

BEACH MANOR VILLAS SOUTH, INC.
Rules and Regulations

Beach Manor Villas South is a residential condominium community. The documents and these rules have been amended to qualify as an age 55 and over community and to conform with the Housing for Older Persons Act (HOPA) of 1995. The rules are intended to protect the best interests of all residents and to provide the greatest individual freedom to owners, their guests, and renters with the protection of the rights and privileges of all other interests.

GENERAL RULES AND REGULATIONS

Foreword:

1. The Association represented by the elected Board of Directors has no jurisdiction over, nor responsibility for the interiors of the condominium units. This unit is your home.
2. The Association represented by the elected Board of Directors does have jurisdiction over and responsibility for unit exteriors yards and all other common elements (recreation center, pool, clubhouse, etc.)
3. The Association wants residents and their guests to utilize and enjoy fully our community facilities; and while they do so, we respectfully request that all users respect and protect these facilities so that we may continue to enjoy them. All homeowners are responsible for their guests.

COMMUNITY

1.1. MEETING AND ACTIVITIES

- 1.1.1. Regular meetings of the Board of Directors are to be held each month in the Clubhouse. Time of the meetings shall be set by each elected Board. Notices of all meetings or any changes will be posted on the Official Bulletin Board in the Clubhouse, and outside white boards and the Website.
- 1.1.2. Special meetings of the Board of Directors are to be held at the call of the President or a majority of the Directors. Notice of such meetings will be posted on the Official Bulletin Board, outside whiteboards and Website.
- 1.1.3. All Board Meetings are open to the membership. Unit owners are permitted to speak on the agenda topics at Board Meetings and unit owner meetings. Procedure for speaking: A Board member, or the Managing Agent, will announce and describe each agenda topic separately. Unit owners who wish to speak will have a maximum of three (3) minutes to speak to the announced topic. Following audience participation, the Board will then conclude its business as to that topic, then proceed in like manner to the next agenda topic.
- 1.1.4. Videotape and tape recordings: Unit owners may tape record or videotape Board Meetings and unit owner meetings provided the meetings are not disrupted by light, noise, or any other manner. Such unit owners must notify the Secretary or Managing Agent a day prior to the meeting. The Board may request the original of the tape recording or videotape for the purpose of inspection or copying at the expense of the Association and in the presence of the unit owner. Recordings are not to be posted on internet websites or otherwise published without the consent of the participants.
- 1.1.5. All group activities by members which require the use of Association Facilities are to be scheduled through the Board of Directors.

1.2. SUGGESTIONS, COMPLAINTS AND PERMITS

- 1.2.1. Your Board will consider all permits, suggestions, or complaints providing they are submitted in writing. Such communications in writing should be addressed to the Board, signed by the unit owner, and dropped in our Association mailbox, 1025 Beach Manor Center East (east side of clubhouse), or mailed to Management. Member Communication Forms are also available from board members.
- 1.2.2. Be specific when requesting changes or additions to the common property around your villa. Forms specifying required information are available from the Architectural Committee and the Landscape committee. Any additions, changes, alterations, etc. to the requested changes, not approved by the board, will be removed immediately at the owner's expense.

1.3. OBLIGATIONS OF MEMBERS

- 1.3.1. Refer to Declaration of Condominium.

1.4. SERVICES

1.4.1. GARBAGE COLLECTION

- 1.4.1.1. Trash, garbage, and recyclables should be put out on the morning of collection. If they are put out the night before, the trash/ garbage must be in a locked top type of rubbish barrel container.

1.4.2. LANDSCAPE MAINTENANCE

1.4.2.1. The landscape crew is to take orders only from our Landscape Committee.

1.4.3. WATER

1.4.3.1. Sprinkling may be done in accordance with City regulations in effect at that time.

1.5. FACILITIES

All facilities and equipment are for the private use of owners, residents, and guests only. Please note Special Pool Regulations.

1.5.1. STREETS AND PARKING AREAS

(State Statute 718.106 (2) (b) Limited to common elements)

1.5.1.1. All vehicles using our streets are to abide by the 5 MPH speed limit.

1.5.1.2. Unit owners and visitors' cars may be parked in carport drives where space permits or by the pool/clubhouse. Exception is allowed for Medical Care Givers to park for short periods at front door. Do not obstruct the street. Shell shoulders on Field, Cooper and Cockrill may be utilized for additional parking. When parking on city streets near an association street entrance leave at least one car length space so cars exiting the association can see oncoming traffic.

1.5.1.3. Vacant carports will not be used by anyone without the written consent of the unit owner.

1.5.1.4. RV and Trailer parking are prohibited anywhere on Association streets, lots, or in the parking area.

1.5.2. POOL

1.5.2.1.1. Users must follow accepted water safety practices while using the pool.

1.5.2.1.2. Users assume all risks involved while using the pool.

1.5.2.2. SWIMMING POOL WHEN AND BY WHOM POOL MAY BE USED

1.5.2.2.1. The pool will be open for use daily from Dawn to Dusk, except during Maintenance Periods.

1.5.2.2.2. Guests of owners or residents may use the pool during their stay with their host or hostess. It is the responsibility of the Owners or Residents to acquaint their guests with all Pool Rules and Regulations.

1.5.2.2.3. Children must be accompanied by an adult when using the pool.

1.5.2.2.4. Persons with skin, eye, ear, nose, or throat infection, or those with other communicable diseases, or those wearing bandages Are Not Permitted to use the Pool.

1.5.2.3. RESPONSIBILITIES BEFORE USING THE POOL

1.5.2.3.1. All users must shower before entering the pool. The use of soap or shampoo is not permitted at the Pool shower.

1.5.2.3.2. All users must wear bathing suits that are clean and free of sand.

1.5.2.3.3. Footwear should be worn to and from the pool and be removed before entering the water. This is to keep road dirt and road sealer out of the water.

1.5.2.4. USERS' RESPONSIBILITIES WHILE USING THE POOL ENCLOSURE

1.5.2.4.1. No diving. This is a Sarasota County Rule for pools without diving boards.

1.5.2.4.2. The life preserver is for safety use only. It is not a play toy. Please do not use it as such.

1.5.2.4.3. No running, jumping in, pushing, or other "horse play" is permitted in the pool area.

1.5.2.4.4. No glassware, foodstuffs or beverages may be taken into the pool. Only non-breakable containers may be taken into the pool area and must be kept at least four feet from the edge of the pool. Any refuse brought into the pool area must be removed.

1.5.2.4.5. Pets are not permitted within the pool area. This does not apply to service animals.

1.5.2.4.6. All cigar and cigarette stubs or other refuse are to be deposited in the containers provided.

1.5.2.4.7. The volume of radios should be kept low enough so as not to disturb others. Headphones are suggested.

1.5.2.4.8. Rafts, floats, or flippers, etc., are permitted in the pool as long as they do not create a disturbance and danger to others.

1.5.2.5. USE OF FACILITIES OUTSIDE OF POOL AREA

1.5.2.5.1. Outside restrooms are for swimmers' use. Please keep them clean and turn Off the light when you leave.

1.5.2.5.2. For your own safety no one in a wet bathing suit is permitted to enter or circulate inside the Clubhouse, or in the laundry room.

1.5.3. CLUBHOUSE

1.5.3.1. The clubhouse may be used by Association members for private social activities and meetings.

1.5.3.1.1. If there is a conflict, Association Functions will take precedent.

1.5.3.1.2. Fill out the reservation sheet on the Bulletin Board in the clubhouse.

1.5.3.1.3. There will be no private "for profit" functions.

1.5.3.2. There is to be no commercial advertising or solicitation allowed on Association property. Nothing shall be posted on the Bulletin Boards unless approved by the President or Vice President of the Association. Any postings which have not been approved will be removed.

1.5.3.3. Children must be accompanied by an adult while using any of the Clubhouse Facilities.

1.5.3.4. All users of Association facilities or equipment are to be responsible for cleaning and/or returning same when they are through using them. No property owned by the Association may be removed from the Association grounds without the prior written approval of the Board of Directors.

1.5.4. LAUNDRY

1.5.4.1 The laundry and drying yard are available to all members.

1.5.5. TOOL ROOM

1.5.5.1. Owners may use the clubhouse and tool shed equipment, providing they sign in and out for such use. Tools are used at user's risk. All special requests are to be referred to the Clubhouse Manager. The tool shed is for storage of items needed by the Association to operate this complex. It is not a storage shed for your personal goods.

2. VILLAS

2.1. FINANCIAL

- 2.1.1. Monthly maintenance payments: Maintenance payments are due the first of each month. You are reminded to make checks payable to "BEACH MANOR VILLAS SOUTH."

2.2. OCCUPANCY

- 2.2.1. Units are single family units and are to be used that way with maximum occupancy of 4 people.
- 2.2.2. Access to each unit must be provided to the Board for emergency, repair, and pest control purposes. Each owner must provide a key to the unit. The association has the irrevocable right of access to each unit during reasonable hours, when necessary for maintenance, repair, or replacement of any common elements, or of any portion of a unit to be maintained by the association, pursuant to the declaration or as necessary to prevent damage to the common elements or to a unit or units.
- 2.2.3. When guests or family members are occupying a villa during the owner's absence, a written and signed statement by the owner must be given to the Board identifying the guests and stating that they are using the unit with the owner's permission. This may be in the form of a letter delivered in person, through USPS or Email to the board of directors.
- 2.2.4. Pets may be kept on the premises provided they are kept on an attended leash while outside the owner's unit. Pet waste must be disposed of according to city statute.
- 2.2.5. See Declaration of Condominium for other use restrictions.

2.3. SALE OF VILLA

- 2.3.1. Owners must notify the Board when they rent or sell their villa and must obtain Board approval of the prospective buyer or renter before consummating the sale or rental.
- 2.3.2. Sales and Rental approval forms are available from a Board member or from Management. Application must be made in writing and submitted to the Board of Directors for approval of the prospective buyer or renter. An interview must take place and Board approval must be obtained prior to moving in. The board of directors may enforce eviction of any buyer or renter if board approval is not obtained prior to moving in.

2.4. RENTAL OF VILLA

- 2.4.1. Any unit owner may rent their villa, but the rental must follow the rules stated in the Declaration of Condominium and the By Law's.

2.5. INTERIOR OF VILLA

- 2.5.1. Property owners are notified that it is not a board function to oversee the interiors of vacant units during extended absences. Owners must make appropriate arrangements for such services. The association provided pest control company visit is not considered adequate oversight. The name and contact information for the overseer must be provided to the Board of Directors President, designate or Management Company.
- 2.5.2. Before leaving for an extended time, (more than 30 days) owners must follow the BMVS closing checklist.

2.6. EXTERIOR OF VILLA

2.6.1. CARPORT

- 2.6.1.1. Every property owner must keep carports in a neat and orderly manner.

2.6.1.2. Laundry should not be hung in this area. Bathing suits and beach towels will be permitted to dry.

2.6.1.3. Carport cabinets under windows cannot obstruct the window in any way and be no deeper than 24". Storage Cabinets on the side of the carports may not extend more than seven feet back from the roof overhang and shall not obstruct the bedroom window. All cabinets must be constructed of metal or termite resistant wood and be properly installed and structurally sound. Color of new construction must match the surrounding walls.

2.6.2. PLANTINGS AROUND VILLAS, COMMON GROUND BETWEEN VILLA BORDER AND STREET

2.6.2.1. Owners may plant in the common area between the Villa and the street with the approval of the Landscape committee and the Board of Directors

2.6.2.2. All new plantings must be submitted and approved by the Landscape Committee. The forms are available in the Clubhouse or on the Keys-Caldwell website. Once approved by the Committee it will be submitted to the Board for approval. The Landscape Request Approval Form must be filled out completely and must be accompanied with a drawing and location and name of plants.

2.6.2.3. The Association has adopted the Florida Power and Light list of acceptable trees as a guideline for all trees planted in the common area (with the exception of the BMVS palm trees). Plantings must conform to the "List of Acceptable Plants" provided by the University of Florida. [HTTP://fyn.ifas.ufl.edu](http://fyn.ifas.ufl.edu) The reference books may be purchased or downloaded.

2.6.2.3.1. [http://fyn.ifas.ufl.edu/materials/FYN Handbook 2015 web.pdf](http://fyn.ifas.ufl.edu/materials/FYN%20Handbook%202015%20web.pdf)

2.6.2.3.2. [http://fyn.ifas.ufl.edu/pdf/FYN Plant Selection Guide 2015.pdf](http://fyn.ifas.ufl.edu/pdf/FYN%20Plant%20Selection%20Guide%202015.pdf)

2.6.2.4. The Landscape Committee, with the approval of the Board may approve a plant not in the University of Florida List of Acceptable Plants.

2.6.2.5. All plants and trees are owned by the Association, but owners may maintain their plants if they choose to do so. If plants and trees are not maintained in accordance with Rules and Regulations the Association will be required to do so.

2.6.2.6. VILLA BORDER

2.6.2.6.1. All new plantings must be at least one foot away from the foundation of unit. Plantings must create NO MOWING, TRIMMING OR FOUNDATION PROBLEMS:

2.6.2.6.2. Planting within three feet of the building under windows to be a maximum height of the outside windowsills and plantings between windows to be a maximum height of 6 feet.

2.6.2.6.3. No trees of any type or size can be planted within three feet of the building.

2.6.2.7. All trellises must be securely anchored to walls or posts. No trellises may be attached to the soffit or fascia and will be constructed of plastic or a non-rusting metal.

2.6.2.8. Owners will not allow roots from potted plants to enter the ground.

2.6.2.9. Grass areas replaced with flowers, shrubs, stone, shell, or mulch must be maintained in a neat and weed free manner.

2.6.2.10. Trees and bushes with deep growing root systems cannot be planted over the sewers. These sewers are located:

2.6.2.10.1. The East side of Cooper Way.

2.6.2.10.2. The West side of Circle Way.

2.6.2.10.3. The South side of Aurora way between Cockrill Way and Circle Way.

2.6.2.10.4. The North side of Beach Manor Way between Beach Manor Center and Cooper Way.

2.6.2.11. Tree branches must not be allowed to touch the roof of the Villa. Tree branches overhanging the roof must be kept at least two feet from the roof, both horizontally and vertically.

2.6.2.12. Single bushes and shrubs must be trimmed to a maximum of six feet in height. Two or more bushes planted within 3 feet of each other will be considered to be a hedge and must be trimmed to a height of 6 feet.

2.6.2.13. Hedges in yards and along patio walls must be no more than 6 feet in height.

2.6.2.14. Plantings at street corners must not obstruct the view of the cross street for drivers or bicycle riders.

2.6.2.15. Plantings must not create mowing problems for the landscape company. Clearance for lawnmowers must be provided between plants.

2.6.3. STRUCTURAL / ARCHITECTURAL MODIFICATION

2.6.3.1. Board approval is required before any changes in the Exterior of villa or yard are made. Written requests must be submitted to the Architectural Committee for approval. After recommendation of the Architectural Review and Landscape Committee, judgments will be made on the basis of the following criteria:

2.6.3.1.1. Modification must involve no unsightly or excessively enlarged enclosure or statuary that exceeds (3) three feet in height.

2.6.3.1.2. Modification must be architecturally and esthetically acceptable.

2.6.3.1.3. Modification must retain or enhance the beauty of the unit and the neighborhood.

2.6.3.1.4. Modification must contain good quality materials properly installed and be structurally sound.

2.6.3.1.5. Modification must meet with the approval of immediate neighbors on both sides of the street, within viewing distance. The majority will rule.

2.6.3.1.6. After Architectural Committee approval the request will be submitted to the board for approval.

2.6.4. SCREEN ROOMS

2.6.4.1.1. Screen rooms installation requires ARC and Board approval and must be installed in compliance with the **BMVS Screen Room Standard**

2.6.4.2. WINDOW and DOOR REPLACEMENT

2.6.4.2.1. Windows and Doors may be replaced. installation requires ARC and Board approval and must be installed in compliance with **BMVS Window and Door Replacement Standard**

2.6.4.3. WALKS AND PATIOS

2.6.4.3.1. Front patios are to have a maximum area of 110 Square feet, not including the area of the walk. If walks are replaced, they must meet ADA width requirement.

2.6.4.3.2. Rear patios are not to exceed the length of the villa and are not to extend outward from the villa wall farther than 10 feet.

2.6.4.3.3. The architectural Committee will create specifications patio enclosures. (i.e., Beauty blocks)

2.6.4.4. AWNINGS

2.6.4.4.1. Awnings may be installed. Installation requires ARC and Board approval and must be installed in compliance with the **BMVS Awning Standard**