

Parasol West Homeowners Association Inc.  
13880 Perdido Key Drive  
Pensacola, FL 32507

January 20, 2017

To All Parasol West Homeowners:

In the wake of a new year, I wanted to take an opportunity to communicate to you some new things on the horizon for Parasol West in 2017. Also, review a few regulations already in place that need clarification and reminding. I would ask that you bear with me through this letter. I will try to be clear, concise and brief so as to not waste your time.

First off, I would like to thank Rick Columbia and Peter Clarke for their efforts in the financial planning, design and construction oversight of our new **pool**. Rick Columbia dedicated hundreds of hours to this project and was instrumental in ensuring success. It is a beautiful addition to the neighborhood and should not only increase the enjoyment of our users but should increase our property values as well.

In the upcoming weeks you will be receiving correspondence in regard to a **proposed dock/slip expansion project**. For those owners who might be interested in a newly constructed and deeded slip we have a subcommittee investigating costs and feasibility of an addition to the existing dock. The details will be communicated to you shortly which will answer your questions, provide a projected cost and give you an opportunity to participate if you choose. It should be noted that the cost of this project will be absorbed only by those who commit to a new boat slip.

Next, I would like to discuss the **front gate** and the changes that will be made in the very near future. The current generic gate code of #1996 is long overdue for a change. Our front gate has the security capability of allowing every owner a specific gate code to allow entry into the neighborhood. Each time a code is used it is logged with Johnson Control who maintains the operation and security of our front gate. There will be a grace period identified where in the current code of #1996 will still allow entry. At the conclusion of this grace period only your code will allow entry for you and your guests. As an owner you can pick your own four digit gate code. You have until **February 15, 2017** to respond to this letter, by email preferably, with your desired four digit access code. If you choose not to pick your own then a code will be assigned to you by Johnson Control. The only thing I would ask is that no one requests #1996. If you have a remote control gate opener, it will still work

At this time I would like to shift focus to some issues that hinder and detract not only from the curb appeal of our neighborhood but the good working order as well. Nothing that I am going to discuss here is a new policy or declaration. The rules and regulations come directly from the Parasol West Homeowners' Association By-Laws that were first published in 1994 and provided to each homeowner at the time of property purchase. Please take a moment and read the parking policy below that I have copied and included:

**-Parking Policy: Article VIII, General Restrictions**

**Section 2. Vehicles to be garaged.** No trailer, mobile home, camper, motor bike, motorcycle, motor scooter, boat, boat trailer, house trailer, truck, tractor or commercial vehicle of any kind, or any other vehicle, machine, equipment or apparatus other than operating passenger automobiles and operating passenger vans (vans are limited to those that are no longer and no wider than American-made family automobiles), shall be parked in

any driveway or on any Lot in the subdivision except in a garage beneath the dwelling, or other appropriate storage area off the subdivision.

In summary, operating passenger automobiles and operating passenger vans (as defined above) are permitted to be parked on your driveway or in your garage. This does not include the street or sidewalk of Gulf View Lane or in a neighboring lot. Furthermore, if you choose to have any other vehicle to include: **trailer, mobile home, camper, motor bike, motorcycle, motor scooter, boat, boat trailer, house trailer, truck, tractor or commercial vehicle of any kind, or any other vehicle, machine, equipment or apparatus other than operating passenger automobiles and operating passenger vans (vans are limited to those that are no longer and no wider than American-made family automobiles) defined in the article above it must be kept in a garage beneath the dwelling or other storage area off the subdivision.** For instance many of our homeowners own boats however, we have made arrangements that our boat trailers are stored at an offsite location. Abiding by this policy will greatly reduce congestion within our neighborhood and reduce the appearance of an ill managed parking lot. Those who choose to violate this policy are subject to having their vehicle or boat trailer towed.

**-Boat Launch Policy: Article VII, Common Pier, Boat Slips and Ramp.**

**Section 1: Construction and Provision of Pier, Boat Slips and Ramp.** Declarant Intends subject to approval by and availability of permits from applicable regulatory agencies to construct and provide a common pier, boat slips and a boat ramp to be used by Owners and their guests.

Upon clarification from our attorney "guests" are not considered short/long term tenants.

**Section 7: Dock, Slips and Boat Ramp Rules.** A. Sign: "Rules for Launching and Retrieval: You must be a Parasol West Homeowner".

In summary, as clearly stated above, you must be a Parasol West Homeowner to launch and retrieve a boat utilizing the Parasol West boat ramp. Short and long term tenants within our neighborhood do not have the right to launch or retrieve a boat from our community boat ramp or utilize the common area to include the dock and common boat slips. However, the board has decided, at this time, to allow the use of the community slips and dock by non-owners (short/long term tenants) who must launch and retrieve their boat elsewhere. Furthermore, tenant boat trailer parking/storage must take place off subdivision property or risk having their boat trailers towed. Homeowners who choose to rent their homes are responsible for the penalties imposed when in violation of the policies clarified above.

If you take a few minutes and go through the PWHOA By-Laws you will quickly notice that the only thing mentioned in regard to short- term rentals is an amendment on page 41, dated September 9, 1996. I have copied it for your review:

**FOURTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PARASOL WEST, A SUBDIVISION.** September 9, 1996. WHEREAS, the Owners desire further to amend the Declaration, and being the holders of not less than fifty-one percent (51.0%) of the votes of the lot Owners are legally entitled to do so, NOW THEREFORE, Owners amend the Declaration as follows:

1. Article VIII shall be and is hereby amended to add the following subsection:  
Section 25. Short-Term Rental. An owner or lessee of any LOT within the properties shall not rent or lease my lot, or home within the Properties for a rental or lease period of less than 30 days.

At first glance this amendment appears to clearly define a restriction of short-term rentals. However, it incorrectly states that only a 51.0% vote was required to amend this amendment. When I purchased my lot within Parasol West and made the decision to build I was falsely under the impression that short-term rentals were not allowed within our neighborhood based on the above

amendment. I clearly made a mistake and did not read the by-laws close enough to realize that it requires an assent of two-thirds (2/3) of the entire membership and this amendment was never notarized. From the By-Laws:

Pg. 5 ARTICLE VIII. AMENDMENTS, Amendments to these Articles shall require the assent of two-thirds (2/3) of the entire membership.

Why do I bring this up? If you were like me and didn't know or understand why or how short-term rentals are permitted based on the by-law verbiage then this should clear it up.

Through establishing and enforcing rules and regulations in regard to short term rentals we can alleviate the issues of overflow parking, noise complaints, common property damage, theft and trespassing as we have experienced in years past. It is the board's intent to work with those owners who choose to short term rent to develop a set of rules that are appropriate and reasonable for all parties involved. This will bring our neighborhood in line with other communities who permit short-term rentals with clearly defined rules and regulations to help guarantee good working order while protecting property values. These rules and regulations will be in force for the 2017 rental season.

Moving along, Escambia County Utility Authority (ECUA) has guidelines established for the pickup of **yard debris**, palm fronds and tree trimmings. If these guidelines are not followed closely your yard debris will not get picked up for disposal. The issue for the neighborhood is yard debris placed curbside outside the established guidelines set forth by ECUA languish and inevitably become scattered over time in vacant lots around the neighborhood. I would ask that if you are going to place debris curbside for pickup that you familiarize yourself with those guidelines set forth by ECUA to guarantee a successful pickup.

For the record I would like to clarify the misconception that our neighborhood has our own beach access. For years some of our residents and tenants have used the vacant lot across the street from the southwest corner of our property to access the beach. Years ago the owners of that vacant lot, via a letter to Parasol West, demanded we cease **trespassing** on their property for the purpose of beach access. Those owners went a step further, posting signs and a chain restricting access. This would seem like a very straight-forward issue which requires no interpretation. However, I continue to witness residents and tenants stepping over the chain or disconnecting the chain to walk through or in some cases drive and park on private property to access the beach. I would ask you to only access the beach from those areas on Perdido Key that are clearly marked as public beach access and ensure your tenants do the same.

In regard to **public beach access**, it has been brought to my attention that Escambia County has purchased the large vacant gulf front lot east of the Crab Trap Restaurant. It has been their tendency to develop those types of purchases into public beach access with amenities. While this development remains to be seen it would be a very positive addition for our subdivision to have public beach access within such a short distance.

On another positive note, over the last 18 months there have been 10 houses sold within Parasol West. Some of those houses had been on the market for five plus years. That number includes the foreclosure properties that sat stagnant for numerous years. For the first time in many years Parasol West will be able to collect dues from all 52 owners.

In closing I would like to thank you for your time and patience in reading and comprehending this letter. The board is here for you so please feel free to pass on any thoughts, recommendations or plans for the future of our neighborhood. Parasol West is an upscale community that should shine and be "the subdivision" where people want to own and live the beach and boating lifestyle here on Perdido Key. It is my belief that we are long overdue for a "tightening of the belt" so to speak to help ensure our neighborhood can achieve its full potential. It is my goal to preserve and further grow

your investment in Parasol West while at the same time not lose sight of a friendly and family oriented place to call home.

Sincerely,

Andy Hall  
President