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Prepared By and Return To: Anne M. Hathorn, Esq. Anne Hathorn Legal Services, LLC 150 2<sup>nd</sup> Ave. N., Suite 1270 St. Petersburg, FL 33701

## CERTIFICATE OF AMENDMENTS TO THE REVITALIZED DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS OF VENETIAN ISLES

WE HEREBY CERTIFY THAT the attached true and correct copy of the Amendments to the Revitalized Declaration of Restrictions and Protective Covenants of Venetian Isles, as recorded in Official Records Book 21646, Pages 1787-1890, of the Public Records of Pinellas County, Florida, were duly adopted in the manner provided for in Article 50 of the Governing Documents, by a 66-2/3% or more majority affirmative vote of the owners.

IN WITNESS WHEREOF, we have affixed our hands this 6th day of September, 2022, in Pinellas County, Florida.

Printed Name: Charles W. Bake

Printed Name: Charles W. Bake

VENETIAN ISLES HOMEOWNERS ASSOCIATION, INC.

RICHARD SCANLON, PRESIDENT

Attest: Maa / LINDA TESTA, SECRETARY

COUNTY OF PINELLAS STATE OF FLORIDA

WITNESSES:

The foregoing instrument was acknowledged before me this 6 day of 2022, by RICHARD SCANLON, as President, and attested to by LINDA TESTA, as Secretary, on behalf of Venetian Isles Homeowners Association, Inc., a Florida not-for-profit corporation. They are personally known to me or have produced valid photo identification.

WITNESS my hand and official seal in the County and State last aforesaid, this day of January, 2022.

Notary Public State of Florida Charlotte Toth My Commission HH 228331 Exp. 4/29/2026

Notary Public State of Florida at Large

My Commission Expires: 4/29/

### ADOPTED AMENDMENTS TO THE REVITALIZED DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS OF VENETIAN ISLES

- 1. ADOPTED AMENDMENT TO REPLACE ARTICLE 3 OF THE REVITALIZED DECLARATION OF RESTRICTIONS AND PROTECTIVE COVENANTS (THE "DEED RESTRICTIONS"), TO READ AS FOLLOWS:
  - 3. This Restriction and Protective Covenant ("Deed Restriction") concerns Setbacks and Exclusions.
    - A. Notwithstanding any approval by the City to the contrary, no building or structure shall be erected or placed:
      - (1) Closer than 25 feet to the front-yard property line (the right-of-way line at the front of the property);
      - (2) Closer than 7½ feet to the interior side-yard property line (the line dividing the property from the adjacent property to the side), except where two adjacent lots are owned by the same person(s)/entity and have been combined, for the purpose of constructing one residence on such combined lots, after approval by all governmental agencies having jurisdiction over the lot.
      - (3) Closer than 15 feet to the street side-yard property line (the right-of-way line at the side of the property), for a corner lot.
      - (4) Closer than 15 feet to the centerline of the seawall cap, for a waterfront lot.
      - (5) Closer than 20 feet to the rear-yard property line, for an interior lot (a lot within the block formed by Carolina Ave NE and Carolina Cir NE).
    - B. The following are permitted encroachments into side- and rear-yard setbacks under this Declaration unless otherwise prohibited by the City Code. Limitations, such as noise attenuation, will apply under other Deed Restrictions in this Declaration:
      - (1) Air-conditioner compressor units and pool equipment, but no closer than 4 feet to the interior side-yard property line, no closer than 9 feet to the street side-yard property line for corner lots, and no closer than 10 feet to the rear-yard property line.
      - (2) Wing walls for storage of trash and recycle cans. Wing walls shall be at least 4 feet high and shall extend from the dwelling wall no more than 4 feet.

- (3) Rear screen enclosures for pool and/or deck, but no closer than 10 feet to the rear- yard property line (side-yard setback requirements remain as stated in subparagraph A).
- (4) Swimming pools with a water surface no closer than 10 feet to the landward face of the seawall cap, if the cap is more than three years old at the time of construction.
- C. These setbacks and exclusions apply to construction undertaken after the adoption of this Deed Restriction.

# 2. ADOPTED AMENDMENT TO ADD A NEW ARTICLE 53 TO THE DEED RESTRICTIONS, TO READ AS FOLLOWS:

53. This Restriction and Protective Covenant ("Deed Restriction") concerns non-chain-link fencing and is an addendum to Deed Restriction 22. This Deed Restriction 53 allows a fencing type other than chain link when used as specified by this Deed Restriction.

Non-chain-link fences and gates may be erected using wrought iron or wrought aluminum materials with the following restrictions:

#### A. Specifications:

- (1) Colors shall be black or bronze;
- (2) Construction shall be two- or three-rail.
- (3) Spacing between line posts and/or corner posts shall not exceed 8 feet.
- (4) Spacing of pickets shall not be less than 3½ inches between any two adjacent vertical members.
- (5) Height shall not exceed **52** inches on all vertical members to include any spears or finials measured vertically from the highest point along any point of the fence assembly to the ground directly below; gate height shall not exceed **76** inches on all vertical members to include any spears or finials measured vertically from the highest point along any point of the fence assembly to the ground directly below.

#### (6) Dimensions:

- (a) Corner posts shall not exceed 3 inches in any horizontal dimension.
- (b) Line posts shall not exceed 3 inches in any horizontal dimension.
- (c) Top and bottom horizontal rails shall not exceed 1 inch in any dimension except length.

- (d) Pickets (vertical members between posts) shall not exceed ¾ inch in any horizontal dimension.
- B. Placement of fencing described above is limited to:
  - (1) At or near-parallel to the property line on the sides of the dwelling, extending from any point behind the front of the dwelling toward the rear boundary of the property; and/or
  - (2) Along the rear boundary line of the property; and/or
  - (3) At an angle from fence lines described in (1) and (2), to a point alongside the dwelling and not past the front of the dwelling nor past the rear of the dwelling.

The provisions of Deed Restriction 22 remain in force, as this Deed Restriction 53 is specific to providing a material other than chain link and its approved installation location.

Any construction or installation under this Deed Restriction shall commence only after the approval, under Deed Restriction 13, of the Venetian Isles Homeowners Association, Inc.'s Architectural Review Committee.

Chain link and non-chain link fencing may be used together or separately while complying with the provisions of Deed Restriction 22 and this Deed Restriction 53.