

# The Fountain

## Cape Haze Community Newsletter

Volume 15, Issue 3

May 2011

### Deed Restriction Revitalization

When Cape Haze was established in 1953 a set of Deed Restrictions was established and imposed by the developer on all properties in Cape Haze. In 1983, the Cape Haze Property Owners Association (CHPOA) was granted the right to administer a subset of these restrictions by the developer.

All the residential properties in Cape Haze originally held by the developer have been sold and consequently the original developer has ceased to be a factor in Cape Haze. Outside of county government, CHPOA remains the only body with any influence on issues within Cape Haze.

The original restrictions, which defined certain factors that would have maximum impact on maintaining property values expired in 2003. At that time and with the advice of an attorney, the original restrictions were re-filed under Florida's Marketable Record Title Act (MRTA) by CHPOA. It was our belief, and our attorney's opinion at the time, that such action renewed the restrictions and that they remain valid and in effect for another 30 years.

Florida law has recently changed to the benefit of non-mandatory, voluntary property owners' organizations such as CHPOA. The new law requires only that a simple majority of property owners indicate its support for a set of deed restrictions and that such support be filed with the Florida Department of Community Affairs and, in our case, Charlotte County.

So we now have the opportunity to determine, without ambiguity, whether or not the community at large still desires deed restrictions. A booklet has been provided to all property owners to ask that question. As required by Florida law, the booklet spells out the revitalized restrictions, the list of properties subject to them, and the governing documents for CHPOA, as the organization that would oversee compliance. It also contains a ballot whereby owners can indicate their approval for revitalization. You may download a copy of the ballot by clicking at the Cape Website, [www.capehaze.com](http://www.capehaze.com).

In pursuit of this new option, a task force, made up of both CHPOA and non-CHPOA neighbor volunteers, (The Deed Restriction Renewal Organizing Committee) has reviewed the original deed restrictions and distilled them down to the most important and meaningful covenants. This simplification is completely compatible with the appropriate Florida law. You will find the list of restrictions to be shorter and more lenient than our historical covenants.

In all likelihood, this is the last time this question will be raised. The majority of property owners will speak at this time, one way or the other, on the future of deed restrictions in Cape Haze. Local realtors have confirmed that lack of compliance with deed restrictions has indeed hurt property values in Cape Haze and in some cases has turned away potential buyers. In a tough real estate market, destined to remain so for many years, our lax approach to deed restrictions is putting us at a competitive disadvantage with other neighborhoods.

If this trend is of concern to you, we urge you to support our effort by returning your signed approval form. If you disagree, we would still like to hear from you so please return your completed ballot and let your voice be heard.

Thank you.

## 771/775 Intersection Update

When Charlotte County adopted its 2050 Comprehensive Plan last year it designated the intersection of 771/775, around the Fishery and Mercabo, as a Revitalizing Area. When you read the fine print, that designation meant that the County could transfer free density into the area to allow large development.

At the same time the County also adopted a new land use category allowing up to 65 units per acre. If that land use category were applied to 771/775 the area could see some significant high rise development.

The Friends of Cape Haze, Inc. (FCH) filed a legal appeal to challenge the County action on the grounds that it was inconsistent with state requirements for limiting population in the Coastal High Hazard Area (CHHA).

Trial was scheduled for February 2011 and a number of depositions were taken. In the midst of the depositions the County indicated it was interested in settling. An agreement was worked out which provided that no free density can be transferred into the 771/775 area.

Any new density in that area must come from another West County CHHA. The settlement will be final when it is accepted by the state Department of Community Affairs, probably in June or early July.

The County's 2050 attempt to pack density into the area makes it pretty clear that the intention is for future large scale development. The County has always held that because many properties in the area are zoned industrial, it can do whatever it wants with further development.

Besides the ultimate very favorable settlement, one additional benefit from the lawsuit is that FCH learned that industrial land use designations DO NOT permit the development of uses such as hotels or time shares. Instead there has to be a specific land use change to allow that.

The FCH lawsuit has insured that future actions which might affect the 771/775 area will have to go through required public notice and hearings. It is up to all the neighboring communities to watch out for proposals which may affect us so that we can make our voices heard to County officials.

Friends of Cape Haze is an association of West County individuals from numerous property owner groups. Friends of Cape Haze, Inc. is a 501 (c) (3) organization dedicated to the sustainable health and development of the area. Dick Flint of Placida Harbour is the President. CHPOA members involved include Bill Dahms, Marv Medintz and Percy Angelo. Let one of us know if you'd like to be on the FCH e-mail distribution list.

Percy Angelo



Thanks to CAM Volunteers, Ibis Island has been trimmed to open up the waterway for safer boating.

Photos courtesy of Bill Blasdell



## Meet Your Boards' Members



**Barbara and Art Hanson** quietly put a lot of time and talent into serving the Cape Haze Community. Barbara is President of the Women's Club and Art is completing his third year on the

CHPOA Board. The couple has always been active in supporting their churches, local schools and their communities, especially through the PTA and scouts.

Art was born in Brooklyn, New York and moved to Kearny, New Jersey as a child. He attended Newark College of Engineering and received his degree in Civil Engineering. Art is a licensed professional engineer, land surveyor and planner who has been self employed. His company, Hanson Engineering, had been mainly involved in development throughout New Jersey.

Barbara was born and raised in Kearny, New Jersey. She received her BA in Elementary Education from Jersey City State College and taught three years before deciding to stay home to raise a family. Barbara returned to school at Montclair State College and, after 17 years as a stay-at-home mom, became a Media Specialist with the Parsippany, New Jersey school system.

Barbara and Art met through a mutual friend and have been married almost 44 years. They have one son, two daughters, a granddaughter and are expecting a second grandchild any day. Their son, Brian, lives in Sarasota and is Vice President of IPSH, a computer marketing company. Their daughter Cheryl is a theatre stage manager and currently works in Alabama and Colorado. Daughter Dawn and her husband Glen Sears live in Magnolia, New Jersey. Dawn is currently staying home with three-year-old Cassandra and awaiting the arrival of their second child.

Art and Barbara are very family oriented and spend a lot of time with all their children. Sometimes they head north to baby sit and sometimes they pet sit Brian's St. Bernard, Friday, who comes to Cape Haze to play with Hanson's dog, Sam. Art and Barbara enjoy all their family members, human and otherwise.

Art has enjoyed snow skiing and bowling, but now spends most of his free time playing golf. Naturally Barbara likes to read and she also enjoys sewing, cooking, and water aerobics. Both enjoy cards, games, and traveling together.

In addition to his service on the CHPOA Board, Art is active in the church and is on the MSBU Committee currently serving as its Chairman. Barbara is kept busy managing the Cape Haze Women's Club, coordinating community social events and is active with our Book Club.

The Hansons found Cape Haze through their son, who was living in Englewood, and through friends living in Venice. While Hansons were visiting Florida, they enjoyed a tour of the area and fell in love with our Community, especially liking the Banyan Trees. They started looking for a home here and bought in 2005. Barbara came down and began settling in while Art commuted until he retired in 2008. They subsequently sold their home in New Jersey and are now full time Cape Hazers - at least when they're not traveling.

When asked why they continue to give so much time to the Community, both Art and Barbara answered that they've always enjoyed being involved in their community and wanted to continue that service in their retirement.

Barbara says "Cape Haze has a great group of women and being involved is a wonderful way to get to know so many of them". She hopes to see the Women's Club continue and to grow by providing interesting and fun events for the Community. This is an enjoyable way to give something back to her community.

Art feels CHPOA has good projects in mind and that he can contribute to the development of its goals. He's happy to be living here and hopes to help make Cape Haze even better in the future.

Both Hansons do wish more people would take part in the Community, either by serving on a Board or a Committee or even by just attending the meetings and social events.

We're all happy the Hansons chose Cape Haze and appreciate all they do for our Community, thanks from all of us.

## Book Club Sets Next Season Schedule



The Book Review Club is open to all our Cape Haze neighbors and we invite you to join us in the fall. We meet in the Community Center, at 10:00 am, on the second

Tuesday of each month, October through May. The 2011 - 2012 season schedule is:

October 11	<i>The Soloist</i> by Steve Lopez
November 8	<i>Hotel on the Corner of Bitter and Sweet</i> by Jamie Ford
December 13	<i>Room</i> by Emma Donoghue
January 10	<i>The Last Train to Paradise</i> by Les Standiford
February 14	<i>Sarah's Key</i> by Tatiana de Rosnay

March 13

*Please Look After Mom* by Kyung-sook Shin

April 10

*In the Woods* by Tana French

May 8

*Dreams of Joy* by Lisa See

We also make an annual list of some of our favorite books for summer reading. Both the discussion and the summer reading lists are posted on the Cape Haze Community Center bulletin board.

We continue to enjoy relaxed book discussions and this season we added an outing for lunch following meetings - we may expand this in the future. We may also return to reviewing a movie based on one of our book selections and try our hand at a comparison critique.

Please join us! - newcomers, occasional visitors and guests are always welcome!

Nancy Buechler, 697-0885

## Recycle Sorting No Longer Necessary

Did you know recycling a single aluminum can saves the amount of energy needed to power a TV for four hours? It's now even easier to recycle within Charlotte County as all recyclable items can now be commingled in one recycle bin.

Each municipality has its own guidelines for recycling and local Waste Management accepts newspaper (including all inserts and coupons), magazines, junk mail (including envelopes with windows), mixed paper (most types paper are acceptable, even with staples or paper clips) and telephone books. Even milk cartons and pizza boxes are acceptable as long as they are not contaminated with food waste.

Recyclable plastics include water and beverage containers, detergent, shampoo and conditioner containers, vegetable oil bottles, margarine/butter and yogurt containers, disposable cups, and PVC piping. Anything coded with a triangle around numbers 1 through 7 is acceptable. Plastic

shopping bags are not recyclable, but may be dropped off at many retail stores including Publix and Walmart.

Clear, green, and brown glass, even if it's broken, can go in the bin. Blue, yellow, and black glass are not acceptable. Aluminum, soda, beer, steel, and tin cans are fine, but no aluminum foil.

Please rinse out containers and remove all caps as processing crushes items shooting the caps off like bullets.

For further information, call 697-0012 or go to [www.wm.com](http://www.wm.com).



## Snowbirds—Before You Leave Check List

The University of Florida says humidity control, flood protection and mold and mildew prevention are the most common concerns for every snowbird. You can control humidity levels and inhibit mold and mildew growth by minimizing indoor moisture and blocking outside moisture.

Before you leave, have your air conditioning system inspected and cleaned. Program your A/C to run continually for about two hours beginning at 3:00 or 4:00 am. This is one of the MOST important things you can do!

The other action most recommended by experts is to have someone check your home, weekly is best, but at least once a month. Be sure that person has a phone number where you can be reached in case anything does happen. They should also know the location of the water shut-off valve, have warranty, service agreement, and contact information for the pool service, air conditioning, and security alarm companies as well as for your plumber, electrician, and yard maintenance personnel.

Also consider installing a whole-house surge protector that is installed in the main electrical panel to protect against electrical surges.

General maintenance items to check before you leave are:

- Weather seal doors and windows
- Check flashing around chimneys and vents
- Clean out gutters and downspouts and repair if damaged

Additional “To Do’s” before you leave include:

- Thoroughly clean, vacuum and disinfect the house, including kitchen appliances, cabinets and countertops
- Dispose of perishable foods, including cereals, crackers and pasta
- Thoroughly clean bathroom fixtures and surfaces, wash and dry all bath towels
- Remove any plastic wrappings or bags around clothing
- Leave the refrigerator on, but do not leave any food in it or in the freezer
- If you choose to unplug the refrigerator, be sure the door will stay propped open
- Prop open the dishwasher door to prevent mold growth from residual moisture
- Cover kitchen and bath vents with plastic
- Turn off water at emergency cut-off valve outside the home
- Unplug the computer and remove the phone jack from the wall if you have a modem
- Turn off the water to the washing machine and the hot water heater
- Unplug the hot water heater or flip the circuit-breaker
- Unplug lamps, televisions, stereos, small appliances
- There is no need to unplug the stove
- Close the fireplace flue
- Set the A/C thermostat as noted above
- Give someone a key, security alarm information, your contact information, and contact information for necessary maintenance personnel
- Make the house seem occupied
- If you contract with a service, make sure they are licensed, bonded and insured

Now you’re ready to leave for a fun, relaxing summer.

# Cape Haze Women's Club

At the Annual Luncheon, held at the Coral Creek Country Club, the following slate of officers was elected: Barbara Hanson, President; Nancy Buechler and Clare Landmann, Co Vice-Presidents; Penny Rieley, Secretary; Mary Landy, Treasurer. A special thanks to Mary Lou Fitzgerald and Sharon Blasdell who have completed their terms.

After almost 20 years we bid farewell to our Librarian Ellie Wolthoff and welcome our new Librarian Nancy Fogle. Thank you Ellie for your untiring dedication to keeping our library in tip-top shape.

Our Bun Appetite Dinner following the April CHPOA meeting received rave reviews. Thanks to CHPOA member Gil Bricault who entertained us and provided dance music for our own Cape Haze Dancers under the Stars. Thanks, also, to Jack Fitzgerald for manning the grill.

The Cinco de Mayo Celebration was shared by 27 people. Music and Mexican food encouraged a great night of socializing with neighbors. Thanks to everyone who helped.

Through the generous donations of non-perishable food items we were able to supply local food pantries each month since October. Thank you for your support and kindness. Starting this October we will be supporting KIDS NEEDS. A suggested items list will be posted for donations each month. Please check the website and the bulletin board outside the Community Center for more details to follow.

Although many members go north for the summer, our year-round residents continue to enjoy the Friday Night Socials held at the Community Center on the 2<sup>nd</sup> Friday of the month. Bring your own beverage and an appetizer to share. Please join us if you are in town. Have vacation guests? Bring them with you. Everyone is welcome! The following members have agreed to host:

June 10 - Mary & Gerry Landy

July 8 - Clare & Don Landmann

August 12 - Barbara & Art Hanson

Dates and activities are still in the planning stage so check the website at [www.capehaze.org](http://www.capehaze.org) where the listing will be published. A short meeting and welcome back luncheon will take place in October with the date and details to follow.

On October 31 we will have our first *Trunk or Treat Halloween Celebration* for the kids of Cape Haze. More details to follow shortly.

Saturday, November 11 - The Membership CHPOA meeting at 4:00 pm will be followed by a pizza and salad party. More details to follow.

Have a safe and healthy summer. Stay cool and enjoy.

Barbara Hanson, President



## CAPE HAZE on the GO

On July 4th, Mary Lou Fitzgerald will host a cook-out at 5:00 pm at the Community Center. More details to follow.





Mark Your Calendars

## Upcoming Events

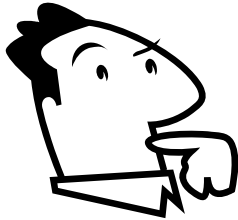
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|-------------|---|
| June 10     | Friday Night Social<br>5:00 - 7:00 PM - Community Center                                    |
| July 4      | Cook Out<br>5:00 PM - Community Center<br>More Details to Come                              |
| July 8      | Friday Night Social<br>5:00 - 7:00 PM - Community Center                                    |
| August 12   | Friday Night Social<br>5:00 - 7:00 PM - Community Center                                    |
| September 9 | Friday Night Social<br>5:00 - 7:00 PM - Community Center                                    |
| October 11  | Book Club - <i>The Soloist</i><br>10:00 AM - Community Center                               |
| October 14  | Friday Night Social<br>5:00 - 7:00 PM - Community Center                                    |
| October 31  | "Trunk or Treat" Halloween Celebration<br>Community Center - More Details to Come           |
| November 8  | Book Club - <i>Hotel on the Corner of Bitter &amp; Sweet</i><br>10:00 AM - Community Center |
| November 12 | CHPOA Special Membership Meeting<br>4:00 PM - Community Center                              |
| November 12 | Pizza Night<br>Following CHPOA Meeting - Community Center                                   |

**\*\*Don't Miss Out\*\***

Stay Informed - Get the Latest News  
Check the Cape Haze Website  
[www.capehaze.org](http://www.capehaze.org)

## “Necessary” Trivia

- It's impossible to sneeze with your eyes open
- Leonardo Da Vinci invented the scissors
- Rubber bands last longer when refrigerated
- “Stewardesses: is the longest word typed with only the left hand and “lollipop” with your right
- The winter of 1932 was so cold that Niagara Falls froze completely solid
- There are 293 ways to make change for a dollar
- If the population of China walked past you, in single file, the line would never end because of the rate of reproduction



## *The Fountain*

is published January, March, May, and November.

All articles, letters, photographs, and “Upcoming Events” received by deadline will be considered for publication.

Text submissions should be Microsoft Word files.

Photographs should be .jpg files of at least 400kB in size.

Text and photographs should be attached to e-mail with “Fountain Submission” in the subject box, and forwarded to [NancyBue@aol.com](mailto:NancyBue@aol.com).

Hard copy submissions may also be considered.

**November Deadline is  
November 1, 2011**

# *The Fountain*

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**Happy Summer!  
See you in the Fall!!**

*Inside this Issue:*

- **Meet Your Boards' Members**
- **771/775 Intersection Update**
- **Preparing Your Home for Summer Vacation**

*The Fountain* is produced by Nancy Buechler Cape Haze Florida