 6-feet high at the other.

~~“(6) (5) The fence shall be natural, but a clear sealer, clear waterproofing, or an ARB-approved stain may be used.~~

~~“(6) The ARB may require additional landscaping. Any fence, wall, hedge, or similar structure or improvement must be included in the development plan with respect to location, height and type of material, and must be approved by the ARB.”~~

(7) Notwithstanding the provisions of paragraphs (1) through (6), above, enclosures for air-conditioning units, pool pumps, waste containers, and similar utilities or items may be erected contiguous to, and not forward of, either side wall of a dwelling if the ARB finds that the total effect of the proposed enclosure is compatible with the property in Commodores Club. Plans for the construction of such enclosure must be submitted to the ARB for approval. The submission must include:

- (a) a sketch showing the dimensions of the enclosure;
- (b) a plot plan, showing location of the enclosure on the owner's property;
- (c) a description of the color of the enclosure and the materials to be used in constructing it; and
- (d) a statement that the applicant has notified the owner of the property immediately adjacent to the proposed location of the enclosure and provided the owner with the details of the proposal. The statement shall also indicate whether the owners approve or disapprove of the proposed enclosure. The ARB will verify that the notification has been made. If an owner's objections cannot be eliminated by agreement of the parties, the ARB may, in its absolute discretion, approve or deny the application for construction of the enclosure.

The ARB will not approve a proposed enclosure having a height of more than four (4) feet. Generally, the ARB will not approve proposals that will result in the construction of enclosures on both sides of a dwelling. The ARB will not approve an enclosure if any portion thereof will be constructed in the front yard of a dwelling. For this purpose, the front yard of a dwelling consists of those portions of the Lot that are closer to the street than any part of the dwelling other than the garage and closer to the street than any part of the garage.

The foregoing modification and amendment shall take effect when approved by the Board of Directors. It shall not be applied retroactively to any fence or wall in existence on that date.

The Property Manager is directed to mail or otherwise deliver notice of the foregoing modification to each member of the Commodores Club Homeowners Association. Said notice shall include a verbatim copy of said modification.

COMMODORES CLUB HOMEOWNERS ASSOCIATION

BY: *Matthew D. Ward*, President 9-12-05

ATTEST: *Luis J. Rutherford* Secretary