

Bay Pines Covenants, Conditions & Restrictions (CC&R's)

Summary & Explanation of the Rules of the Neighborhood

Pending comments from members and approval by the Board of Directors 12/03/2015

This summarizes the Covenants (rules) that you and all other property owners became legally bound by when you purchased, rented or leased property in the Bay Pines Subdivision. Further, it clarifies and explains the rules where necessary and provides exceptions where enforcement it is highly impractical; would create undue hardship; or, is contrary to Federal or Florida Law.

No new rules are created herein and the interpretation of the rules by the Board of Directors is made under the authority of the combined underlying legal documents (Covenants, Bylaws, & Articles of Incorporation) on file with the State of Florida and as described by Florida Law at Section 720.301(8)(c) and constitutes an official record pursuant to Section 720.303(4)(e).

A full legal copy of the Covenants was (or should have been) provided to you at closing when you purchased, rented, or leased a home. Copies of all legal documents and official records are available on our website at www.baypineshoa.org or by request from our property manager, Etheridge Property Management; Attn: Cheryl Kelley; 908 Garden Gate Circle; Pensacola, FL 32504.

Homeowners Association Membership & Dues (Article V)

The owner(s) of each property in Bay Pines are members of the HOA and each property has one vote. Annual dues were set at \$200 annually through 2008 and although the Board is permitted to increase the dues up to 15% annually after 2008, no such increase has been necessary. Penalties, interest, and lien procedures are authorized for delinquent accounts.

Architectural Control (Article VI)

No building, fence, wall, mailbox, driveway, gate, light post, landscaping, or other structure or improvement shall be erected or maintained on any property until it has been approved by the Architectural Review Committee (ARC).

Decisions from the ARC shall be based upon the uniform application of such reasonable but high standards as are consistent with a first-class single family community.

The following must conform to the general architectural style and be an asset to the neighborhood and prior approval is required from the Architectural Control Committee before any construction is started or any improvement is made:

- *Back and side yard fences:*
 - *They are to be made of natural wood and must be set back no closer than five feet behind the front-corner of the home on the side to which the fence will be against and be no more than 6 feet in height.*
 - *Chain link fences are not permitted.*
 - *Generally, fences should look natural and may be stained or painted to blend in with the architectural style of the neighborhood.*
- *Patios or porches visible to other Members.*
- *Mailboxes and stands that vary from the style from those originally installed.*
- *Storage buildings/dog houses:*

- Preferably out of the line of sight from the front or at least be “architecturally compatible” with the house.
- Fish/Koi ponds which are visible by other Members.
- Additions to driveways/concrete slabs.
- Landscaping and yard ornaments that might not be considered as traditional.
 - If in doubt, please submit a request.
- Painting the house, shutters, or trim a different color than the original.
- Installing a front storm door or replacing the front door with one not similar to the original.

Important Notes:

1. To date, the advance review process has in some cases been ignored. Accordingly, with rare exceptions, any such architectural additions and changes made through August 31, 2015, will be “grand-fathered-in” as acceptable.
2. Any and all changes after September 1, 2015, as described above, must be submitted to the ARC for review and you must receive an approval notice prior to starting any project or improvement.

Restrictions (Article VII)

Residential Use Only: Property shall be occupied solely as single family residences and not be used for commercial or business purposes.

Home offices or small “side-businesses” that do not attract significant traffic to the neighborhood or cause any other nuisance are acceptable but no commercial signage is not permitted.

Appearance and maintenance (Sections 3 & 8): All structures, improvements, yards, driveways, and landscaping must be diligently and properly maintained at all times. All residences, structures and improvements shall be designed to present a pleasing, attractive, tasteful, neat and well-maintained appearance from all views.

This means:

- All homes are to have grass and bedding areas in the front yard.
- An attractive array of trees, shrubbery, and/or flowers should be planted and maintained in the front yard.
- Lawns are to be watered and mowed regularly.
- Curbs and drives are to be neatly edged.
- Fertilizer, weed control, and pesticides are to be applied as needed to maintain a pleasant appearance.
- Dead plants and trees are to be removed.
- Damage to structures is to be repaired immediately.
- Unattractive wear and tear items should be repaired or replaced in a timely manner.

Vehicles/Parking (Section 5): All boats, trailers, and vehicles including automobiles, trucks, and motorbikes are to be stored in the garage or otherwise “out of sight.” except for temporary storage not more than 48 hours. No vehicles are to be parked on the street.

Exception:

Passenger cars and standard-sized pickup trucks may be parked in the driveway. Occasional or infrequent parking of cars in the street is permitted but overnight parking on a routine basis is not permitted. Parking of RV's, Motor Homes, Travel Trailers, Boats and the like on the street will be permitted on an infrequent or isolated basis for cleaning, loading & unloading, or when friends/relatives come to visit provided such practice does not become a neighborhood nuisance.

Important Notes:

- 1) *Parking cars on the street during the morning hours when school buses are running constitutes a safety hazard and is strictly prohibited.*
- 2) *Under no circumstances will any kind of vehicle or trailer be permitted to be parked in the yard with the rare exception of delivery or moving vehicles that need short-term access to the front door.*

Garages/Garage Doors (Section 21): Garage doors are to remain closed at all times except when automobiles are entering and exiting the garage.

Garage doors should remain closed for security and appearance purposes, especially if the occupant is not outside in the immediate area. Garages that are used essentially as storage sheds will be considered a nuisance if the garage doors are left up for extended periods.

Pets (Section 7): Only dogs, cats, and other household pets are allowed but no breeding or other commercial use is permitted. Each residence is limited to three such pets.

If a member has more than three "indoor pets," it is acceptable provided they are not a nuisance to other Members. Please control and pick up after your pets. Members are expected to comply with the leash laws applicable to Santa Rosa County which require pets to be in physical control of the owner when out of their own yard.

Outside Wiring, Poles, Antennas, clutter, annoyance, nuisance, etc. (Sections 6, 9, 12, 14, & 17): No unsightly objects are to be on the property. No annoyance or nuisance properties or behavior. No above ground wiring is permitted. No visible outside antennas, satellite systems, poles, clotheslines, etc. are permitted.

Children's toys, lawn mowers, and similar items are to be moved out of sight when not in use. Flag poles up to 20 feet high are allowable under Section 720 of Florida law enacted in 2013 which overrides the covenant. The FCC permits a satellite dish but it should be located such that it does not detract from the appearance of the neighborhood.

Basketball Goals (Section 15): No outside basketball goal shall be erected on any lot unless hidden from view from the front lot line.

Permanent Basketball Goals are not permitted.

A "Portable Basketball Goal" will be permitted with the following limitations:

- *It must be in good condition. If it becomes "an unsightly architectural element" due to weathering, age, wear and tear, etc., it should be removed.*
- *When not in use for a long period of time, it is to be moved out of the line of sight.*

Trash/Recycle Bins (Section 19): Except for “trash days,” trash and recycling bins must be outside the line of sight, meaning in the garage or behind the house, a fence, or a special enclosure.

Storing trash bins on the side of the house where they can be seen from the street is not permitted.

Signs (Section 22): Other than “home for sale or rent” no signs are permitted.

Exceptions:

- *Small security system signs are permitted.*
- *Temporary signage for yard/garage sales or special events will be permitted for no longer than 7 days.*
- *One political election sign is allowed during election periods as allowed by law but must be removed immediately after the election.*
- *Small warning signs, e.g. Beware of Dog or No Solicitators, are permitted.*

Drainage (Section 23): No modifications to your property are permitted that would alter or restrict the natural flow of drainage.

Policy For Members Who Rent or Lease Their Home?Property:

- *Members are responsible for tenants'/occupants' actions or misconduct and for the adherence to the Rules and Regulations of the Association.*
- *Each Member is responsible for providing tenants with a current copy of the Association rules.*
- *Particular attention should be made to policies regarding landscape maintenance, parking, speed limit, and Architectural Guidelines.*