

# TOHOQUA

WHERE LIFE THRIVES

## Special Edition CDD vs HOA

### Tohoqua Community Development District (“CDD”) Frequently Asked Questions

**Q: What is the Tohoqua Community Development District (the “CDD”)?**

**A:** The CDD is a limited purpose independent special district created pursuant to Chapter 190 of the Florida Statutes. As a special district, the CDD is a government entity. The CDD is an alternative method of planning, acquiring, operating and maintaining community-wide improvements in planned communities. A CDD provides the “solution” to Florida’s need to provide valuable community infrastructure generated by growth, ultimately without overburdening other governments and their taxpaying residents. Community Development Districts represent a major advancement in Florida’s effort to manage its growth effectively and efficiently. This allows a developer to establish higher construction standards, meanwhile providing a long-term solution to the operation and maintenance of the community’s facilities.

**Q: What is the general scope of the CDD’s responsibility?**

**A:** The CDD’s primary purpose is to finance, construct, own and maintain public infrastructure. The CDD constructed or acquired the roads, stormwater system, water and sewer systems, and recreational amenities within the Tohoqua development. The roads (with the exception of the alleys) and water and sewer utilities were turned over to the City of St. Cloud for ownership and maintenance. The CDD is governed by a 5 member elected Board. The Board has officers including a Chairman and Vice- Chairman. The Board is tasked with setting policy and contracts with a management company, attorney and engineer to assist in carrying out that policy.

## CDD Frequently Asked Questions (Cont.)

**Q: Is the CDD comprised of Tohoqua homeowners? If not, are there plans for it to be?**

**A:** Pursuant to Chapter 190, Florida Statutes, the Board of Supervisors is initially elected by landowner election which is based on 1 vote per acre or part of an acre. Therefore, it is not unusual early on for the developer to elect the Board as they own the majority of the land within the CDD. However, the Statutes provide for an orderly transition to a resident controlled Board. Once the CDD has been existence least 6 years and has at least 250 registered voters, the Board begins to transition to a general election process. The transition begins with 2 seats being elected through general election, then in 2 years two more seats will transition, and then in another two years, the final seat will transition. To be able to run for a general election seat, the individual must be a qualified elector. A qualified elector is someone that is registered to vote with their primary residence within the boundaries of the CDD. The Supervisor of Elections handles the general election process and those interested in running for the Board of Supervisors will need to contact them.

**Q: What is the relationship between the CDD and the Tohoqua Master Association?**

**A:** The CDD and the Tohoqua Master Association have separate and distinct responsibilities. The role of the CDD was explained in #1 above. The role of the Tohoqua Master Association is limited to the enforcement of the Codes, Covenants, & Restrictions ("CC&Rs). The Design Review Board ("DRB") is responsible for reviewing and giving a determination for each DRB Application submitted.

**Q: Is the DRB comprised of homeowners? If not, are there plans for it to be?**

**A:** The DRB is comprised of individuals appointed by the Declarant (developer). As stated in the Master Association documents, the Master Association will be turned over to the homeowners once 90% of the community has been sold to homeowners.

**Q: What property falls under the jurisdiction of the CDD?**

**A:** The CDD owns the clubhouse, parks, stormwater ponds, and conservation areas. The boundaries of the CDD begin on Neptune Road through Macy Island Road though Canal 31.

**Q: Would requests to expand/enhance the community's amenities be something the CDD Board would review?**

**A:** Any request to enhance the CDD owned amenities and infrastructure would be reviewed by the CDD Board of Supervisors.

**Q: Who do we direct issues, concerns, or requests with respect to the amenities, stormwater ponds and landscaping in the common areas?**

**A:** You may contact Marcia Calleja ([mcalleja@gmscfl.com](mailto:mcalleja@gmscfl.com)) with any CDD, HOA or DRB questions or concerns. Marcia can be reached by calling (407) 841-5524 Ext. 108.

## Tohoqua Master Association Frequently Asked Questions

### **Q: Who is the Tohoqua Master Association?**

**A:** The Tohoqua Master Association is the master association for the entire Tohoqua community. Everyone that moves into the Tohoqua community is a member of the Tohoqua Master Association. As stated in the Master Declaration for Tohoqua.

### **Q: What is the Master Declaration for Tohoqua?**

**A:** The Master Declaration for Tohoqua is the governing legal documents that set up the guidelines for the operation of the Tohoqua Master Association. The Master Declaration was recorded by the County recorder's office of the County in which the property is located and is included in the title to your property. Failure to abide by the Master Declaration may result in a fine to a homeowner by the Tohoqua Master Association.

### **Q: What is the Tohoqua Master Association responsible for?**

**A:** The Tohoqua Master Association is responsible for enforcing the Master Declaration. The goal of the Tohoqua Master Association is to maintain a picturesque community by maintaining a consistent pattern of aesthetic appeal. In order to accomplish this task, the Tohoqua Master Association administers regular inspections of the community to address any inconsistencies.

When a homeowner is not in compliance of the Master Declaration, the Tohoqua Master Association will follow procedures that are in place to identify the issue and assist the homeowner with a resolution.

### **Q: Who is the Design Review Board ("DRB") and what do they do?**

**A:** The DRB is established by the Tohoqua Master Association Board of Directors. The DRB board reviews all DRB requests from the homeowners and determines an approval or denial. The DRB is comprised of three (3) board members, President, Vice President and Secretary/Treasurer.

### **Q: Are there any other rules?**

**A:** Most associations have developed Rules and Regulations as provided for in the Master Declaration and adopted by the Board of Directors. Rules are established to provide direction to the homeowners for common courtesies with regard to parking, vehicles, pets and pool use hours, etc. Your Association has adopted a Design Review Manual with procedures for submitting requests to make exterior changes to your home. Such changes may include patio covers, decks, landscaping, exterior color changes or extensive interior changes and additions. These rules and guidelines are set up to maintain the aesthetic value and integrity of the community on behalf of all owners, and hopefully protect the market value of your investment as well. Violations of these rules may result in action by the Board of Directors and a fine. In addition, if you proceed with an exterior improvement or change, without written approval of the Board of Directors, or DRB, as applicable, you will be required to remove or correct the alteration and can be fined for the violation.

### **Q: If I am making a modification that is not included on the application, such as replacing my front door, do I need to submit a Design Review Board ("DRB") Application?**

**A:** If you are making any type of modification to the exterior of your home that is not specifically stated on the application, please submit the DRB Application - Modifications Form and detail the proposed change in the Narrative of Changes.

## Tohoqua Master Association Frequently Asked Questions (Cont.)

**Q: Where do I send my DRB Application once I have filled it out? Can I email my application?**

**A:** You may email your completed application to [mcalleja@gmscfl.com](mailto:mcalleja@gmscfl.com), mail the fully completed DRB Application to Tohoqua Master Association at 6200 Lee Vista Blvd., Suite 300, Orlando, Florida 32822. You may also bring it to the Tohoqua Residents Club.

**Q: How long does it take to receive a response from the DRB on the DRB's decision to my proposed changes?**

**A:** It can take up to 45 days to receive a response from the DRB. However, if you do not hear from us after two weeks, we encourage you to call us at (407) 841-5524 x:123 (or email) to check the status of your application. The DRB reviews the applications in the order they are received. Also, please be advised that the 45 days begin as soon as the Association is in receipt of all the necessary items in order to constitute a completed application.

**Q: Who can submit the DRB Application?**

**A:** The owner of the home must submit the application. No one can submit an DRB Application on the owner's behalf without written permission from the owner.

**Q: Do I need to submit an DRB Application to paint my house?**

**A:** Yes, please submit a DRB Application if changing the color of your home to a different color.

**Q: Is there a list of recommended trees/plants that I may plant in my yard?**

**A:** Yes, there is a recommended list of trees, shrubs and grass. Please refer to the Approved Plant List. (You may contact Marcia Calleja or Larissa Diaz to obtain a copy of the approved plant list for the Tohoqua community).

**Q: What is the criteria used to determine what is acceptable and how do we submit requests to have plants added to the list?**

**A:** The criteria for the landscape was initially set by the developer/declarant while establishing the community. The purpose of the plant list is to maintain a consistent pattern of aesthetic appeal. The Tohoqua community is known for its vast array of conservation areas and ponds. Therefore, you will notice that the landscape material on the approved plant list is consistent with the feel of the community. The DRB has a landscape architect, which may, from time to time, update the plant list.

**Q: Do I need to submit a DRB application to install gutters/downspouts?**

**A:** Yes, please submit a DRB Application if you are installing gutters and downspouts.

## Tohoqua Master Association Frequently Asked Questions (Cont.)

**Q: Do I need to submit an DRB Application for a satellite dish?**

**A:** Yes, please submit an DRB Application for installation of a satellite dish.

**Q: Where can I store my trash containers?**

**A:** All trash containers must be stored out of view of the street on non-collection days (Section 12.16 of the Master Declaration).

**Q: Where is the Association office located and how may I contact them?**

**A:** To reach an association team member, you may visit the Tohoqua Residents Club. The management office is located at the Tohoqua Residents Club, 1830 Fulfillment Drive. (clubhouse, gym, pool building) Office hours are Monday - Friday from 10am - 4:00pm. Appointments are honored outside of the current schedule.

The Association's mailing address is: 6200 Lee Vista Blvd., Suite 300, Orlando, Florida 32822.

If you have any questions or if additional information is needed, don't hesitate to call (407) 841-5524, extensions 108 and 123.

**THANK YOU!**