

**Policy: Unit  
Parking**

**1. Background:**

a. Bent Pine Preserve is a residential planned community located in Indian River County, Florida. Bent Pine Preserve Homeowners Association, Inc. (the "Association") is the entity that administers and enforces the Declaration of Covenants, Conditions and Restrictions (the "Declaration") and the Rules of Bent Pine Preserve.

b. Section 1(a) of the Rules for Bent Pine Preserve states:

***Restricted Activities.** Unless expressly authorized by, and then subject to such conditions as may be imposed by, the Board of or the Declaration, [the following activities are prohibited within the Community, except to the extent undertaken by the Declarant in the course of development of the Community:]*

*(a) [Parking, leaving or storing of any automobile, motor home, truck, trailer, boat trailer, camper or other vehicle, or boat of any kind, upon any Unit, unless it is parked, left or stored in a garage or other enclosure so it is not open to view by the public or residents within the vicinity. No vehicle of any kind shall be parked overnight on any road right-of-way; provided, however, that nothing in this subsection (a) shall preclude: (i) service and delivery vehicles from using the streets and servicing the homes; (ii) parking a motor home upon a Unit for a period not to exceed 48 hours while the owner or driver thereof visits the home of an Owner; or (iii) the Declarant, Declarant Affiliates, and authorized Builders may park and use construction vehicles, trailers, and other equipment on a Unit or Common Area in connection with their construction, development, marketing, and sale of property in the Community.]*

c. Section 720.3045, Florida Statutes, states:

***Installation, display, and storage of items.**—Regardless of any covenants, restrictions, bylaws, rules, or requirements of an association, and unless prohibited by general law or local ordinance, an association may not restrict parcel owners or their tenants from installing, displaying, or storing any items on a parcel which are not visible from the parcel's frontage or an adjacent parcel, including, but not limited to, artificial turf, boats, flags, and recreational vehicles.*

d. The Board of Directors adopts this policy for the purpose of addressing how Section 1(a) of the Rules and Section 720.3045, Florida Statutes, adopted in July of 2023, will be implemented and enforced.

**2. Unit Parking ENFORCEMENT Policy (not a change to the BPCA rules we must follow):**

- a. Parking, leaving or storing of any automobile, camper, motor home, truck, trailer, boat trailer, or other vehicle, or boat of any kind (hereinafter collectively referred to as "Means of Transport"), upon any Unit, is prohibited. The only exceptions to this prohibition are the following:
- i. The Means of Transport is parked, left or stored in a garage or other enclosure so it is not open to view by the public or residents within the vicinity.
  - ii. The Means of Transport is not a prohibited vehicle as defined below:

PROHIBITED VEHICLES:

- Commercial vehicles, except government-owned law enforcement vehicles.
  - Trucks and Sport Utility Vehicles (SUVs) as defined by the Federal Highway Administration class 2a in excess of 8,500 lbs. Gross Vehicle Weight Rating (GVWR).
  - Buses.
  - Non-passenger vans.
  - Motorcycles, except for a period not to exceed 48 hours while the owner or driver thereof visits the home of an Owner.
  - Trailers, including boat trailers.
  - Boats or watercraft of any kind.
  - Recreational vehicles (RVs).
  - Inoperative vehicles.
  - Unlicensed/unregistered vehicles, including but not limited to golf carts, motorized bicycles, all-terrain vehicles, minibikes, motorized scooters, pocket bikes, go-carts, mopeds, or dune buggies.
  - Vehicles which are not street legal.
  - Vehicles which are in excess of eighty (80) inches in height.
  - Other equipment and machinery including attached machinery, trucks, digging equipment, etc.
  - Vehicles undergoing repairs, maintenance, or painting. However, minor repairs and maintenance are permitted if completed within forty-eight (48) hours. Repairs and maintenance shall not however, include the drainage of fluids from such vehicle.
  - Unsafe vehicles, defined herein as any vehicle parked or stored unattended in a hazardous condition, including, but not limited to, vehicles on jacks, jack stands, blocks, covered for long-term storage, etc.
- iii. Parking a motor home upon a Unit for a period not to exceed 48 hours while the owner or driver thereof visits the home of an Owner must also be registered with the Property Management Company.
  - iv. The Declarant, Declarant Affiliates, and authorized Builders may park and use construction vehicles, trailers, and other equipment on a Unit in connection with their construction, development, marketing, and sale of property in the Community.
  - v. Subcontractors performing home repair, maintenance, remodeling or cleaning, lawn or pool services are also exempt, as are medical service providers.

Bent Pine Preserve Homeowners Association, Inc.  
Policies and Procedures

Policy:

Unit Parking

Approved:

Effective:

March 14, 2024

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In accordance with Chapter 8 of the Governing Documents, and after written notice and an opportunity for a hearing in accordance with the ByLaws, the Board may authorize the removal and/or towing away of any vehicle in violation of these rules with the associated incurred costs and fees, including attorneys' fees, if any, to be borne by the Unit owner in violation.

Upon taking title, new homeowners are exempt for a period of three months in order to use their garage for storage during the process of moving in.

History: Adopted on March 14, 2024