

# MURRELL LAW, LLC

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To all Owners and Residents of Villages of Fireside:

One of the main functions of the Board of Directors for Association of Villages of Fireside, Inc. is the enforcement of the rules contained within the community's governing documents. Your community is governed by (1) the Declaration of Covenants, Conditions, Restrictions and Easements, (2) the association's Articles of Incorporation, (3) the association's Bylaws, and (3) your Rules and Regulations and/or ARC Guidelines.

Your governing documents contain covenants which all members of the community are bound by law to follow. In addition, the Board of Directors for your homeowners' association has a fiduciary duty to enforce all of the rules and covenants as they are written; they cannot pick and choose which to enforce or whom to enforce them against.

The Board is aware that some rules have not been enforced consistently in the past. The purpose of this letter is to put all owners and residents on actual notice that moving forward all of the provisions contained in your governing documents shall be enforced, regardless of any previous periods of non-enforcement.

**THIS LETTER SERVES TO INFORM ALL MEMBERS OF THE COMMUNITY THAT ALL RULES AND COVENANTS SHALL BE ENFORCED UNIFORMLY MOVING FORWARD.**

Although uniform enforcement will apply to all provisions contained in your governing documents, the association would like to make specific reference to the following items ...

Garages / Carports – (Article III B. #18) Each residence must have an attached garage for at least two automobiles. Except for lots in Section 2B and 2C and corner lots in all Sections, no garages may face a street. No carports shall be permitted.

Fencing – (Article III B. #8) Hedges, fences or walls may not be built or maintained on any portion of any Lot except on the rear or interior side Lot line and no closer to the front of the Lot than the front line of the main residence; nor closer than 25 feet to a side street, when the residence is situated on a corner lot. No fence or wall shall be erected, nor hedge maintained higher than 5 feet from the normal surface of the ground. Further, and notwithstanding the foregoing, no fence may be located on Lots 49, 50, 51 and 56 of Villages of Fireside Unit 1 Subdivision, without the prior written consent of the Architectural Control Committee, which consent can be arbitrarily withheld.

Roofs – (Article III B. #10) There shall be no flat roof on any part of a building unless the Association determines that such a flat roof is part of an overall acceptable modern or contemporary design. No built-up roof shall be permitted on pitched surfaces. The composition of all pitched roofs shall be architectural composition shingles of no less than 320 pounds per 100 square foot. The roof pitch on pitched roofs shall not be less than 6:12 unless otherwise approved by the Association.

Changes in grade – (Article III B. #4) No change in the grade or level of the land of any Committed Property shall be made which results in any permanent change in the direction of flow and drainage of surface water which the Developer or Board determines to be detrimental to the drainage of Villages of Fireside or to property values or safety of any real property or improvements in Villages of Fireside.

Litter – (Article III B. #6) No garbage, trash, refuse or rubbish shall be deposited, dumped or kept on any part of the Lots or Common Area except in closed containers, dumpsters or other garbage collection facilities deemed suitable by the Board (the “Containers”). Such Containers located on Residential Property shall be kept at the rear of and adjacent to the Residence located on a Lot or within such Residence except that containers can be placed at the front of a Lot for pick-up at the times and in accordance with the requirements of the franchised garbage removal service or appropriate governmental agency providing such service, as the case may be, for the Residential Property, but such containers shall be returned to the above-designated areas promptly after such pick-up.

Trees – (Article III B. #11) All trees, other than pine trees, which are greater than 20 feet in height and have an 8” or greater DBH may not be cut or removed without the approval of the Architectural Control Committee. The Committee shall be requested in writing by the Owner of the Lot for permission to remove any tree greater than 20 feet in height and which has an 8” or greater DBH. The Committee shall respond within seven days after receipt of request. During construction of a dwelling, all trees having a 6” DBH or greater, on the building site, shall be protected by sound tree protective measures.

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It is critical that all residents (both owners and tenants) be familiar with the rules contained in your governing documents. It is your legal duty to have read the documents and abide by all of their provisions. In addition, under Florida law, owners are legally responsible for any covenant violations committed by their tenants, guests and invitees.

If you are not aware of the rules or need access to any of the governing documents, please contact The CAM Team at (904) 278-2338 or [villagesoffireside@comcast.net](mailto:villagesoffireside@comcast.net). Thank you in advance for your attention and compliance.

Regards,



SEAN MURRELL, ESQUIRE

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