

**Property Owners Handbook
Hernando Beach South Property Owner’s Association, Inc.
(HBSPOA)
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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 homeowners seeking to retain a certain community atmosphere often use deed restrictions. Restrictions 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.hernandobeachsouth.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.

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.

Many contractors provide a drawing with their proposal, but drawings by property owners are acceptable. Note: a copy of the proposal is always helpful.

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 Comm.

The Architectural Review Committee meets the 1st and 3rd Thursday of each month at the home of the chairman at 1:00 p.m. to consider submittals. These meetings are open to HBS property owners. Check the bulletin board for the name and phone number of the current Architectural Review Committee chairman. If you plan to attend please call first because they will not meet if nothing has been submitted.

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

No approval is required for floating docks. Fixed docks and boat lifts need prior approval by the Architectural Review Committee, and require a county permit.

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 requires 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.

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

Setbacks

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, gazebos, 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.

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 south of Jewfish and north 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.

The Board of Directors shall have the power to appoint a Covenant Enforcement Committee (CEC) which can recommend that a fine be imposed for violations. For specifics regarding the Covenant Enforcement procedure, see APPENDIX A.

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 request a permit sign from HBSPOA. The permit will be allowed for a maximum of five days. Please note, the permit only allows:

- In driveway only
- To maintain the vehicle

Note 1: Boats and trailers may not be parked on lots.

Note 2: Permit Signs may not to be used for temporary storage.

Note 3: 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 homes may be parked in the driveway 24 hours for loading and unloading.

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, driveway, fascia, downspouts, railings, etc., and pool

cages, window 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 this 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, in car windows, 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;

1. Security signs
2. Contractor signs during construction, and 10 days after the work is complete
3. Signs approved by HBSPOA

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

Pets

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 the 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 is 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 (352) 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.