

Spring is Here!



DAYBREAK WOODS HOMEOWNERS' ASSOCIATION, INC.

Daybreak Woods

President's Message...by Mike Zeal

Spring is here and I am very glad to say that there have been many improvements that we have seen in the neighborhood over the past few months. Many people have begun to fix their lawns, we've seen a flurry of homes being pressure washed clean, and just a general attitude of improving ones home has flourished. The goal of this year's board has been to first invigorate all homeowners to take pride in our community and get everyone up to a level of excellence in how we are seen.

Secondly it is our goal to make sure that all homeowners are treated fairly and uniformly when dealing with the covenants. While this has not been an easy road to travel and it has taken some pushing from our management company to see that everyone is inspected fairly and the same across the board, I believe they have helped to drive home that our community has covenants regarding

the appearance of everyone's home and if you choose not to follow our guiding documents then the enforcement allowed by the covenants and Florida law will take place. Our goal with enforcement has never been to fine homeowners and profit, it is more a way for us to bring problems to ones attention and get a plan together to fix it within a homeowner's means and timeframe.



The other area where Florida Property & Association Management has been a positive light has been in the collection of annual assessments. They have provided a steadfast and fair collection process which has helped all owners to be treated fairly. No matter how this item has been handled

in the past, this is the most important work for the association for the entire year.

Without these monies coming in we simply could not function and attempt to

- Continued on Page 5-

2008 Collections Status...



As of this newsletter, all accounts with past-due amounts have been turned over for collection through the Association's attorney.

One area most owners do not understand is the application of payments received. As per Florida Statute 720.3085 the interest rate charged on past due accounts is 18 percent and the late fee is the greater of \$25.00 or 5 percent of the amount due. Additionally, any payment received shall first be applied to any interest accrued, then to any administrative late fee,

then to any costs (certified mail, postage, duplicating, etc.) and reasonable attorney's fees incurred in collection, and then to the delinquent assessment. This paragraph applies notwithstanding any restrictive endorsement, designation, or instruction placed on or accompanying a payment.

This means all the up-front fees are collected first before any portion of your payment is applied to your dues. Finally, there is no grace period when using a "Postmark-by" date. If a payment is received with a postmark after this date, late fees will be incurred.

Inside this issue:

Yard Sales, Leash Laws, Vehicle Parking	2
How to Stop Junk Mail	3
Yard of the Month Returns	3
Building Permit Requirements	4
Questions & Answers	5
Improvements Ahead	6

NEXT SCHEDULED HOMEOWNERS' MEETING:

MAY 1st @ 6:30 P.M.

in the

Oceanway Community Center

Yard Sales, Leash Laws, Junk Vehicles & Street Parking...

The Association has received numerous inquiries about reporting violations of excessive yard sales (more than 10 per year), pets roaming free, or vehicle parking issues. Since some of these are violations of city codes and not areas the Association has jurisdiction over, we may ask you to call the city's One-Call center at (904) 630-CITY (2489) and report these matters.

The city will have code enforcement



inspectors look into the situation. They will also give you an incident number to track their response to your inquiry (which is kept confidential). To help you, here are a few excerpts from the city codes on these areas (you can look up the full text of the codes at <http://www.municode.com>).

Sec. 804.1004. Parking not to obstruct traffic: (a) No person shall park a vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic or in any portion of a traffic lane.



Sec. 462.301. General. (a) Animals shall not be kept on property in a manner that causes any one or more of the following: creates unsanitary conditions; is a source of infestation by insects or rodents; creates physical conditions that endanger the health or safety of humans, that are detrimental to property values, or that tend to degrade the appearance of a neighborhood.

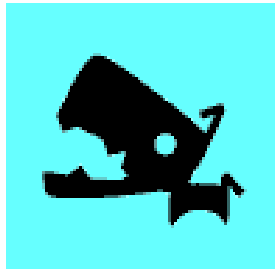
Sec. 462.302. Noise. (a) It shall be unlawful for the owner, or any person having temporary custody, of an animal or animals to allow the animal(s), to bark, meow, whine, howl, or to make other sounds common to the species, persistently or continuously for a period of 30 minutes or longer when every animal is not contained within an enclosure sufficient to baffle loud noises.

Sec. 462.303. Animals at-large prohibited. (a) No owner of any dog or cat shall permit the dog or cat to be at-large.



Sec. 462.304. Habitual nuisance.

(a) It shall be unlawful for the owner, or any person having temporary custody, of an animal or animals to permit the animal(s), either willfully or through failure to exercise due care or control, to commit a nuisance by running at-large habitually; by chasing or running after vehicles or persons habitually; by trespassing upon public or private school grounds habitually; by trespassing upon private property habitually and interfering with the reasonable use and enjoyment of the property; by barking habitually, or by making other objectionable animal noises habitually; or by doing any other thing habitually which is so offensive as to create a nuisance. (b) For the purpose of this Section, "habitually" means at least two separate occurrences within a time period of no more than one month; except that barking habitually, or making other objectionable animal noises habitually, means making the sound persistently or continuously for at least 30 minutes occurring at least three separate times within a period of no more than eight hours.



Sec. 462.305. Destruction of property and biting. (a) No owner of an animal shall permit the animal, either willfully or through failure to exercise due care or control, to destroy or damage the property of another including, but not limited to, the unprovoked biting, attacking or wounding of another person's animal. (b) No owner of an animal shall permit the animal to bite, attack or wound a human.

Sec. 462.307. Requirement to confine female dog or cat in heat. (a) It shall be unlawful and punishable by a fine of \$250 for the owner of a female dog or cat in heat to permit or allow it to be upon the public street or in a public place unless restrained by leash, tether or chain and under the physical control of the owner. The owner of a female dog or cat in heat shall, at all times, keep it securely confined on private property and inside a secure building or secure enclosure having a secure top and bottom attached to all sides so as to prevent conception.

Sec. 518.451. Responsibilities of owners and occupants. **Cleanliness.** No owner or other person shall occupy or let to another person for occupancy a property unless it and the

premises are clean, sanitary, fit for occupancy and comply with all applicable requirements of the city and the state.

(h) **Care of premises.**- No owner or occupant of a property shall utilize the premises of the property for the open storage of junk, non-drivable motorized vehicles or derelict property, building rubbish or debris or similar items. It shall be the duty and responsibility of every owner or occupant to keep the premises of property clean and to remove from the premises all junk, non-drivable motorized vehicles, derelict property, building rubbish, debris or similar items.



Abandoned or junk vehicle means a vehicle that does not bear a license plate, or if the displayed license plate is invalid, unless said vehicle is stored within a completely enclosed building or as defined in Section 656.1601, Ordinance Code, which: (a) Threatens or endangers public safety or welfare; (b) **Creates a blighting influence upon the neighborhood where the vehicle rests**; or (c) Is, or may reasonably become, infested or inhabited by rodents, vermin or animals, or may furnish a breeding place for rodents, vermin or animals. **Inoperable** when referring to a vehicle means incapable of being immediately driven, moved or pulled in the manner for which it was intended or designed.

(k) **Weeds, grass and other flora.** Occupants of property shall be responsible for keeping the premises free from the excessive growth of weeds, grass and other flora.

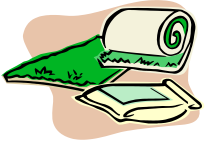


Deterioration shall mean the condition or appearance of a building or structure, characterized by holes, breaks, rot, crumbling, cracking, spalling, peeling, rusting, or other evidence of physical decay or neglect, excessive use, or lack of maintenance. **Good state of repair** shall mean and be a standard of maintenance that renders a building safe, serviceable, habitable, and possessed of a neat and orderly appearance.

Good working condition shall mean the item is fully operable for the use for which it was intended.

Infestation means the presence, within or around a dwelling, of insects, rodents or other pests.

Proper management practices that encourage a dense, thriving turf are the best method of weed control. Healthy turf shades the soil so sunlight can't reach weed seeds ready to germinate. A thick turf also minimizes the physical space available for weeds to become established. There are several management practices that will promote a healthy, dense grass.



Proper Turf grass Selection Proper management begins with selection of the best turf species or variety for a particular area. For example, heavily shaded areas will support only a few turf grass species. This results in thin, weak turf that is very susceptible to weed invasion. Good grass choices for shady conditions would be certain cultivars of St. Augustine grass, zoysia grass, and to a lesser degree, centipede grass.

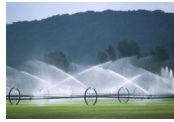
Proper Cultural Practices Proper fertilization, watering, mowing, and control of other pests are required to produce a dense turf that will prevent weed infestation. If turf is over-or under-watered, over-or under-fertilized, or mowed too low or too infre-

quently, the turf is weakened and cannot compete with weeds. Damaged areas resulting from using unsharpened mowers increase time needed for turf recovery, allowing for weed invasion. It is very important to understand that weeds don't create a void, they fill a void.

Sanitation It is extremely important to prevent the introduction of weeds into lawn areas. A good practice is to wash off mowers and trimmers used in weed-infested areas before mowing or trimming in weed-free areas. Similarly, rototillers should be thoroughly cleaned prior to and after using to minimize dispersal of weed seeds found in the soil. Yard clippings that contain weeds should be properly disposed of or composted to reduce the possibility of unwanted contamination.

Watering Your objective when irrigating is to get the maximum amount of water to the root zone without over-irrigating. In most Florida soils, this is somewhere between 1/2 to 1 inch of water. Sandy soils will generally wet to a depth of 12 inches for each inch of water applied. This will target the majority of the root system and encourage more rooting at lower depths. In heavier soils, as are often found in north Florida, less water may be adequate

and you might only apply 1/2 to 3/4 inch. In parts of southeast Florida, or wherever there may be hard limestone less than 12 inches below ground, you may also need less water. With less soil, there is no point in trying to encourage deeper rooting.



Watering under Drought Conditions When watering restrictions limit the frequency with which we can irrigate, some people are

tempted to irrigate to the point of run-off. This should never be done, as we are wasting water, encouraging disease and weed problems, and creating potential pollution problems. This is not only wasteful but may also damage or kill your lawn. Rain sensors, which are mandatory on all new irrigation systems, should always be functional and in place.

If you haven't been to the University of Florida's Turfgrass site for Homeowners, we highly recommend a visit. The web address is: <http://yourfloridalawn.ifas.ufl.edu/index.html>

They have a variety of helpful resources for homeowners and have a service for a fee of \$75.00 which provides a diagnosis of turf problems. Applications are available online.

Yard of the Quarter Begins...

Starting in April the Association will be looking at all the properties in the neighborhood for recognition!

As part of the normal monthly inspections as well as nominations by you through either the e-mail address: board@daybreakwoods.org or via U.S. mail to the association at P.O. Box 350210, Jacksonville, FL 32235, the Board of Directors will be awarding a Yard of the Quarter winner with a \$50.00 Lowe's Gift Card, nice certificate suitable for framing as well placing a sign in your yard saying "Award Win-



Mike Zeal and Jenn Mann congratulate 1st Qtr Winners Remona & Michael Cobb at 1198 Summer Bluff

ning Yard" that will stay there until the next quarterly winner is selected.

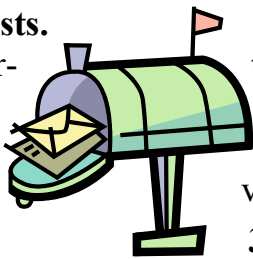
We hope this will get the creative and competitive juices flowing and help make our neighborhood a truly great place to live.

Deadline for nominations is the 1st of each month and winners will be published in a future issue of the newsletter.

We look forward to the coming months and to seeing all the lovely yards. Just a note: Board members are not eligible for this community recognition.

How to Stop Junk Mail...

1. Get off the lists. Go to the Mail Preferences Service registry of the Direct marketing Association (dmachoice.org) and click "remove my name from those lists" Online registration is free and good for 3 years.



2. Don't fill out registration forms. (unless you want recall alerts). These lists are used for direct mail advertising.

3. Squash preapproved credit offers. Register at optoutprescreen.com or call toll free 888-567-8688, both methods cover you for 5 years.

4. Remain anonymous. Super loyalty cards can generate unsolicited mail, so sign up for cards using a pseudonym like Jane or Jim Shopper, with no address, to preserve anonymity.

5. Stay vigilant. Buying online is the main culprit for catalog overload. Go online to catalogchoice.org and opt out.

Architectural Changes & the Need for Building Permits...

From time to time we get inquiries pertaining to the requirement for building permits to make improvements on a property. Every homeowner association we manage requires association approval through an architectural review process.

In some associations the Board of Directors performs this service because they do not have an independent architectural review committee (ARC). In others they have a formalized process an owner wishing to make an improvement must follow before they can begin work.

While most of the time either of these processes works well, the problem comes about if an owner forgets to obtain the necessary approvals before starting work or they have a contractor scheduled and need the approval expedited.

Most, if not all, associations have 30 to 45 days to review the application and take action to either approve or disapprove the planned modification. While inconvenient to the owner who forgot to obtain the required approvals, the process is in place so the association has the necessary time to render a decision after reviewing the submitted plans.

The other area that often causes confusion is the requirement by an owner to obtain a building permit and provide a copy with the ARC application. The Association is not responsible for determining if a modification requires a permit and in fact the ARC form states that an approval by the Association does not negate the owner's responsibility to comply with local, state or federal re-

quirements.

As a guide, here is an excerpt from the City of Jacksonville's Planning & Zoning Section's Municipal Code 320.408 on improvements which do not usually require permits: (f) The following work on a single-family residence may be performed **without** plan review or inspection by the Building Inspection Division, although the Building Inspection Division shall retain the right and option to perform such random inspections as may be deemed necessary to show compliance with the Florida Building Code:



- (1) Installation of water softeners.
- (2) Installation of electric or solar water heaters.
- (3) Roofing repairs or reroofing not exceeding \$5,000 in total cost.
- (4) Decks not exceeding 30 inches in height, 250 square feet in area and \$5,000 in total cost.
- (5) Installation or replacement of siding not exceeding 1,000 square feet in area or \$5,000 in total cost.
- (6) Replacement of light fixtures, switches, ceiling fans and receptacles.
- (7) Window replacement not exceeding \$5,000 in total cost.
- (8) Re-piping not exceeding \$5,000 in total cost.
- (9) Installation of electric fireplaces.
- (10) Construction or installation of sheds not exceeding 150 square feet or \$5,000 in total cost.
- (11) Replacement of existing HVAC

equipment, the installation cost of which does not exceed \$5,000. This subsection does not include liquid propane, natural gas, or oil source equipment.

(g) The following work on a single-family residence **shall require** plan review only by the Building Inspection Division; provided, however, that the Building Inspection Division shall retain the right and option to perform such random inspections as may be deemed necessary to establish compliance with the Florida Building Code:

- (1) Sheds between 151 and 250 square feet in area and not exceeding \$5,000 in total cost.
- (2) Screen enclosures not exceeding 250 square feet in area or \$5,000 in total cost.
- (3) Open carports not exceeding 500 square feet in area or \$5,000 in total costs.
- (4) Decks exceeding 30 inches in height but not exceeding \$5,000 in cost.
- (h) The exemptions granted in subsections (f) and (g) shall not relieve the owner or contractor from their duty to comply with all applicable provisions of the Florida Building Code. (Ord. 2001-1160-E, § 1; Ord. No. 2004-711-E, § 3; Ord. 2006-101-E, § 1)

Planned improvements or modifications that fall outside these specific exemptions should be an indicator to you that a permit is required, or an application made to have the city determine if one is required.

Many vendors will tell an owner that a permit is not required, however, that property owner is still responsible for determining if one is required and if required, ensuring one is obtained.

Don't get burned, always check to see if a permit is required!

Cappuccino Cake Brownies...by Betty Schofield

- 1 tablespoon instant coffee granules
- 2 teaspoons boiling water
- 1 cup (6 ounces) semisweet chocolate chips
- 1/4 cup of butter softened
- 1/2 cup of sugar
- 2 eggs
- 1/2 cup all purpose flour
- 1/4 teaspoon ground cinnamon
- In a small bowl, dissolve coffee in water;

set aside. In a microwave—safe bowl or sauce pan over low heat, melt chocolate chips.

In a small mixing bowl, cream butter and sugar. Beat in eggs, melted chocolate and coffee mixture. Combine flour and cinnamon; add to the cream mixture and mix well.

Put into a greased 8—inch square baking pan. Bake at 350 degrees for 25—30 min-

utes or until a toothpick inserted in the center comes out clean. Cool before cutting into squares. **Yield: 16 bars.**



President's Comments Continued from Page 1...

make improvements in the community.

Please note that the Association is following our governing documents, Florida Law and the Fair Credit and Debt Collections Act regarding collections and this process will be in place from here on out.

Without following our documents on these issues there would be no order to enforcement on any issues. Again our goal is to apply our covenants firmly but fairly for all.

I would also like to bring up a positive note from our first quarterly meeting, whether we know it or not our neighbors have been very giving to each other in this community. As the Board, we would like to thank all homeowners whom have given their time and efforts to help their fellow neighbors in doing landscaping repairs and helping them keep yards manicured when their neighbor is unable to do the work themselves.

I would ask that each of you take the time to thank those who give to others and maybe see if someone near you could use a little help.

Lastly it was discussed at our last meeting that while we have had plans for almost a year now to make an improve-

ment to the park, many residents have expressed that they would rather have a more presentable entrance to the neighborhood.

While the board would love to make improvements to both areas we feel that it is our fiscal responsibility to make improvements where we can without spending large sums of money especially now that we are facing difficult financial times. We have seen this expressed through the number of people who have been late paying their annual assessment.

Our neighborhood has had a few major issues to be addressed, first was the graffiti on the fence posts, the vandalism to the fence panels themselves, and lastly the constant problem of vehicles impacting our sign on the center island. Florida Property & Association Management has been hard at work with our insurance company to find ways to tackle these issues with the smallest financial impact to the association and I believe we should be able to see repairs begin very soon.

Thanks as always,

Mike Zeal, President

Questions & Answers...

Q1: Is there any way we could list people in the neighborhood who provide professional services on the community website?

A1: Great Idea! If you will e-mail us at board@daybreakwoods.org we will review them and have them posted on our web page and published in the next newsletter. It won't be an official endorsement of the service but may be a help for neighbors to help neighbors.

Q2: I got a letter about pressure washing the mildew off the side of my house, doesn't the Association have better things to do than to harass me for such a silly thing?

A2: Maintenance of your property is a requirement covered in the governing documents. While it may seem silly to you, we are not being selective on the areas being looked at during the monthly inspections. In fact, the residents in Shirley Oaks complained to their property manager about the mildew growing on numerous houses in Daybreak Woods. Mold and mildew growing on the sides of your house does create a negative image of the community and does affect property values negatively.

Q3: How come the Association stopped mowing the vacant lot on Daylight Trail? I thought this was going to become a community playground or picnic area.

A3: As part of an audit of all properties in Daybreak Woods, our new property manager discovered this lot was in fact owned by a private investor. We have now billed them for HOA fees since they obtained the lot from the developer in 2006. Since this is not association property it is not the Association's responsibility to maintain the lot. The owner has been advised to begin regular maintenance of this vacant lot. They told us they will sell the lot or build a house on the lot in the near future.

Q4: Is there a problem with the 2 retention ponds at the back of the neighborhood? I have noticed a tremendous drop in the water

levels lately and that's in spite of all the rain we've had.

A4: Great question. Blue Water Environmental, the company maintaining the ponds, found the overflow mechanisms completely clogged with vegetation and debris. Once they cleared the overflow valves, the lakes drained to the level they are supposed to be at. While this appears very low to you, the lakes are now at the level they were designed for. Had the overflow valves not been cleaned and returned to service and then we encountered heavy rains like during a storm or hurricane the lakes could have exceeded their design capacity and could have flooded your property. This is also a good place to highlight the need for flood insurance in Florida. You may have been told when you purchased your home that you are not in a flood plain and therefore don't need flood insurance. This is a good thing! Flood Insurance is really affordable because you are **not** in a flood plain. It's a very small price pay to protect your largest investment. Normal homeowner insurance policies do not cover water entering your home for any reason. It's very easy to have water rise, even from the roadway during tropical storms and flood your property. You might just check with your insurance carrier about the costs for flood insurance before the hurricane season because there is a 30-day waiting period before the policy is effective.

Q5: How do I get a street light fixed in front of my house, it's been out for quite a while?

A5: This is an easy one to answer. Call JEA's hotline at (904) 665-6000 or go online to www.jea.com and click under the "Report a Service Problem Tab" and then fill out the "Report a Streetlight Problem" form.

If you have general questions that you feel may affect everyone or a specific question you want answered, e-mail them to the Board, they will try and answer them in the next issue.

Improvements Ahead...

Entry Painting—Once the Association receives the insurance settlement for the vandalism that occurred at the entry we will be having the columns repainted. We have painted swatches of the proposed colors on the columns facing the playground and solicit your vote as to the color combination you like. You can vote via e-mail for the color combination you like. As part of the re-painting we will be having a special anti-graffiti coating added so that future clean up of graffiti (hopefully we won't need to do this) will only involve pressure washing. This is the same coating being used in urban areas to combat the awful image graffiti has on a community.

Playground—We will be looking into installing new rubberized mulch in the playground as well as cleaning and painting the playground equipment. We will also be installing replacement signs that were taken by vandals.

Rebuilding the Entry Sign—As a result of numerous accidents and vandals, we will be rebuilding the entry sign with a smaller footprint. Plans are to shorten the sign by 15-feet and reconstruct it closer to where it starts as you



leave the subdivision and then add new landscaping to the area in front of the sign. This should greatly help beautify the entrance and help reduce the possibility of trucks hitting the sign as they enter the neighborhood. We will also be replacing the Daybreak Woods lettering (which has also suffered vandalism) with a new solid design that has laser-cut lettering and color sunrise accents.

It should really look nice when done!

Fencing—Also in conjunction with the insurance settlement, we will be repairing the entire length of fencing in the neighborhood. We will have several top and bottom rails replaced along with missing panels. Hopefully with your help and that of the police, we will catch those who continue to destroy the fencing. The Association will prosecute those who are caught vandalizing the common amenities and we will seek monetary damages to repay for the reconstruction efforts. If you know of anyone connected with marking up the columns, damaging the fencing or spraying the graffiti on the columns, please help us by reporting it to the police. The case number is CCRI43612 and 143827.

Final Thoughts...by Jenn Mann

With summer right around the corner, I am optimistic that Daybreak Woods is on the right path. I have noticed more people out in their yards working and the improvements are obvious. This pride in our homes has also brought neighbors together. Personally, I have enjoyed trips to Lowe's with my neighbors, sharing tools, and learning techniques to make my home look better. I encourage everyone to compliment homeowners who have beautiful yards by asking them for some tips. As Mike said before, look around and help out neighbors when you can. Daybreak Woods really is looking better and I appreciate and am proud of everyone's hard work.

Daybreak Woods Homeowners' Assn
P.O. Box 350210
Jacksonville, FL 32235-0210



Return Service Requested