

# Hernando Beach South Property Owners Association, Inc.

~ Property Owners Manual ~



**Property Owners Handbook**  
**Hernando Beach South Property Owner's Association, Inc.**  
**(HBSPOA)**  
**2020**

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## **Introduction**

Consistent with Florida State Law (F.S. Section 720) and the recorded Restriction Agreements of the HPSPOA, this handbook is a reference guide for property owners. This handbook does not replace the HBSPOA restriction agreements, hereby referred to as "*deed restrictions*". The Architectural Review Committee used in this document refers to the Hernando Beach South Architectural Review Committee.

Deed restrictions, also known as covenants, encumber an owner's freedom to use the land. They are legally imposed on a buyer when property is sold and are included in the deed to the property. Property developers and homeowneris seeking to retain a certain community atmosphere often use deed restrictions. Restriction is legally define the color, size and shape of a house or activities within the community, and may require general upkeep of the property.

You may enter the web address [www.hbspoa.org](http://www.hbspoa.org) in your browser and click on the link to Official Documents, or contact the management company to obtain a copy of HBSPOA official documents

Deed restrictions can be enforced by a court of law. The HBSPOA may obtain a court order against a property owner who bypasses the architectural review committee and proceeds with a project without approval, or violates the restrictions of the community. However, that would be an extreme case and in almost every instance the committee and the homeowner can agree on mutually acceptable home modifications. All exterior modification requests must be approved prior to any work commencing.

## **Leasing and Occupancy**

No owner shall lease their property without first receiving approval of the Homeowners Association. No Lot or Residence shall be rented or leased for a period of less than ninety (90) consecutive days. No portion of a Lot/Residence, may be rented and no individual rooms or portion of Lot/Residence may be rented. A Lot/Residence may be leased for single-family residential use only.

The owner shall no less than thirty (30) days in advance of the proposed start date of the lease or occupancy, notify the Board of Directors, in writing, of an intent to lease or an intent to renew an existing lease and shall provide all such information as the Board may reasonably require.

The Association may charge an application fee up to the highest amount allowed by law, in connection with running a criminal background check. Management Company must have on file an approved lease along with a current address and phone number of owner.

## **Modification of Existing Homes**

Whenever there is any exterior work done on your property that can be seen from a street or canal, you must first get approval from the Architectural Review Committee.

All exterior remodeling jobs need to be submitted to the committee. Common examples of these projects are (but not limited to) house additions, adding a pool, fence, screening a lanai, repainting, (even if the color is the same or similar) or re-siding a home.

Any request for committee approval must be made in writing to the committee chairman. The request must include a detailed drawing of the project denoting size, shape, colors, materials used, and location on the lot. Setbacks are important for most projects. Please plan to provide a copy of your survey and paint samples to the Architectural Review Committee. Some projects, such as painting or siding, will not require a survey.

Do not forget to obtain permit(s) from the county on applicable projects. The phone number to the Hernando County Building Department is (352) 754-4050. Approval by the County Building Department does not eliminate the requirement of the property owner to obtain prior approval by the HBSPOA Architectural Review Committee.

It is recommended that the Architectural Review Committee meet monthly. Check the Bulletin Board for the name and phone number of the current Architectural Review Committee chairman. These meetings are open to HBS property owners.

**The following projects are commonly presented to the Architectural Review Committee.**

### **Fences**

Fences must be approved by the Architectural Review Committee, and require a county permit.

Maximum height is 4' and must be see-through. Fences cannot extend beyond the mid-point of the house from

the back of the lot. No front yard fences are allowed. Fences may be within the rear and side setbacks.

Hedges must not exceed 4 feet maximum height unless they are used as a foundation planting against the house.

## **Docks and Wharves**

All canal alterations, including installation of pilings, seawalls or other retaining walls must be approved by the Architectural Review Committee (ARC) prior to commencement of construction. They require a County permit and must conform to County codes. Docks, wharves or walkways which extend into canals with a width of one hundred (100) feet or more may be constructed a maximum of twenty (20) feet from the edge of the lot line; those which extend into canals with a width of less than one hundred (100) feet may not extend more than ten (10) feet from the edge of the lot line.

## **Driveways/Pavers**

Any major driveway changes must comply with Hernando County Codes for drainage, materials etc. They must also be approved by the ARC Committee.

## **Propane Tanks**

All propane tanks are to be buried.

## **Seawalls**

No construction on a residence shall commence until a concrete seawall is completed. The seawall shall extend the width of the lot and must be approved by the Architectural Review Committee (ARC) prior to commencement of construction. They require a County permit and must conform with County Codes.

## **Television and Radio Signal Receivers**

All TV and Radio signal receivers must be approved by the Architectural Review Committee.

TV and Radio antennas/dishes must be attached to the house. No dish larger than 36" will be approved. No satellite dishes or other receiving equipment may be installed without pre-approval from the Architectural Review Committee.

## **Lattice on Ground Floor**

Although new home construction does not allow ground floor lattice as a visual barrier, the lattice on existing homes must be maintained, and any changes approved by the Architectural Review Committee.

## Colors

Contact the Architectural Review Committee for approved colors for paint or siding. The painting of sea walls and knee walls also require committee pre-approval.

The Architectural Review Committee strives for a diversity of colors within Hernando Beach South. The Architectural Review Committee will require that your home be a different color than adjacent homes, or a home across the street.

## New Home Construction

When preparing to build a new home on your vacant lot, complete written plans must first be submitted and approved by the Architectural Review Committee.

The HBSPOA deed restrictions indicate that no building, addition, accessory, fence, television antenna or signal receiver, landscaping, or other structure or improvement shall be commenced, erected, placed or maintained upon any lot, nor shall any exterior addition to or change or alteration be made until complete written plans and specifications showing the nature, kind, size, square footage, driveway layout, shape, color, height, floor plan, materials, and location have been submitted to, and approved by the Architectural Review Committee.

Before starting construction the lot owner must contact the Committee Chairperson for a checklist that must be followed.

Fill out application form with the address of your new home. Along with the application provide the following:

- Site survey with house on lot relative to the setbacks
- Permits from County-Builder
- Plan views and elevation view of your new home from architect
- Colors of house and or first floor, windows and trim
- Color Material – driveway (Pavers or concrete) picture of pavers and color from brochure
- Roof Material/colors – Shingles or Metal
- Any special yard work, planters etc.
- Must have three trees planted in yard at end of construction
- Pool layout relative to setbacks and copy of County permit
- Fences no more than 4 feet high and see through
- Builders Name and contact information

**The following is a list of some of the issues that often arise during the construction phase:**

## Setback

There shall be nothing constructed on any lot, block or parcel except as hereafter provided within a minimum of 10 feet from each side of the property line and 25 feet from the front property line and 20 feet from the back property line where the depth is 100 feet and 15 feet where the lot depth is less than 100 feet. Approved pools, gazeboes, screen rooms and fences are allowed in the rear setbacks.

## **Minimum Residential Size and Ground Floor Enclosure**

All residential structures shall contain a minimum of 1600 square feet of enclosed living area, exclusive of garage, porches, or screened area. Each residence shall have an attached garage. No residence shall exceed three stories in height. The ground floor of all two or three story residences shall be enclosed in such a manner as to conceal all objects contained within the ground floor from view outside the residence. Ground floor lattice is not allowed on new construction.

## **Landscaping**

Each residence shall be landscaped in accordance with the plan submitted by the owner and approved by the HBSPOA Architectural Review Committee. Sod and landscaping shall be completed within thirty (30) days and sixty (60) days, respectively, of the issuance of the certificate of occupancy by Hernando County. Landscaping must be in compliance with the Hernando County Landscaping Code and have a minimum of three (3) trees.

## **Time Limit for Completion**

All projects that require a permit from the county - new houses or improvements - must appear to be completed from the street within 18 months of the issuing of the permits.

Any changes made after the initial approval will require re-submittal and approval by the HBSPOA Architectural Review Committee prior to any changes.

## **Sea Bass Property**

(Property between Sea Bass and Shoal Line extending north of Jewfish and south of Bluefish)

All Deed Restrictions in force in Hernando Beach South apply to the Sea Bass Property. No swimming is allowed in the Sea Bass Pond. Fishing by Hernando Beach South residents only is permitted.

Note: The mandatory removal of pet droppings and the prohibition on the dumping of yard or other waste also applies on this property.

## **Deed Restrictions not related to Architectural Issues**

Hernando Beach South is checked on a regular basis for deed restriction compliance. Residents may contact the Deed Restriction Committee, any board member, or the Mgt. Company to discuss restriction issues. Once a violation is verified the notice procedure begins.

Note: Owners of rental property are responsible for the upkeep of their homes and the conduct of the renters.

**The following is a partial list of the most commonly cited deed restriction violations:**

## **Parking**

No parking of any vehicle shall be allowed on the lawn or vacant lot. Vehicles shall only be parked on the driveway or out of sight in the garage/first floor level under the home. Only personal transportation Vehicles (e.g. cars, vans, motorcycles, 1 ton or smaller trucks) may be parked on the driveway. Placing a vehicle in the driveway on blocks is not permitted.

No commercial vehicles may be parked in a homeowner's driveway.

Parking on the street is regulated by the Hernando County Sheriff's Department

Contractors may park on empty lots only with the pre-approval of the lot owner, and the contractor must return the lot to its previous condition.

## **Permit Signs for Recreational Vehicles**

Prior to maintaining a boat trailer, or recreational vehicle, you must require a permit sign from HBSPOA. The permit will be allowed for a maximum of five (5) days. Permit signs are allowed twice within a 90-day period. Please note, the permit only allows for in driveway only and to maintain the vehicle.

Note: Boats and trailers may not be parked on lots. Signs may not be used for temporary storage. At no time can the vehicle be resided in when parked in the driveway.

## **Parking Allowed Without a Permit Sign**

Boats on trailers may be parked in a driveway after 4 p.m. for use the next day, but must be removed by 8 a.m.

Recreational vehicles, travel trailers, and motor home may be parked in the driveway 24 hours for loading and unloading.

## **Kayaks, Canoes, and Paddle Boats**

Kayaks, canoes, and paddle boats may be stored on docks, structures built over the canals, knee walls, or on a covered porch of the home. Any kayak, canoe, or paddle boat that is on a trailer must follow the restrictions listed in the above sections.

## **Neat, Clean, and Orderly**

Our Deed Restrictions (as amended) say that lots and all improvements thereon (houses) must be kept neat, clean and orderly, as considered by normally prudent community norms.

This means that grass, trees and shrubbery must be cut and trimmed, weeds removed from all planted areas and driveways, trash containers/garbage cans must be out of sight, mold, mildew and other discoloration must be removed from siding, driveways, fascia, downspouts, railings, etc., and pool cages, windows and door screening must be properly maintained.

Trash containers may be placed at the street the night before pick-up and must be removed the day of pick-up.

The above list is not all-inclusive. The purpose of these restriction is to require conformity to the high community standards we all found appealing when we moved here.

## **Signs**

No signs or advertisements shall be displayed on any part of the subdivision except those approved by HBSPOA.

Our deed restrictions prohibit signs being placed on cars, car windows, boats, in yards or in house windows. Residents whose vehicles have lettering advertising their place of business must remove or cover the lettering when parking in the driveway. All visible signs are prohibited with the following exceptions:

Security Signs

Contractor signs during construction, and 10 days after the work is complete

Signs approved by HBSPOA

Florida Statue allows US Flags, Arm Forces Flags, Florida Flags and POW/MIA Flags.

Balloons on mailboxes for 24 hours for special occasions, such as parties or open houses, are acceptable.

## **Pets**

Only common domestic pets allowed. Common domesticated pets are dogs, cats, fish, birds, ferrets, hamsters, etc. All other proposed household pets must receive the approval of the HBSPOA Board prior to purchasing. Caged domestic pets must remain inside the dwelling.

All household pets must be kept under control of the occupant at all times, and in compliance with all leash laws. They must be restrained by a leash when not in the house or controlled by their owner.

Pet owners must remove and dispose of all pet droppings from all lots and common areas of Hernando Beach South.

Occupants shall ensure their pets do not cause a disturbance or nuisance to neighbors. This in not only a violation of our deed restrictions, but it is also a violation of the County ordinance. For fast action call Hernando County Code Enforcement/Animal Control at (353) 754-4056.

## **Boating**

Five (5) miles per hour is the maximum speed allowed on our canals.

Boat Ramp- Rules for the use of the Boat Ramp are posted on the sign next to the Boat Ramp and referenced in the agreement signed by those acquiring keys to the ramp.

## **Nuisances**

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be thereon which may be, or become, an annoyance or nuisance to the community.