

Resident Architectural Change Procedures
Cover Letter

Living in a community with governing documents can be daunting and the Architectural Review Committee (ARC) has created this informational guide to make understanding the rules and filling out the paperwork easier. It's important to remember our governing documents exist to protect property values and the quality of life for all residents of the community. As a member of the community you are expected to be in compliance at all times.

An ARC member, Board President, or Management Company is available to help you complete the forms and answer any questions while filling out the forms before they are turned in for Board approval. ARC members have no official capacity to approve or deny any request. Homeowners are responsible to submit the completed form(s) to The Association Management Company. The Board of Directors has sole responsibility to approve or deny any request.

To make EXTERIOR changes to your unit, a **Resident Architectural Change Form** must be completed and approved by the Board of Directors at a board meeting before any changes can be made. This form is required to ensure that any contemplated changes conform to community standards and comply with Florida Law and Ballantrae Declaration of Condominium, Articles of Incorporation, By-Laws, and Rules and Regulations.

The homeowner shall be solely responsible for complying with all applicable laws, rules, regulations, codes, and ordinances and that all required permits will be obtained. The homeowner shall also provide documentation that the contractor is licensed and in good standing. Check with www.building.scgov.net for permitting requirements or call 941-861-5000 for help.

Neither Ballantrae Condominium Association, Inc., and The Association Management Company, nor the ARC shall have any liability or obligation to determine whether the requested changes comply with such laws, rules, regulations, codes and/or ordinances.

No substitutions, changes and/or alterations to the submitted plans are permitted without written approval by the Board of Directors.

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Architectural Review Committee (ARC) Mission Statement

The Architectural Review Committee (ARC) is a standing committee of residents appointed by the Board of Directors. The purpose of the Architectural Review Committee (ARC) is to assist residents in initiating the request for approval for EXTERIOR changes to their property that are in keeping with Florida Statutes, The Association governing documents and rules and regulations.

Key Terms, Definitions, Design Standards Frequently Asked Questions (FAQ's)

Ballantrae's governing documents offer several generic rules that don't specifically mention each potential change individually but provide some blanket rules regarding changes in general.

- Declaration of Condominium 11.1 details Association responsibilities for Maintenance, Repair, Replacements, Alterations, and Improvements.
- Declaration of Condominium 11.2 details Unit Owners responsibilities for Maintenance, Repair, Replacements, Alterations, and Improvements.
- Declaration of Condominium 14.2 details Changes in Unit Appearance.
- Rules and Regulations 15. Grounds (d) details Individual owner compliance with Article 11 of the Declaration and changes to unit exterior and grounds.

Online access to Ballantrae's Governing Documents can be found at: www.BallantraeCondoAssoc.com. The password is the current calendar year.

Online access to Florida Statute 718 can be found at <https://flsenate.gov/Laws/Statutes/2021/Chapter718/All>

The approval process considers the laws, rules and guidelines in the following order of authority:

1. Florida Statute 718
2. Declaration of Condominium
3. Articles of Incorporation
4. Bylaws
5. Rules and Regulation

The FAQ's, Cross Reference Chart, Index and Exhibit A on the following pages address some of the more common changes The Association homeowner's request. It is by no means all inclusive. Please refer directly to Ballantrae's governing documents or ask an ARC member for assistance if you need additional information.

Terminology:

Unit: See Declaration of Condominium Article 3 and Exhibit A Pages 7 and 8 for full Unit description. The Unit is what the homeowner owns. The homeowner is responsible for all insurance, maintenance, repair and replacement “from the dry wall in”. Homeowners are responsible for their own plumbing, water, sewer, drains, and electrical elements that run thru the cement block wall.

COMMON ELEMENT

See Declaration of Condominium- Article 4 Definitions 4.7 and Article 6 Common Elements for full description. Common elements are the responsibility of the Ballantrae Condo Association (BCA). Common elements are for the enjoyment and use of all homeowners. All landscaping and grounds are common elements and the BCA’s responsibility for maintenance/repair/replacement.

LIMITED COMMON ELEMENT

See Declaration of Condominium-Article 4 4.22 and Article 7 Limited Common Elements for full description. Some common elements have been designated limited common elements (LCE’s) that are reserved for the use of a particular Unit. Some LCE’s are the homeowners’ responsibility and some LCE’s are the BCA’s responsibility. For example, the sidewalk leading from the driveway to the front door is a limited common element that is the BCA’s responsibility for repair/maintenance. A LCE for the exclusive use of the unit homeowner would include the air conditioning and heating equipment where the homeowner is responsible for maintenance/repair/replacement. See ***ARC Cross Reference Chart*** which references homeowner vs BCA responsibility for maintenance/repair/replacement of LCE’s.

Lanai: The Lanai is a part of the Unit located at the rear of the home. Some Lanais in Ballantrae are screened, some are glassed and some have been enclosed, removed so they are part of the interior rooms.

Front Entrance: The front entrance is a Limited Common Element. The Front Entrance is the area between the front door and the garage under cover of roof.

Front Courtyard: The Front Courtyard is part of the Unit. The Front Courtyard is the area of the B and C units typically not under cover of roof but inside the half-wall.

Atrium: The Atrium is part of the Unit. The Atrium is the internal courtyard area which may or may not be open air. Some Atriums have a skylight and some have a screen on top.

BOD: Board of Directors

ARC: Architectural Review Committee

Frequent Question and Answers

1. Am I allowed to fly an American flag in Ballantrae?

Per Florida Statute 718.113-(4) "Any unit owner may display one portable, removable United States flag in a respectful way and, on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day, may display in a respectful way portable, removable official flags, not larger than 41/2 feet by 6 feet, that represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, regardless of any declaration rules or requirements dealing with flags or decorations." Additionally, we recommend the flag holder be affixed to a garage door column that does not interfere with the walkway, landscaping, or unit numbers.

2. What colors are The Association buildings painted?

The light ivory and dark brown are Sherwin Williams paint colors Navajo White and a custom brown. Please fill in a work order if you need touch-up paint.

3. Can pavers be placed around my unit?

Florida Statute and Ballantrae's governing documents and Rules and Regulations state that no resident may pour or attach a permanent structure to the Common Elements.

Although patios are not allowed, with prior written approval from the BOD, we recommend that residents may install pavers to the area around their units as a means of improving their ability to enter or exit their unit. Pavers may also make it easier and safer to reach outside spigots, electrical outlets, and plants. Existing plantings and shrubs may not be removed. Please submit a Work Order with questions regarding the plantings. The goal is to create easier, safer access to your unit while keeping with the overall look and feel of Ballantrae. To that end, the following guidelines will assist with your paver selection and placement:

- Recommendation: Pavers can be made of concrete, sandstone, slate, limestone, granite or rubber in a variety of sizes and shapes. It is recommended that a paver suitable for a walkway with a non-slip surface is selected. Pavers are to be installed over compacted soil and not attached to the Unit foundation. Pavers are to be temporary and /or removable. No concrete is to be used to grout or secure the pavers. Pavers can be placed outside an operable opening to facilitate ingress/egress. Pavers can only be placed up to the turf line. Recommended colors are brown, grey, or natural to blend with the mulch beds.

4. May I install doorbells and/or spotlights with cameras?

Although not specifically mentioned in The Association documents, doorbells as with all other exterior changes may be replaced or upgraded with Board Approval. See the ARC Index 1.

5. What types of Hurricane Shutters are permitted?

These types of storm shutters are suggested: Accordion Style, Roll down, Fabric Screens, and Lexan. All shutters must match the color of the building.

HURRICANE PROTECTION

Shutters are highly recommended for all windows. Glass sliders, garage doors and chimneys are most vulnerable during windstorms, however, all windows must be protected so that wind pressure does not get inside where it can cause lift on the roofs. Hurricane glass is best because the protection is automatically provided year around and eliminates storage issues. Hurricane glass is the most expensive solution but works well and is more affordable on the smaller windows and provides sound deadening which may be desired. A less expensive alternative for the smaller windows are see-through panels, such as Lexan, which allow light in and can be left up all season.

One should note that the ceilings of porches are just wall board which can be blown in with high winds allowing horizontal rain into the attic and may result in ceiling collapses. This factor, and because the porches typically have large glass sliders and patio furniture, beige accordion style shutters on the outside or just inside the screens (to be accessible from inside and better allows for escape if necessary) make a lot of sense and eliminate the storage issues with clear panels and furniture left on the porch. Note that accordions do rattle during windstorms and that openings may need to line up with screen doors. **Steel panels and plywood are not recommended** because they are heavy, hard to install, create storage issues and must abide by the "3-day rule" which allows them to be put up with a hurricane warning but must be removed within 3 days after the passing of the threat.

6. I want to replace my old windows. Do we have special rules or standards regarding new windows?

The outside color of the replacement windows must be Bronze. The interior color of replacement windows is the homeowners' choice. Sarasota County requires permits for replacement windows.

7. I want to replace my lanai, front entrance, window screens. What color can they be?

All screening materials must be either dark bronze or black to match The Association windows and frames.

8. I want to replace my gutters. What are the standards for gutter replacements?

Gutters may be installed on any portion of the Unit's roof eaves. Care must be exercised when selecting downspout locations and extensions. Improperly placed downspouts can lead to drainage problems that can worsen over time. Downspout extensions that extend onto turf area are susceptible to damage from routine landscape maintenance services. Neither the BCA, nor its landscape contractor shall be liable for damage done to a downspout extension that extends into a turf area. The color of the soffit gutters are Musket Brown and downspouts must match the exterior color of the building.

9. My garage door is damaged and needs to be replaced. What are the requirements for replacing a garage door?

Any replacement garage door must match the current building color and must match the current garage door design as closely as possible. Like replacement windows, it must be impact rated and will require a Sarasota County Permit. Garage doors are the responsibility of the homeowner.

Most garage doors were brought up to the 130 MPH wind standard by 2006 when the last of the wood doors were replaced with metal and BCA helped to subsidize the conversion because of significant reductions available in BCA insurance costs. Going forward, if replacement were needed, BCA strongly recommends going all the way to Miami-Dade certified garage doors able to withstand winds and penetrations up to 185 MPH which only cost a few hundred dollars more.

10. How do I know if the contractor I selected is in good standing with Sarasota County?

The Sarasota County Building Information website lists many resources and services which are available to both residents and contractors. In addition to providing Sarasota County and State of Florida building codes, residents may use the Licensed Contractor Search to verify whether a contractor is licensed and registered. Contractor Complaints information is also available.

Please see their website www.scgov.net for further information or you may call 941.861.5000 or visit their offices with any questions or concerns.

11. How do I know if a permit is required by the County or State of Florida for the work I want to have done?

To find out more about permitting requirements visit www.building.scgov.net or call 941.861.5000 for more help.

12. When will I receive my approval letter?

The Association Management Company will send the final approval letter within 5-7 business days after Board approval.

Ballantrae Condominium Association, Inc.

The Cross Reference Chart defines which entity is responsible for maintenance, repair, replacement.

Architectural Review Cross Reference

Documents Referenced: RR: Rules and Regulations, DC: Declaration of Condominium, FS: Florida Statute

	Association Responsibility	Homeowner Responsibility Per Board Approval	Document Reference
Air Conditioning and Heating Equipment		X	DC 7.3 DC 11.2I
Carriage Lights	X		DC 14.2
Chimney Caps		X	RR18
Decorative Pots, Planters, (Up to three at unit entrance)		X	RR 15I
Doorbells		X	RR 15D
Doors, All Front Entrance, Lanai, Screen, Garage (pedestrian)		X	DC 3.2D DC 11.2J DC 14.2 DC 11.2H
Driveway	X		DC 6.1F DC 7.2
Exterior Electrical Outlets		X	DC 11.2D RR 15D
Fireplace Use		X	RR 18
Flag Holders		X	FS 718.113(4) See FAQ #
Flood Lights		X	DC 14.2

Ballantrae Condominium Association, Inc.

	Association Responsibility	Homeowner Responsibility Per Board Approval	Document Reference
Garage (Garage Door, Garage Floor Enhancements)		X	DC 3.2F. DC 11.2K
Generators		X	RR 15H DC.11.2D
Gutters and Downspouts		X	DC11.2O
Outside Faucets		X	DC 11.2E RR 15D
Permanent Patios			Not Allowed DC 14.2
Pavers used to facilitate entering the unit via doors and windows		X	See FAQ #
Plants, Bushes, Trees	X		RR 15E DC 4.7C DC 14.2
Satellite Dish/Antennas			Not Allowed DC 14.7
Screens, All (window, door, lanai, entrance)		X	DC 14.2 DC 3.2D DC 11.2H
Security Cameras		X	RR 14.2
Security Lights		X	DC 14.2
Sensor Lights		X	DC 14.2
Skylights, Tube Lights		X	DC11.2M RR15B RR15D
Solar Panels			Not Allowed
Storm and Hurricane Shutters		X	DC 8.7 DC11.2N

Ballantrae Condominium Association, Inc.

	Association Responsibility	Homeowner Responsibility Per BOD Approval	Document Reference
Walkways (front entrance, courtyard)	X		RR 15G
Walls, All External Walls and Internal Loadbearing Walls. Unit, Garage, Front Entrance, Courtyard Note: Internal loadbearing walls may not be altered or removed.	X		DC 3.2E DC11.1F DC 11.2P
Walls, All Internal Walls except load bearing walls. Includes Atrium walls.		X	DC Exhibit A DC14.2
Window Boxes, Statuary			Not Allowed RR 15I

EXHIBIT A

Exhibit A, the Ballantrae Unit Drawings, or plat, are located at the end of The Association Declaration of Condominium found on the Association website: www.BallantraeCondoAssoc.com

Architectural Review Committee Index

Generic References to Personal Property regarding Common Elements and Limited Common Elements

Document Reference	Short Description
DC 3.2B	Unit Lower Boundary
DC 3.2C	Unit Parametrical Boundaries
DC 3.2D	Apertures (windows, doors, etc.)
DC 3.2F	Garages
DC 6.1D	Structural Elements, etc.
DC 7.2	Driveway
DC 7.3	AC and heating Systems
DC 11.2I	AC and Heating Systems
DC 11.2M	Alterations at request of owner
DC 14.2	May not change unit appearance
DC 14.7	Antennas, Satellite Dishes
DC 14.11	Unightly Objects
DC 14.14	Use of Common Elements
RR 11K	Storage prohibited on CE & Limited Common Elements
RR 15A (reference to DC 4.7)	Definition of Common Elements (CE)
RR 15B	Owners may not alter CE
RR 15D	May not change appearance including lighting
RR 15E	May not remove plantings
RR 15F	May not abridge other owners' rights
RR 15G	Walkways part of CE
RR 15H	Must remove items from CE when not in use (chairs, etc.)
RR 15I	Personalizing unit entry
Florida Statute 718.113(4)	Owners may display US Flag

How to Fill Out and Submit the Forms:

1. Homeowner to complete and sign the ***Resident Architectural Change Form***.
2. Information needed to complete the Change Form request:
 - Contractor Name and Contact Information
 - Copies of Contractor License Number and Insurance Information
 - Any supporting drawings to include sizes, pictures, color, samples, blueprints
 - Any additional information pertinent to the proposed change(s)
3. Attach or include all requested information to facilitate review of the request.
4. Send or deliver ***Resident Architectural Change Form***(s) and attachments to The Association Management Company.
5. Once the homeowner receives final written approval from the Management Company with the Board of Directors' approval signatures, the requested change activities can begin. No modifications to the final written approval can be made unless re-reviewed and approved by the Board of Directors.
6. To appeal a denial, the homeowner may ask the ARC committee or Board President to review the denial and, if necessary, document the reasons for the Board to re-consider the denial.

If you have any questions in completing the form, contact the Management Company.

Approval Process Workflow

1. Upon completion of the ***Resident Architectural Change Form***, the form is submitted by the homeowner to The Association Management Company. Note: Please see ***Resident Procedures for Change Requests*** for instructions and additional details.
2. The Association Management Company will verify that all necessary information is included and assist homeowners with completion of the necessary information and materials, if needed.
If additional information is needed, a site visit may be performed by the Board President or Management Company.
3. Association Management Company returns all documentation with recommendation to BOD president for review and approval.
If no additional information is required, BOD places owner's request on next board meeting agenda for vote.
4. Following the vote, The Association Management Company composes approval letter and obtains BOD signatures before mailing approval letter to homeowner.
5. Originals or copies of all relevant documentation are stored in unit file at The Association Management Company.

Ballantrae Condominium Association, Inc.

RESIDENT ARCHITECTURAL CHANGE FORM

Application Date _____

11-23

Name of Homeowner _____

Address of Home _____

Contact Phone # _____

Email Address _____

Signature of Homeowner _____

WORK MAY NOT BE SCHEDULED OR BEGUN WITHOUT RECEIVING THE WRITTEN BOARD APPROVAL LETTER

DESCRIPTION OF DESIRED CHANGE (Additional Sheets if Required)

LIST of SUPPORTING DOCUMENTS (Additional Sheets if Required)

CONTRACTOR INFORMATION

Company Name _____

Contact Name _____

Business Address _____

Phone _____

Email Address _____

Proof of Contractors License and Insurance must be submitted with this request if applicable.

ARC or Building Committee; Recommended

Additional Information Requested(Initials)

DECISION OF THE BOARD: APPROVED DENIED RE-SUBMIT

President

Signature Date

Secretary

Signature Date

3rd Board Member

Signature Date