

**FRISCIA & ROSS, P.A.**

Attorneys and Counselors at Law  
SUITE 250  
5550 WEST EXECUTIVE DRIVE  
TAMPA, FLORIDA 33609

FRANCIS E. FRISCIA  
BRENTON J. ROSS  
GEORGE D. ROOT, III  
JOHN J. CAVALIERE, III

TEL: (813) 286-0888  
FAX: (813) 286-0111  
[www.frpalegal.com](http://www.frpalegal.com)

September 12, 2018

Board of Directors  
Fishhawk Ridge Association, Inc.  
c/o 4131 Gunn Highway  
Tampa, Florida 33624

**Re: Resolution for Approved Hurricane Shutters**

Dear Board:

Enclosed is the proposed Board Resolution for approved hurricane shutters. Please review and let me know if any changes are needed.

As was expressed in recent correspondence, the ACC of Fishhawk Ranch is the governing committee that approves submitted architectural requests. Fishhawk Ridge needs to communicate with Fishhawk Ranch to make sure the ACC is well aware of the fact that the Association is taking steps needed to regulate the types of hurricane shutters that can be installed in the subdivision. The Fishhawk Ranch ACC needs to have a copy of the Resolution.

The proposed Resolution adopts the language contained in the First Amendment to the Declaration of Covenants as well as the architectural review section of your Declaration of Covenants, Article VI of the Declaration.

If you have any questions after review, please let me know.

Very truly yours,

**FRISCIA & ROSS, P.A.**



Francis E. Friscia  
Email: [ffriscia@frpalegal.com](mailto:ffriscia@frpalegal.com)

FEF/ajw  
Enclosure

**FISHHAWK RIDGE ASSOCIATION, INC.**  
**BOARD RESOLUTION FOR APPROVED HURRICANE SHUTTERS**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Fishhawk Ridge Association allow for the adoption of standards and guidelines in the subdivision;

WHEREAS, Article VI of the Declaration of Covenants, Conditions and Restrictions of Fishhawk Ridge Association gives the Association the right to adopt standards and criteria for architectural control; Article IV, Section 36 prescribes certain types of hurricane shutters that may not be left closed during hurricane season, except as the Board of Directors may determine;

Article IV, Section 36 of the Declaration of Covenants requires that hurricane shutters be of the type that are approved in writing by the Architectural Control Committee of Fishhawk Ranch (ACC);

WHEREAS, Fla.Stat. §720.3035 requires that the Association authorize and requires the Association to adopt guidelines and standards for any architectural, construction improvement, or other similar exterior modification to a unit with reference to the material, the size of the structural improvement, the design of the structural improvement, or the location of the structural improvement;

As a result, the Board of Directors of Fishhawk Ridge Association, Inc. adopts the following guidelines regarding permissible hurricane shutters in the Fishhawk Ridge subdivision and requests the Architectural Control Committee of Fishhawk Ranch to use this set of guidelines when an application is submitted by a lot owner for installation of hurricane shutters in the Fishhawk Ridge Townhomes subdivision;

Fishhawk Ridge Townhomes consists of different materials on the exterior of the Townhomes. The Association is, by adoption of this set of guidelines, creating a design guideline for the regulation of hurricane shutters in the community. This set of guidelines should be followed in order to properly plan for the protection of homes in the Fishhawk Ridge Townhomes subdivision. The intent of this set of guidelines is to regulate the installation details and provide a uniform look to the community in safe times as well as a guideline for options that work throughout the community if there are impending storms. This set of Guidelines, is in no way, meant to compromise a lot owner's right to protect a home against a storm.

**TYPES OF PERMISSIBLE SHUTTERS**

Shutters consisting of "Accordion", "roll down", as well as "flat panel" can be utilized in the subdivision. Accordion and roll down shutters are to be installed via a track system. Flat panels are installed via a grommet and track.

Article IV, Section 36 of the Fishhawk Ridge Declaration permits panel, accordion and roll up style hurricane shutters and requires they be left open at all times, when there are no impending storms. As such, panel accordion and roll up shutters may be installed or utilized up to 48 hours prior to the expected arrival of a hurricane and must be removed within 72 hours after the end of the hurricane watch or warning or as the Board may otherwise determine.

Prior to installation of any of the approved types of hurricane shutters, the lot owner must first submit an Architectural Modification application to the ACC. The application must be accompanied by a reasonably detailed set of plans and specifications and indicates all windows and openings over which the

shutters will be instructed. The ACC must provide written approval of the proposed hurricane shutters prior to the hurricane shutters being installed. The ACC shall take action on any proposed hurricane shutter plans provided within 30 days after receipt thereof.

If an application is submitted and subsequently denied by the ACC, the lot owner will be provided an opportunity for a hearing in front of the ACC to discuss any questions or concerns of the ACC and the lot owner regarding the denial. The meeting date must be requested by the lot owner. The ACC will schedule a meeting within 360 days of the lot owner's written request.

Attached hereto are the hurricane shutter guidelines that are being adopted by this Resolution.

IT IS FURHTER RESLVED that this Resolution shall take effect immediately upon the signing of this Resolution by a majority of the Board of Directors. This Resolution will remain in effect until such time as changes are required or directed by the Board of Directors.

This Resolution was approved by a majority of the Board of Directors of Swan View Townhomes Association, Inc. at the board meeting held on \_\_\_\_\_, 2018.

Dated: \_\_\_\_\_

Signed:

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director