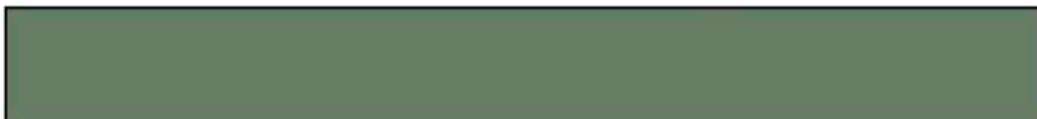


Cover Art by: Mike Hatcher

**BAYTREE**  
*Villas*

**Residents' Handbook**



# RESIDENTS' HANDBOOK

## *Baytree Villas Homeowners' Association, Inc.*

The Baytree Legal Documents and this Residents' Handbook should be kept with your important papers. If you sell your home, the Baytree Legal Documents, the Residents' Handbook and any new handbook supplements should be given to the new owner.

This Residents' Handbook was adopted by the Baytree Board of Directors on April 20, 2009 and completely updated on January 25, 2021

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NOTE: \*\*Revisions and updates to this document are dated and noted as \*\* (double asterisk) in the body of the document. (*Added 2/28/22*)

## WELCOME TO OUR SPECIAL COMMUNITY

The quality living environment we enjoy at Baytree is the result of the direct involvement of its residents. Those who actively participate in managing its many administrative and social activities, from serving on the Board of Directors and various committees to becoming involved in planning social activities, help ensure a quality of life that contributes to the enjoyment and well-being of our neighbors and ourselves. Our homes and the environment we have nurtured at Baytree have attracted residents with diverse and considerable talents who participate on various committees and on our HOA Board of Directors. Together, and through our careful selection and supervision of a professional Community Association Manager, we have created and maintained a community of which each of us can be proud.

This is a community in which you can make your contributions in the areas of finance, architectural review, grounds management, clubhouse management, social/recreation, newsletter/communications, and other areas. You can make your interest known in any of these areas by contacting our HOA President, any member of our Board of Directors, or members of any committee.

Our homeowners have obligations. If you have purchased one of two hundred and fifteen homes/villas, you have not only assumed 1/215<sup>th</sup> of the ownership of the common assets, but 1/215<sup>th</sup> of the responsibilities for managing them as well. Costs of maintaining our community are measured in more ways than money. Your maintenance fees cannot adequately substitute for contributions of your time. It is important that we each assume our share of responsibilities. Please volunteer for a working committee of your choice or accept appointments to committees. And when you're not active on a committee or the Board, please support those who are by completing a ballot or proxy when asked, and by attending our Annual meetings in February. Your involvement in sustaining the quality of your community will help preserve that environment in which we have all invested.

*The Residents' Handbook provides an explanation about what Baytree is and how we operate. The handbook covers some of the provisions of the Baytree legal documents, most of the rules and the architectural standards developed by the Baytree Board of Directors, and other general information.*

Please read this booklet, ask others in your household to read it, and keep it handy for reference.

## **THE BAYTREE VILLAS HOMEOWNERS' ASSOCIATION (HOA)**

The *Baytree Villas Homeowners' Association (HOA)* is a not-for-profit mutual benefit corporation. As such, it allows the HOA to:

- Enter into contracts
- Own and maintain property
- Levy and collect assessments
- Become an employer
- Buy insurance
- Pay taxes
- Borrow money
- Formally agree on rules and authority

As members of Baytree Villas Homeowners' Association, we each have the benefit of sharing common facilities that otherwise would be expensive to own. Sharing common facilities provides a better quality of life for everyone in our community.

### **BOARD OF DIRECTORS**

The Board of Directors is made up of five unpaid volunteers who direct our affairs. They meet frequently to review and make decisions about our finances, common area maintenance, home/villa lawn and landscaping, legal issues, committee proposals, and countless issues affecting all of us. They work with a professional community association manager who is hired by the HOA to manage our affairs. Each February at our Annual Meeting, we elect HOA Board members for two-year terms. If you are an owner, you help decide who our five Board members will be. Generally, Board members have gained experience and knowledge about our Association by having served on one or more committees. Committees are an excellent way to learn how we operate. Our Board of Directors welcomes those who attend its regular meetings and is receptive to ideas and requests. They value your input.

If you have never been a member of a homeowners' association, please note that our HOA Board elections can affect you much more directly and significantly than most other association or club elections. Our HOA Board is our business management body, managing a budget of many thousands of dollars, dealing with serious legal issues, and making decisions affecting the value of our real estate. Our HOA Board of Directors is not a social club. Please, carefully consider who you elect to the Board, and if you decide to become an HOA Board member, serve on it conscientiously.

Meetings of the Baytree Board of Directors are open to members of the HOA. Members who wish to address the board and/or be placed on the agenda must call the secretary (or the management company) not less than 48 hours prior to the meeting. There will be an open discussion period immediately following the meeting. At this time, HOA

members may informally bring up any matter that may be of concern to the community. Speakers are asked to limit their remarks to two minutes. Approved minutes will be posted at the clubhouse and on the official Baytree HOA website. Changes or additions to our community rules must be approved by the Board. The Board has the responsibility to update the Residents' Handbook with changes or additions that they approve.

You are a larger part of Baytree than just a property owner. Your investment in our community, and its continuing success, calls for you to share equally with your neighbors in its management. Though many of us have tremendous demands upon our time, none of us can afford to exempt ourselves from these responsibilities. There is little doubt that neglecting our obligations to the Association and its administration can result in serious consequences for our community.

## **COMMITTEES**

Committees are the means by which you can get involved and make things happen at Baytree. Some committees are permanent (standing) such as the Finance Committee. Others are more transient (ad hoc). For example, the Nominating Committee (appointed to nominate qualified candidates for election to the Board of Directors) serves only once a year. Still other committees are possible. A nice thing about living in Baytree is that we really do govern ourselves. You are part of us. If you have an idea for a new committee, club or group, you can start it or you can join others in existing committees. To explore existing committees and learn more, check out the Baytree HOA website ([baytreetavares.org](http://baytreetavares.org))

## **LEGAL DOCUMENTS**

Every homeowners' association has legal documents. The legal documents are a comprehensive description of both the Homeowners' Association's and owners' rights and responsibilities.

Ultimately, almost every HOA activity is governed or affected by the legal documents. By reading them, you should gain insight into why the Board of Directors or a committee may act in a particular way, or why we have specific regulations and obligations which must be enforced. If you are an owner, it will help prepare you for taking your turn on the Board of Directors or a committee.

***The legal documents of Baytree Villas Homeowners' Association include:***

- ***Articles of Incorporation***
- ***Bylaws***
- ***Second Amended and Restated Declaration of Covenants, Conditions, and Restrictions***

The above documents may be found in the Baytree library or viewed on the Baytree HOA website. The provisions of these documents can only be changed by an affirmative vote of at least two-thirds of the homeowners upon which these restrictions are imposed.

### **RULES AND STANDARDS**

The legal documents provide authority to the Board of Directors of our HOA to establish and enforce rules and standards for Baytree members and their guests. The Board of Directors can modify, add to, or delete rules of previous HOA Boards. They can also approve changes to the exterior of single-family homes. When a homeowner is granted approval to modify the exterior of the single-family residence, the modifications must not violate city codes and must comply with the legal documents and the latest standards adopted by the Baytree Board of Directors. Like rules, the standards can be modified by a majority vote of the Baytree Board of Directors. The legal documents do not permit alterations to the exterior of the villas.

### **DIFFERENCE BETWEEN OUR LEGAL DOCUMENTS AND RULES**

The legal documents are part of the incorporation of Baytree Villas Homeowners' Association. They are legally binding and registered with Lake County and The State of Florida. They can only be changed by a vote of two-thirds of the homeowners of Baytree.

Rules refer to those restrictions passed by our Board of Directors in order to protect the common areas and Baytree as a whole, while allowing an orderly use of our assets. Architectural standards are set by the Board to preserve the appearance and character of Baytree. Rules and architectural standards can be changed by a majority vote of the Board of Directors

### **PROPOSING CHANGES IN THE HOA LEGAL DOCUMENTS**

In order to discourage frivolous requests for amendment changes, which can be very expensive to our HOA, any resident(s) seeking to change our legal documents must put together a petition. The wording of the petition must be approved by the Board of Directors. Once approved, the petition will be allowed to circulate for signatures. Only one signature per unit will be allowed. Once the petitioners have signatures from fifty percent of the affected units in Baytree (as verified by the Board of Directors), the legal voting process for the amendment change will begin.

### **CONFLICTS WITH GOVERNMENT LAWS AND REGULATIONS**

The contents of the Baytree legal documents, rules and standards set by the Board of Directors, and this Residents' Handbook are subordinate to the codes and ordinances of the City of Tavares, laws of the State of Florida, and Federal law. In the event of a



conflict, the governmental codes, ordinances and laws take precedence. Similarly, the rules and standards set by the HOA Board must be consistent with the Baytree legal documents. If there is a conflict, the legal documents will prevail.

## **RESIDENTS' HANDBOOK SUPPLEMENTS and UPDATES**

You may receive notices, from time to time, of changes or additions to our Residents' Handbook. Please save any such notices and supplements and place them with your handbook. Should you move, please leave the legal documents, the Residents' Handbook, and any supplements for the new resident. The HOA Board of Directors has the responsibility to update the Residents' Handbook with changes or additions which the Board approves.

## **COMMON AREAS**

When you purchased your villa/home, you also purchased a proportionate interest in the common areas such as the clubhouse, pool, pond, hot tub, trees, exterior lighting and landscaping, and other physical assets. Part of the maintenance fee you pay each month goes toward maintenance of facilities and replacement of reserve funds for some of these assets, as well as lawn and sprinkler care. Common areas are protected by the legal documents and the Board of Directors. Reasonable rules have been developed for common area use by the residents and their guests. Residents are not allowed to make any changes to common areas without the approval of the Board of Directors. The common areas include the clubhouse, the pool, and other property within the Baytree community.

## **THE CLUBHOUSE**

The Baytree Clubhouse is for the exclusive use of Baytree residents and their guests. The previous owner of your home should have given you a key to the clubhouse when you purchased your home. The facility consists of a main room/dining room, fitness/exercise room, pool and spa, and the Baytree library. If you use these areas, please remember to turn off any lights, fans, air/heat before you leave, and lock the door behind you.

### *Reservations:*

The facility may be reserved by Baytree residents on a first come basis for both Baytree Social Functions (open to all Baytree residents and their guests) and for Private Functions (open to the resident reserving the facility and his/her guests only). Reservations will be taken up to sixty days in advance for Private Functions. There is no time restriction for making reservations for a Baytree Social Function or committee meeting. The Clubhouse Reservation Chairman will keep a calendar listing all functions to be held in the clubhouse, including both recurring events and special events. The *Exercise/Fitness Center* may not be reserved. The *pool* may not be reserved, and no private pool parties will be permitted.

Reservations can be made only for normal clubhouse hours. The use of the clubhouse must be for social activities only. No business meetings, club meetings, sales meetings, or meetings intended for money-making purposes will be allowed.

There are numerous functions held in the clubhouse. For this reason, setup for any activity should not be started until the day of the event, unless you check with the Clubhouse Reservation Chairperson in advance to see if it is open earlier. You should always check to ensure that your setup will not interfere with any other scheduled function. When functions are in progress, persons who are not attending the function should not infringe on function in the space reserved.

### **CLUBHOUSE MAIN ROOM**

Our clubhouse is here for all of us to enjoy. Thank you for helping to keep it clean, pleasant and in good repair.

- You must sign-up with the Clubhouse Reservation Chairman to reserve the main room or library for use.
- An individual making a reservation shall be responsible for rules compliance by any and all persons using the clubhouse during the time of the reservation.
- Music, voices, TV, etc. should be kept to a courteous level. Noise should not be audible from outside the clubhouse after 10:00pm.
- No hazardous or illegal activity, objects, or substances are allowed.
- The clubhouse must be cleaned and restored to good condition after use. This includes emptying of trash containers into the outside garbage bins. Any cleaning and repairs that must be made by the HOA will be charged to the responsible resident(s).
- Personal articles should be removed when leaving the clubhouse. Baytree Homeowners' Association will not be responsible for lost or damaged items.
- The garbage bin outside the clubhouse is for garbage, etc. from the clubhouse and pool area. Residents are NOT to place their household garbage in this bin.
- Wet swimsuits are not permitted in the clubhouse.
- Guests under the age of eighteen must be accompanied by an adult when using this facility.

There are two air conditioning units in the *Main Room*, one in the *Library*, and one in the *Recreation Room/Fitness Center*, each with its own thermostat. Air conditioners are to be left at 80 degrees. Also, the *Main Room* has four rows of ceiling fans (two per row), with each row controlled by a separate switch. In addition, each air conditioning unit has a fan that may be turned on without operating the unit's compressor. The electric lights for the *Main Room* are on separate switches. In the interest of economy, please utilize only the level of utilities required for comfort. Air conditioning and fans should not be turned on more than one hour prior to the scheduled function. All lights, fans, and air conditioners must be turned off when you leave.

Directions for use of the sound system and microphones are posted at the clubhouse. A copy of the directions can also be found in the library and on the HOA website.

The hot water heater is to be turned off when the *Main Room* is not in use. If hot water is needed, turn the heater on about one hour before needed. A switch for the hot water heater is located on the side wall of the kitchen, just above the sink. Turn the switch off as soon as hot water is no longer needed.

All tables and chairs, as well as other equipment and utensils, must remain in the building at all times. There will be no policy for renting or borrowing any equipment or utensils. At no time is any clubhouse equipment to be removed from the Baytree clubhouse.

To prevent damage to the walls, tables and chairs can only be stacked against the chair rail on the wall or in the closets.

Paper goods, condiments, and cleaning supplies are generally available at a small charge for Baytree Social Functions. The majority of these events are "pay-as-you-go" functions, and any profits are returned to the HOA treasury to pay for supplies. Contact the Kitchen Supply Chairman with any questions about use of supplies. Rules for use of supplies is posted at the clubhouse and can also be found in the library or on our HOA website. If you receive funds for activities or spend funds for activities be sure to fill out one of the forms located in the kitchen, attach all receipts, and submit the documents to the treasurer, along with a personal check made out to Baytree HOA for any funds remaining after expenses are covered. If you cannot locate the form, check with the Board treasurer or on our Baytree HOA website.

The clubhouse must be cleaned after each use. It is important to follow the instructions posted in the clubhouse main room regarding cleaning. A copy of the instructions can also be found in the library or on the HOA website.

Personal items are not to be stored in the refrigerator or freezer. Note: the refrigerator and cooler located in the back corner of the main room are for beverages only and must not be used for food storage.

There will be NO FRYING inside the building per order of the fire department. All gas fueled deep fryers are to be used outside. After use, fryers must be cleaned and put away. When propane in portable tanks is low, tanks must be refilled. Reimbursement for the propane gas is to be taken from the funds received for the event (Baytree Social Function). Turn in all receipts.

By order of the Fire Marshall, outdoor cooking must be at least 10 feet from the clubhouse. The outside gas grill must be turned off after each use. After cooking, please run the gas grill for five minutes to burn off any remaining food. When finished, turn off

the gas supply valve. Please do not turn off the gas supply valve located on the deck as it supplies the pool heaters.

The ice machine in the main room is for the use of Baytree residents and guests only. To keep the ice supply clean, nothing should be placed inside the ice machine for cooling. Children must not be permitted to play with the ice or to use the ice machine. Use the scoop to remove ice - No Hands! Make sure that the door is closed after every use. Any misuse of the ice machine that you observe should be brought to the attention of the offender immediately. Please do not take large amounts of ice on any day when a social function is scheduled for the clubhouse. Any use of the ice machine by a non-resident should be reported to a Board member.

Restrooms are to be left clean. Please remember to turn off lights when exiting the restrooms.

Your key to this facility must not be given to non-residents for their use while you are away, unless they are living in your home while you are gone.

#### Private Functions:

The resident in whose name a reservation is made for a private function must be present during the function. The resident is liable for any damages or breakage, for ensuring that all cleanup tasks are completed, and for any misuse of the facility, including any violation of the contract. For private functions, you must furnish your own paper plates, napkins, place mats, table coverings, condiments, aluminum foil, paper towels, and cleaning supplies. No money may be charged for alcohol. The beer tap may NOT be used at private functions.

The clubhouse may not be reserved for private functions for more than six hours, including time for set-up and cleaning.

Your reservation will be confirmed after you have signed a contract and given the HOA a deposit check. The deposit check should be made out to Baytree Homeowners' Association. The deposit check must be received by the Clubhouse Reservation Chairman at least five days prior to the date of the function, or your reservation will be cancelled, and the agreement terminated. The deposit will be refunded provided that all the conditions of this contract have been met. If any of the equipment, furnishings, or the facilities are damaged, or the facility has not been cleaned, the deposit will be used to repair and/or clean the facility. Excess money, if any, will be returned to the resident who reserved the clubhouse. If the amount of damage and/or cleaning exceeds the amount of the deposit, the resident who reserved the clubhouse will be required to pay the additional expense.

The resident who made the reservation and all their guests agree to indemnify and hold harmless the Baytree HOA, management company, their affiliates, employees and

contractors for any injuries, damages or other inconveniences caused in the course of using the Baytree clubhouse for their event.

## **POOL AND SPA**

The pool and spa, and all related equipment, are operated for the benefit of residents and their guests in accordance with appropriate Florida codes mandated both by Florida law and our insurance carrier.

During the winter months, approximately December through March, the pool is heated by two propane heaters and by a solar heater with pool water temperature set to maintain 86 degrees. By design, both heaters automatically turn off when cold winter air temperatures are experienced, and don't turn back on until warm air temperatures return. During such periods, the pool water temperature often drops and remains in the 60's for a week or more before recovery. A 400,000 BTU propane pool heater was installed in April 2009. The heater will be used during subsequent winters as appropriate for faster temperature recovery and, consequently, increased hours of swimming. During the warmer and sunnier months of the year, the pool water temperature often exceeds 86 degrees F. The propane gas heat pump and solar heater run minimally during these warmer months. The solar system can also cool water overnight.

The spa is heated by a gas heater and, in accordance with Baytree policy, spa water temperature is set year-round for 102 degrees F. (104 degrees F is maximum water temperature allowed by code.)

Your Baytree Pool and Spa Committee oversees the pool and spa, the pump house, and the pool deck, furniture and fence. Questions, suggestions, complaints and appreciation should be directed to the committee. Pool Committee members are listed on the clubhouse bulletin board.

**WARNING:** No lifeguard is on duty. Swim at your own risk. Prolonged spa use may be hazardous for people with heart or high blood pressure problems or when consuming alcohol. Use these facilities at your own risk.

### Pool Rules:

- No animals in pool or on pool deck
- No food or drink in pool area except water in unbreakable bottles
- Shower before entering pool
- Bathing load: 54 persons
- Pool hours: 7am to 10pm
- Emergency phone in building hall
- Use is limited to Baytree residents and their guests.
- Baytree residents must wear wristbands.
- Guests under 18 years of age must be accompanied by an adult.

- Children in diapers must wear a swim diaper.
- Do not allow children who cannot swim to be more than an arm's reach from the supervising adult.
- ABSOLUTELY NO DIVING

#### Spa Rules:

- No animals in spa or on deck.
- No food or drink in spa.
- Shower before entering spa.
- Spa load: 7 persons.
- Spa hours: 7am – 10pm.
- Maximum water temperature 104 degrees F.
- Emergency phone in building hall.
- Use of spa is for persons 12 and over. Use by persons under 12 can result in heat shock or drowning.
- NO DIVING

#### Additional Pool & Spa Rules:

- No smoking.
- Voices, radio, etc. should be kept to a courteous level.
- No running, horseplay, or dangerous behavior is allowed.
- Residents are responsible for the behavior of their guests.
- Baytree is not responsible for articles left at the pool/spa.
- Return pool furniture to its original location.
- Place towels over furniture before using suntan lotions, etc.
- No soap, bubble, or other solutions will be added to pool/spa.

Note: Baytree residents shall courteously request compliance with these rules.

### **THE BAYTREE LIBRARY**

The Baytree Library is run on the honor system; no check-out is necessary. Take note of any rules/guidelines posted in the library. When you return books, leave them in the designated area just inside the door. Many of our books have been donated by our residents. If you would like to donate books, leave them just inside the door, and they will be stamped and shelved. Any duplicates that you donate will probably be re-donated locally or sold during fund raising activities. Any proceeds from sales will be used to improve the library. When you leave the library, please turn off lights, make sure thermostat is set correctly, and lock the door.

### **THE BAYTREE FITNESS CENTER**

The fitness center is strictly for the use of Baytree residents and guests. Guests under the age of eighteen must be accompanied by an adult when using the fitness center.

Please indicate (by placing the sign on the door to “occupied”) when you are using the fitness center so that anyone using the clubhouse can see that the center is occupied. In the interest of economy, please utilize only the level of utilities required for comfort. All lights, fans, and air conditioners must be turned off when you leave, and don’t forget to lock the door.

## **GENERAL INFORMATION**

### **CONTACTS**

Occasionally, you may have a question or problem with which you need assistance. The Baytree Residents' telephone directory contains phone numbers for our Management Company and members of our Board of Directors. Phone numbers and email addresses may also be found in the monthly Baytree Scene newsletter and on our HOA website.

### **PAYMENTS**

Please make your maintenance fee payments promptly. Our property management company processes these fees for our HOA. Payment can be made by coupon or by an automatic draft withdrawal from your checking account. Please contact our management company if you have not made arrangements to initiate your maintenance fee payments. The following summarizes our Baytree Delinquency and Collection Policies for homeowners:

- Your monthly assessment is due on the first day of the month and is delinquent if not received by the 15th.
- In case of delinquencies, payments received are applied to the earliest accrued assessments first.
- Any delinquent assessment shall bear interest from the delinquency date at the maximum rate allowable by law, and the HOA may bring an action at law against the owner or foreclose a lien against the property.

For more detail, please see our Baytree HOA legal documents.

### **CRIME PREVENTION**

It is helpful to know the people who live around us, so we can keep an eye out for each other. So, meet neighbors you don't already know. You may wish to have an arrangement with a couple of neighbors you know and trust to exchange house keys for emergencies, to call the police should an alarm sound, or should a suspicious person appear to loiter around your or your neighbor's home. There is no soliciting allowed in Baytree. If you see a stranger, you might ask if they need directions. Someone who has ill intentions will know they have been noticed and are subject to being recognized. Your awareness and healthy suspicion are essential to our keeping our neighborhood safe. The Tavares police department is very close to our community, and they can be here in minutes when contacted.

Report burglaries, thefts, break-ins, vandalism, violence, abuse to facilities, etc., directly to the police. When life or property is in immediate peril, dial 911. For less urgent matters call the Tavares police department at its business number listed in our Baytree Residential Telephone Directory.

Unless you can contain a fire quickly, dial 911. Accidents happen, but if you delay out of fear or embarrassment, damage can be swift and extensive, and we may all be affected. We have fire risk at Baytree. Therefore, we bear special responsibilities to each other to minimize that risk.

Test your smoke alarms periodically. Many of us have smoke alarms that are not connected to any centralized monitoring station. So, if you hear a neighbor's alarm sound for more than a few seconds, please investigate. Keep at least two fire extinguishers in your home with one in the kitchen and at least one more in another strategic location. They should be suitable for extinguishing all types of fires, including oil and grease fires. If you see any fire hazard, please call our Property Manager or HOA Board President.

### **COMMUNITY EMERGENCIES AND THE BAYTREE CERT TEAM**

In the event of a community emergency, such as a natural or man-made disaster, it is possible that Baytree residents could be without water and electricity for several days. Each resident should have a personal plan that takes this into account.

Baytree maintains a Community Emergency Response Team (CERT) with volunteers trained to prepare for the types of disasters that our community may face. CERT members learn how to safely respond to manmade and natural hazards, help organize basic disaster response, and promote preparedness by hosting and participating in community events. Please consider volunteering to serve on this important committee.

The Baytree CERT team is responsible for assisting the Baytree Community in an emergency situation (such as a tornado, hurricane, extended power outage, etc.) until city, county, and state emergency responders are able to render aid to the residents. Please be sure that your phone number is correct in the Baytree telephone directory.

When there is an emergency, the CERT volunteers will:

- Coordinate with city, county, and state emergency responders
- Keep residents informed
- Help affected residents contact family or other emergency contacts
- Provide community damage assessment
- Render aid to those injured
- Locate and turn off utilities if safe to do so
- Extinguish small fires
- Conduct light search and rescue operations
- Help disaster survivors cope with their emotional stressors



## **MAINTENANCE PROBLEMS**

The Baytree HOA is responsible for repairs and maintenance of all *existing sprinkler systems installed on homeowner's property and also for repairs and maintenance of all common property*. If you own your home/villa, first determine whether maintenance of the item needing repair belongs to you or to the HOA.

For fastest service, needed irrigation repairs should be reported to our landscaping company via email. You can also contact any member of the Landscape Committee or notify our management company. Telephone numbers and email addresses are contained in the residents' telephone directory and can be found on our Baytree HOA website. These numbers are also found in the monthly Baytree Scene newsletter. Please try to exercise some patience while we arrange for HOA repairs. We try to complete emergency repairs quickly. For many routine repair items, we try to minimize those costs by preparing work orders with more than one item, which can result in some delay.

This is our neighborhood. We own our common areas and are responsible for keeping them clean. So, if you see trash that someone has discarded, please help your neighbors by picking it up and putting it into your trash. Let's all help.

## **ABOUT NEIGHBORS AND RULES VIOLATIONS**

A trade off of the benefits of our living environment is that some of our habits and behavior may affect others. By agreeing to a body of rules, we can minimize problems. But more importantly, we all must exercise tolerance and consideration for our neighbors. If you ever feel you need relief from something your neighbor does, please approach and discuss it with him or her. Usually, you will find your neighbor very understanding and cooperative. And if you are the one approached, please be as cooperative as you can. A homeowners' association has obligations and considerable powers to enforce rules compliance. Exercising those powers can be much more unpleasant than cooperating to resolve your problem. Only as a last resort, should you contact our management company.

You probably have seen a neighborhood where one home was neglected, which affected the appearance (and property values) of nearby residences. Our legal documents protect our property values by requiring each of us to maintain the exterior of our homes in an attractive condition. Please keep the outside of your home clear of debris and do not store materials where they will be visible from the outside.

All villas and some stand-alone homes are accessed by a frontage drive. Parking on the frontage drive is generally not permitted, except temporarily for guests or service vehicles. Access to a homeowner's driveway must not be blocked. Driveways are reserved for use by the homeowner.

## COMMUNITY COMMUNICATIONS

Our Baytree community has several forms of communication to keep residents informed and up to date:

- The *Baytree Residents' Telephone Directory* is updated and distributed to residents once each year. Changes made during the year are published in the monthly Baytree Scene newsletter and are also available on our HOA website.
- The *Baytree Residents' Pictorial Directory* is published by request. Any resident wishing to be included in the pictorial directory can have their photo taken for inclusion in the directory or submit a photo to be published. The pictorial directory is always available on the Baytree HOA website.
- The *Baytree Scene newsletter* is compiled and printed each month to keep residents abreast of current social events, residential activity, important community information, community reminders, important contact information, telephone directory updates, and a community calendar of events. The calendar of events is also printed in a large format and posted monthly on the bulletin board at the clubhouse. An electronic version of the newsletter is always available for residents who provide email addresses.
- The *Baytree HOA website* ([baytreetavares.org](http://baytreetavares.org)) provides information about our community in an easily accessible format. All legal documents, the Residents' Handbook, HOA Board information, Committee information, Board meeting minutes, Baytree Bulletins, Baytree Scene newsletter for each month, flood zone maps, and more are available to all Baytree residents. Most information on the site is password protected. Residents must contact the Baytree webmaster to obtain the password. These documents are also available in the Baytree library.
- *Baytree Bulletins* are electronic messages sent to all residents who have email. The bulletins provide nearly immediate access to current information that is important to residents.
- The *Baytree Facebook Group* is available only to current Baytree residents. Any resident who has a Facebook account can request to be added to the Baytree Facebook group. The group is for community information sharing, and pictures of current social activities and other community events are often posted.
- The *Baytree Clubhouse Bulletin Board* is a central location for posted information available to all residents. The bulletin board contains organization information, group and community activities, committee contact information, daily activity calendar for the month, and other useful information.

## YOUR HOME

### **RENTING YOUR HOME**

Prior to finalizing a lease of your home/villa, you must receive approval from the HOA. If you lease your villa/home to someone, you are obligated to deliver to your lessee or renter a copy of the HOA rules prior to their occupancy.

Any lease or rental agreement must include the following notice:

"The terms of this (lease or rental) agreement are subject to the provisions of the rules and legal documents of Baytree Homeowners' Association and any applicable agreements between the Association and any of the Federal Agencies. Any failure by the lessee or renter to comply with the rules or terms of those documents shall be a default under this (lease or rental) agreement."

You should understand that, should a renter violate rules or provisions of the legal documents, the HOA has no direct legal recourse against the renter, *but must pursue enforcement against you, the owner*. That is why preventing problems and close supervision of your property is so important.

The sale/lease questionnaire must be sent to our management company before the lease is finalized. A copy of the sale/lease questionnaire is available in the Baytree Library and on our Baytree HOA website.

Many homeowners' home insurance policies do not cover homes/villas when they are being rented. If you do not notify your insurance company that you have rented your home, you run the risk of losing coverage in case of a loss.

If you are a renter of a villa/home, you are obligated to follow the provisions of the Baytree legal documents and the provisions of this Residents' Handbook. Violation of these rules may be a default under your lease, so you should familiarize yourself with all the rules contained in the handbook.

### **SELLING YOUR HOME**

When you have decided to sell or lease your home or villa, notify the Board of Directors before you put it on the market. A Board member can then help you with the proper notifications and regulations associated with our 55+ community. Prior to finalizing the sale of your home/villa, the sale to the new owner must be approved by the Homeowners' Association. To secure approval, the sale/lease questionnaire must be sent to our management company. A copy of the questionnaire is available in the Baytree Library or on our Baytree HOA website.

Please ensure that your buyer receives the required copies of the legal documents and this Residents' Handbook. You may have other disclosure obligations as well. Consult

with your real estate professional or attorney. Most of these documents should be available from our management company for a copying and clerical charge. They are also available in the Baytree Library and on our Baytree HOA website.

After selling your villa/home, don't forget to leave the key to the clubhouse, the legal documents, and this Residents' Handbook for your buyer. The HOA is not a legal party to your sales transaction. However, the HOA is usually involved and tries to be helpful in providing requested information to all parties at reasonable fees.

## **INSURANCE**

### *The Baytree HOA Insurance:*

The Association maintains a general liability insurance policy, casualty insurance for our common property and facilities, and directors' and officers' liability coverage. However, provisions of policies do change from time to time.

### *Your Personal Homeowner's Insurance:*

Of course, the HOA insurance policy does not cover homes, personal property or liabilities for either the villas or the single-family homes. We *strongly* urge you to purchase adequate homeowner's insurance.

The villas are a Planned Unit Development (PUD). They are NOT condominiums. As such, owners **must** have insurance for the exterior of the unit as well as the interior. Please discuss this issue with your insurance agent when purchasing insurance.

Villa owners are asked to provide proof of insurance to the Villa Committee or the management company when their insurance is renewed each year.

Many homeowners' home insurance policies do not cover homes/villas when they are being rented. If you do not notify your insurance company that you have rented your home, you run the risk of losing coverage in case of a loss.

## **GENERAL RESTRICTIONS**

A consequence of living in a high-density development is that some of our behavior may affect others. Our **legal documents** have restrictions aimed at minimizing problems and maintaining the value of our property.

The following restrictions are drawn from our legal documents. They can only be changed by a two-thirds affirmative vote of all lot owners.

- Division of Property:  
No owner or purchaser may subdivide any of the lots or tracts for any reason.

- Exterior Alterations:
  - No change in the exterior of a single-family unit is allowed without permission of the Architectural Review Committee (ARC).
  - Exterior alterations cannot be made to the villas.
  - No window air conditioning units may be installed.
  - No alterations to the numerical designation of Units, as installed by the developer, and no additional numerical designations are allowed.
  - **\*\*No installation of any signs, artwork, name plates or letters on the exterior of the Unit. (See Revision dated 4/25/2022 shown as Addendum 2)**
  - Any proposed alterations must be presented to the ARC.
  - No fences shall be erected on any lot without the approval of the ARC.
  
- Figurines:
 

No owner shall be allowed to place and/or erect any figurine on their property.
  
- Filling or Excavating:
 

No excavating or elevation activity can be performed that affects the surface grade of the surrounding land.
  
- Garage:
 

The primary function of a garage is to house automotive vehicles, scooters and golf carts. The garage cannot be converted to any other use or purpose.
  
- Garbage or Recycle Cans:
 

No garbage or recycle cans shall be visible from the paved road except on days of pickup. Garbage and recycle cans for each unit are to be kept in the unit's garage except on those days when the garbage is collected.
  
- Guests:
 

No owner may have guests reside in his or her unit for more than thirty (30) days without the prior written approval of the Homeowners' Association. All guests must obey the rules and regulations of the HOA, and owners are responsible for the actions of their guests. Please take the time to educate guests before they use our facilities.
  
- Maintenance of Lot:
 

Each owner is to maintain his/her property so that no trash, rubbish, unlicensed or inoperative vehicles or other items not normally found outside are allowed to accumulate for longer than three (3) days. If any violation continues to exist after five (5) days, a written notice will be sent to the owner. The Board may remove the articles in violation and add all expenses incurred in the removal of the violation to the owner's monthly maintenance fees.

- **Occupancy:**  
 Baytree is designed, operated and maintained for the use and benefit of, and to meet the social and physical needs of, persons fifty-five (55) years of age and older. Notwithstanding this requirement, the Board of Directors shall have the right and authority to waive this restriction for a person who is not fifty-five (55), or at least 40 years of age sharing a residence with a resident fifty-five (55) years of age or older, provided that at least eighty percent (80%) of the lots or units in the subdivision are occupied by at least one person who is fifty-five (55) years of age or older. (The board of directors has the right and authority to approve or reject occupants under 55. There is no requirement that the remaining 20% be occupied by persons under the age of 55.) The Board may adopt and publish guidelines or criteria specifying conditions or requirements for granting waivers and the decision of the Board is final. It is the stated intention of the developer to protect and preserve the community of persons age fifty-five (55) and older and the Board may adopt reasonable rules and regulations for the protection and preservation of such a community. Healthcare workers (caring for residents) are exempt from age restrictions.
  
- **Persons Residing in the Unit:**  
 No more than four (4) persons may permanently reside in a Unit, each of whom must be over eighteen (18) years of age. However, the provision shall not be interpreted to allow two (2) married couples to reside in one (1) Unit.
  
- **Pets and Animals:**  
 No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except a dog, cat or other domestic household pet may be kept, provided it is not kept for commercial purposes. Maximum of two household pets per unit may be kept. Individual dogs or cats shall not exceed thirty-five (35) pounds in weight. Animals must be confined to the owner's lot except when being walked. Animals must be kept on leash. Owners are responsible for removing animal excrement attributable to the owner's pet from the owner's lot or any other owner's lot or common area. Household pets will not be allowed to annoy other lot owners or trespass on their lot. All pets must have every immunization required by law, and specifically must have annual rabies immunizations.
  
- **Signs:**  
 No sign of any kind shall be placed upon any lot or unit that is visible from the exterior of the Unit, except for one customary and usual "For Sale" sign advertising the Unit for sale or rent.
  
- **Temporary Structures:**  
 No structures (temporary or permanent) trailer, tent, shack or other out-buildings are allowed.

- **User Restrictions:**  
All homes/villas are considered residential property. No commercial or professional enterprise may be conducted.
- **Vehicles:**  
A maximum of two (2) motor vehicles, two (2) mopeds and two (2) golf type cars may be kept on any lot. Such vehicles shall not be permitted to park on the streets of the subdivision. No machinery, commercial trailer, semi-trailer, nor any truck having a load rating in excess of  $\frac{3}{4}$  ton, shall be parked on any lot or street except for service vehicles located there on a temporary basis while performing a service for the owner. No automobile repairs shall be allowed on a lot except an owner may perform a minor tune up, oil change, or tire change on his personal vehicles. The vehicles must be kept within the boundaries of the paved driveway. No vehicle shall be parked or kept in any yard. No boats, boat trailers, travel trailers, recreational vehicles, motor homes or similar vehicles shall be kept on any lot except for loading or unloading before or after a trip, not to exceed 12 hours. No vehicles commonly known as three-wheelers, all-terrain vehicles or off-road motor bikes or dirt bikes shall be operated within the subdivision.
- **Parking:**  
The rules for the City of Tavares for the parking of boats, RV's, trailers, etc. on city streets are as follows: You are allowed eight hours to park on the street. After eight hours, you can be fined by the Tavares Code Enforcement Officer. After forty-eight hours, you could be subject to towing by the Tavares Police Department. Property owners may park their recreational vehicles, boats and trailers, etc. in the front yard driveway, provided it does not extend into the right-of-way (sidewalk). Such vehicles must be less than ten feet in height. Our Baytree legal documents state that such parking will be allowed for twelve hours.

Again, the above restrictions are drawn from our **legal documents**. They can only be changed by an affirmative vote of two-thirds of the homeowners.

## **ARCHITECTURAL STANDARDS AND RULES**

### **AUTHORITY AND CREATION OF STANDARDS**

The Baytree Homeowners' Association legal documents (Articles of Incorporation, Bylaws, Covenants and Restrictions) establish a legal framework for Baytree architectural standards and provide authority to the Board of Directors to formulate or change rules and architectural standards. Board authority to formulate or change standards does not extend to the restrictions explicitly specified in our Covenants and Restrictions, which require a 2/3 majority vote of homeowners to change.

Objectives for architectural standards were adapted for Baytree from objectives recommended by publications from the American Institute of Architects and Design Review Boards and include the following:

- **Landscape and environment protection.** To prevent the unnecessary destruction or blighting of the environment.
- **Relationship of structures and open spaces.** To assure that the treatment of built-up and open spaces is designed so that they relate harmoniously to the terrain and to existing structures that have a visual relationship to the proposed structures.
- **Protection of neighbors.** To protect neighboring owners and users by ensuring that reasonable provision has been made for such matters as surface water drainage, sound and sight buffers, the preservation of views, light and air, and other aspects of design that may have substantial effects on neighboring property.

The Baytree Architectural Review Committee (ARC) uses these architectural standards when evaluating applications. Although normally proposed by members of the ARC, any HOA member may propose a new architectural standard to the ARC, consistent with our architectural standards objectives. A proposed standard will be considered by the ARC and evaluated for merit. It may be rejected, or language altered and refined, before being submitted to the Board of Directors for review and possible further modification. Should the Board wish to adopt the standard, it will then publish notice of the standard in the newsletter, or by other means, to solicit comments from the HOA membership. At the next regular Board of Director' meeting, but not less than two weeks following such publishing, the Board will consider the proposed standard. It may then be adopted by the Board, possibly with modifications.

### **THE ARCHITECTURAL REVIEW COMMITTEE (ARC) PROCESS**

The importance of abiding by the architectural review process goes beyond our agreement to be legally bound by it when we purchase our homes. The process can work only if we apply it fairly and uniformly when evaluating applications. The purpose of the system is not to impose unnecessary controls and restrictions, but rather to protect the value of one of the most important investments each of us will ever make - our homes.

In order to ensure fairness:

- Standards are created within a public process. They are introduced, discussed, and voted upon at open Architectural Review Committee and Board meetings.
- A majority vote of the Board of Directors is required to change standards.
- The Board of Directors can vote to change a rule previously passed by the Board.
- A vote of 2/3 of the membership is required to change covenants and restrictions imposed by our homeowners' association legal documents.



- Decisions made by the ARC may be appealed to the Board in writing within 15 days following the final decision of the ARC.
- Should an applicant feel that special circumstances exist that provide a compelling reason why a standard should not apply in a specific case, or *if* a standard does not exist, the applicant may request that a variance be granted by the Board.

## **THE ARCHITECTURAL REVIEW COMMITTEE AND YOU**

Our Board appoints volunteer members to our Architectural Review Committee. The ARC helps to develop and implement standards, procedures, and policies that govern changes that members may make to their property. ARC members review proposed plans, and approve or deny them, based upon standards of style, exterior design, appearance, location, and requirements of our homeowners' association legal documents. The ARC also assists homeowners and makes recommendations to help bring plans into compliance.

State law requires that meetings of the Architectural Review Committee must be open to *all* members of the homeowners' association. The dates and times of these meetings must be posted at least 48 hours in advance.

Before contemplating any exterior property modification, residents are encouraged to familiarize themselves with this section of the Residents Handbook and Article VII of our (Second Amended and Restated Declarations of) **Covenants, Conditions and Restrictions** for Baytree, which relates to architectural restrictions. Copies of these documents are on file in the Baytree Library or can be viewed on our Baytree homeowners' website [baytreetavares.org](http://baytreetavares.org).

## **WHEN TO APPLY FOR APPROVAL**

Approval from the Architectural Review Committee is required for any exterior modification. Modifications to villas are limited to roof replacement, painting, window and door replacement, garage screens, and rear patios. Modifications to detached homes may include structures, roofs, screen doors or other changes to doors or windows, exterior sunshades, awnings, patios, curbing, painting, and so on.

The Board also requires that an application be submitted for modification or reconstruction of an improvement that had been removed, dismantled or destroyed. If a standard has changed since previous approval, the Board may require that reconstruction or modification bring the improvement into compliance with the new standard.

## **HOW TO APPLY FOR APPROVAL**

Applicants are encouraged to discuss their projects with their neighbors early in the planning stages to explore and resolve potential problems before expending significant time preparing a plan and application. Although permission from a neighbor is not required for approval, the purpose of the approval process is to avoid problems and detrimental impact on neighbors. The Architectural Review Committee will consider such impact when evaluating your application.

1. Obtain a copy of the **Architectural Review Application**. Copies of this form are on file in the Baytree library or can be downloaded from our website [baytreetares.org](http://baytreetares.org).
2. Make a scale drawing(s) of your proposed project. Include top (plan) and side (elevation) views as necessary to clearly establish 'proposed' location, elevation and construction detail of your modification. Your drawing should also include existing structures and boundaries where necessary to indicate relative location. The type of construction materials to be used must also be included.
3. Submit copies of your completed application and drawings to the Architectural Review Committee.
4. You will receive a copy of your application with the bottom portion completed by a member of the Architectural Review Committee. This copy serves as your receipt and documents the date your application was received.
5. Every effort will be made by the ARC to approve or deny your plans within 30 days of the receipt of a completed application. Upon review of the application, you will be notified of the disposition of the application. If denied you may modify your plans to conform to the Baytree architectural standards and resubmit it. Or you may appeal the ARC decision in writing to the Board of Directors within 15 days of the decision.
6. After final approval, you have one year in which to complete construction of your improvements, conforming to any conditions the ARC, Board and/or City may have imposed.
7. The Architectural Review Committee may review the finished project to confirm that your improvement complies with your approved plan. You must correct any deficiencies as determined by the ARC. You are responsible for upkeep and maintenance of the improvement within acceptable standards as determined by the ARC and Board, unless specifically exempted by the Board.

Improvements that members are likely to make are covered by one or more of the possible examples listed under the Architectural Rules and Examples of Alterations on the following pages. However, ***if your desired improvement is not covered, you should still apply to the ARC.***

The ARC may:

- Provide you with an applicable standard approved since this manual was printed.
- Sponsor development of a new standard to be approved by the Board or

- Approve, modify, or reject the plan as submitted

It is perfectly acceptable for a member who wishes to construct a non-standard improvement to propose a new standard for consideration. A well-considered, thoughtful, written proposal, consistent with our Baytree Architectural Standards may shorten the time needed for the ARC to refine, and the Board to approve, a new standard that applies to your project.

**Approval is important.** Making a modification without ARC approval may result in changes having to be undone at the HOA member's expense. Other HOA actions for non-compliance include, but are not limited to, filing a notice of non-conformance that may affect the salability of the property, with filing/clerical fees assessed to the homeowner, and injunctive relief, with the homeowners paying attorney's fees and court costs.

Remember that you agreed to the terms of the HOA legal documents when you purchased your home. In addition, the Board has adopted other architectural standards and rules. Please don't put your Board of Directors in a position where they must ask you to remove something that hasn't been approved.

In order to help you determine if a project you are contemplating requires approval, the Architectural Rules and some examples are listed in the following pages. If, after reviewing the following, you are still unsure as to whether you need to apply to have your project approved, it is better to apply.

## **ARCHITECTURAL RULES**

In order to preserve the appearance and character of Baytree, any contemplated architectural changes to the exterior of homes must comply with these guidelines. Any changes to the exterior of a home **MUST** be approved by the ARC **BEFORE** construction work begins. All construction must meet set-back requirements and comply with all government agency building codes.

### Architectural Rules for **Detached Homes**

Room additions which will be added to the front of the home or will be visible from the street:

- The exterior must be of the same color and material as the existing home.
- Windows must be of the same style, color and material.
- The roof of any addition should maintain the present pitch of the roof, a drop of six inches for every twelve inches of roof.
- All room additions must match the color and material of the existing roof.
- There shall be no extra roof ornamentation except for functional fireplace chimneys, air vents, or standard skylight windows or domes.

Sunrooms and screened porches which are added to the rear of the house and are not visible from the street:

- May be constructed of a different material
- May be of a different color if the existing color scheme of the house is maintained. For example, if the house is one color and the trim is a different color, the addition may match either color.
- The ARC (or the Board) may require larger additions to be the same color as the house in order to assure the new construction does not look "tacked on".
- The roof must be shingled in the same color and material of the house and must have a minimum drop of 2" for every 12" of roof.
- There shall be no extra roof ornamentation except for functional fireplace chimneys, air vents, or standard skylight windows or domes.
- Screen houses are designed for screens only. Any modifications must be approved by the ARC and permitted by the City of Tavares to withstand 120 mph winds. Added roofing material must be shingled in the same color and material of the house and must have a minimum drop of 2" for every 12" of roof.

Exterior:

- Exterior walls and garage doors must maintain the color palette presently used in Baytree. The ARC maintains a palette of approved colors, available to any homeowner upon request. The ARC may consider approval of colors different, but similar to, those in the approved palette.
- Garage screens must be made of white or beige aluminum sections. Rollup garage screens, white or beige, are also acceptable.
- Colors of trim and shutters should be in keeping with the existing decor of Baytree and must be approved by the ARC.
- Roofing shingles must be consistent throughout Baytree. The list of approved shingles is available from the ARC.
- Awnings MUST be a plain canvas cloth material, solid colors or stripes, maintained in good condition and are only allowed on the rear of the home. When the awnings become worn, they must be replaced or removed. Worn awnings may be removed at the owner's expense after due notice is given.
- Whole house water treatment systems must be placed in the interior of the house.

Driveways and Sidewalks

- Any sealing of driveways or sidewalks should match the present cement as closely as possible. Stenciling and sealing surfaces must have a non-skid ingredient. All stenciling must be approved by the ARC. Driveways and sidewalks, including stenciling, must be kept in good condition.
- Any added or redesigned sidewalk, path, or landscaping, regardless of composition, must follow the contour of the adjacent ground. Drawings showing location and elevations must be submitted to the ARC for approval.

## Architectural Rules for Villas

### Villa Exterior:

- Exterior walls must maintain the color approved for villas. The approved villa color is available from the ARC. All villas in a building must be painted at the same time.
- Window replacements must have dark mullions (grids) and frames that match other windows in the building.
- Overhead garage doors must be painted the approved white or tan color. The approved colors are available from the ARC. All garage doors in a multi-unit building must be painted the same color and painted at the same time.
- \*\* Garage screens must be made of white or beige aluminum sections. Roll-up garage screens, white or beige, are also acceptable. All units in a building must have the same color screen. (*Revision Approved 11/29/21*)
- Coach lights may be installed adjacent to the garage door, but all coach lights in a building must be of similar design, color, and size. ARC approval is required.
- Villa roofs must be inspected within 19 years of installation. Replacement must be done at the same time for all units in a multi-unit building. The list of approved shingles is available from the ARC.
- \*\* Rear patios are limited to 16 ft. wide x 12 ft. deep but may not encroach upon existing easements. (*Revision approved 2/28/2022*)
- No shutters are permitted.
- \*\* Awnings MUST be a plain canvas cloth material, solid colors or stripes, maintained in good condition, and are only allowed on the rear of the home. When the awnings become worn, they must be replaced or removed. Worn awnings may be removed at the owner's expense after due notice is given. (*Revision approved 2/28/2022*)
- \*\* Windows and doors in the rear of the lanai may be replaced with sliding doors. (*Revision approved 2/28/2022*)
- No cement curbing is permitted
- No driveway stenciling is permitted – villa driveways are owned by the HOA
- Driveways cannot be widened or modified in any way

### Examples of Rules Application for Homes and Villas

#### Examples of Alterations Not Permitted (applies to all homes and villas):

- Alterations to the exterior structure of Villas
- Window air conditioners
- Unattached structures on property, except for docks and boat hoists on canal front properties
- Storage sheds, pet houses, greenhouses
- Signs, artwork, name plates or letters, other than the original house numbers, on the outside of the structure
- Figurines

- Security bars on windows and doors
- Visible wiring (other than for utility entrance)

Example of Alterations Requiring Approval (applies to all homes and villas):

- Plantings by residents on common property
- Addition of screen door or screen garage doors
- Addition or replacement of doors, windows, awnings, or shutters
- Any structural addition to a detached home, including sunrooms and screen rooms
- Cement or paver patios
- Painting the exterior of your home
- Installation of hurricane shutters or screens
- Roof replacement
- Cement landscape curbing
- Solar panels
- Fences

Example of Alterations Not Requiring Approval:

- Temporary holiday decorations displayed for a maximum of 45 days.
- One American Flag attached to the home
- Satellite dishes
- Roof repairs that match the color and material of the existing roof.

### **RESTRICTIONS INVALIDATED BY FEDERAL OR STATE LAW:**

The following items - although prohibited by our HOA legal documents - are allowed because Federal or Florida laws were enacted after our documents were published. Permitted by these laws are:

- *Flags*  
No flags other than one American Flag may be placed on each lot. Flagpoles should be white or natural wood, aluminum or plastic material. Preferably, the flag should be attached to the house. ARC approval is required to erect a flagpole.
- *Satellite Dishes*  
Satellite dishes may not exceed 39 inches in diameter and should be placed in an inconspicuous location, preferably not in the front of the house (recognizing that adequate reception needs to be a factor). Under no circumstances should a satellite dish be placed within the lawn because of mowing restrictions.
- *Solar Panels*  
According to Florida law, the ARC may determine the specific location where solar collectors may be installed on the roof provided that such determination does not impair the effective operation of the solar collectors.

## **Baytree Homeowners Association**

### **Addendum 1: GREENSPACE GUIDELINES**

1. Entry and Exit areas for Greenspace are south of 411 Juniper where the signs are posted on the west side. Also, for the East side, entry and exit areas are between 414 & 424 Baytree Boulevard. These are added to the regular entries that have always been there.
2. Only Baytree Resident's Golf Carts are allowed on Greenspace and shall be visibly marked with a flag or some other approved method as to indicate the golf cart is resident owned.
3. No walkers or bicycles allowed on Greenspace except for Baytree residents and their guests.
4. All dog walkers **MUST** clean up after your pets while walking in the Greenspace, just like any other common area at Baytree.
5. Do not trespass on residents' properties.
6. No planting on Greenspace behind homes without prior approval from Greenspace Committee and no artificial flowers.
7. No golfers allowed except residents and their guests.
8. Golfers are responsible for any damage done to Baytree or residents' properties.
9. Golfers, please be careful of new plantings and if you do land in them, take a drop.
10. Use cart paths as much as possible.
11. Please, ALL residents including golfers, walkers, riders, bikers, workers etc. be considerate of each other.
12. Above all, enjoy what we have and treat it like your own, because it is.

***\*\*NOTE: These Guidelines were approved by the Baytree HOA Board of Directors on February 28, 2022.***

## Baytree Homeowners Association

### Addendum 2: RECOMMENDATION FOR DÉCOR IN FRONT ENTRYWAYS

One of the reasons that many residents have purchased homes in Baytree is due to the appearance of the neighborhood. All homeowners have obligations. A major obligation of each homeowner is following the rules that each resident agreed to when their home was purchased. Your involvement in maintaining the appearance of this community will help preserve the investment in our homes.

Our Baytree Covenants and By-laws are very specific in the responsibilities given to residents and to our Baytree HOA Board of Directors, including restrictions for changes to the exteriors of our homes. In our Covenants, Article VII, Section 17 restricts exterior changes to our homes, although a provision is made for the Homeowners' Association to allow some changes when approved.

Section 17 is very specific about several restrictions including:

- No alterations to the numerical designation of the Units, as installed by the developer, and no additional numerical designations are allowed.
- No installation of any signs, artwork, name plates or letters on the exterior of the Unit.

The HOA Board asked the ARC to review these two points in Section 17 and to make a recommendation about external decorations. If approved by the Board, this interim interpretation will be used until the Covenants and By-laws found in Section 17 are reviewed and updated.

- *The ARC review group recommends that each Unit be allowed to place one wreath and one piece of artwork within their front entrance area near or on the front door. Any décor placed on part of the unit structure should NOT be permanently attached. Artwork other than these 2 items should be removed.*

This interim recommendation may be changed by decisions made by the committee being established to review the Baytree HOA Covenants and By-laws.

**\*\*NOTE: This change was approved by the Baytree HOA Board of Directors on April 25, 2022.**